

Rule 362. Amendment of Pleadings and Process in the Reviewing Courts.

(a) Application. Any party who seeks on appeal to amend his or her pleadings or the process in the record on appeal shall present a motion, consistent with Rule 361, supported by affidavit. No motion shall be submitted until the record on appeal is on file.

(b) Showing Necessary. The motion and the affidavit in support thereof must show the amendment to be necessary, that no prejudice will result to the adverse party if the amendment sought is permitted, and that the issues sought to be raised by the amendment are supported by the facts in the record on appeal. The amended pleading or process shall be submitted with the motion.

(c) Service. A copy of the motion and affidavit in support thereof must be served upon the other parties and proof of service filed at the time the motion and affidavit are filed.

(d) Objections. The opposing party shall have five days in which to file objections, service of which shall be made upon the movant, and proof of service filed with the clerk of the reviewing court.

(e) Time. No motion for amendment of pleadings or process will be considered if made after the cause has been submitted for decision.

(f) On Court's Own Motion. The reviewing court may, of its own motion, before or after submission of the case for decision, order amendment to be made.

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

Committee Comments

This is former Rule 50 without change of substance.