



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 FIVE: REQUEST FOR PREPARATION OF RECORD ON APPEAL

1. What is the Record on Appeal?

The Record on Appeal (also called the common law record) is made up of all the pleadings, orders, motions, evidence, and other documents that were filed in the circuit court while your case was in front of the circuit court judge. The appellate court uses the Record on Appeal to find out what happened in the circuit court. The appellate court cannot look at any documents that are not in the Record on Appeal, so it is very important that the Record on Appeal is complete.

2. What party needs to order the Record on Appeal?

The person who filed the appeal (the appellant) must order the Record on Appeal. The request should be submitted soon after the Notice of Appeal is filed, because a copy of that request must be attached to the Docketing Statement (which is due within 14 days after filing the Notice of Appeal). It is the appellant's responsibility to make sure the Record on Appeal is complete.

3. What costs will I need to pay when I use the Request for Preparation of Record on Appeal form?

The circuit court clerk's office charges a fee to prepare the Record on Appeal. The amount of the fee depends on the length of the Record on Appeal. The appellant must pay part of the fee (a deposit) when ordering the Record on Appeal. The remainder of the fee



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must be paid when the circuit court clerk tells you that the Record on Appeal is ready to be filed with the appellate court.

If you are unable to pay the fee for the Record on Appeal, you may ask the circuit court clerk for a fee waiver. See the "How to Ask the Court to Participate in a Court Case for Free" instruction sheet found at: <http://www.illinoiscourts.gov/Forms/approved/>.

However, please note that any fee waiver the appellate court gives you does not cover the fee the circuit court charges for the Record on Appeal.

4. **How do I submit a Request for Preparation of Record on Appeal, also called the common law record?**

The steps involved in submitting a Request for Preparation of Record on Appeal are:

- a. The appellant must file the Request for Preparation of Record on Appeal with the circuit court where their case was decided.
- b. The appellant must attach a copy of the Request for Preparation of Record on Appeal to their Docketing Statement, which is filed in the appellate court.
- c. The circuit clerk's office will then prepare the record on appeal and send it directly to the appellate court within 63 days after the Notice of Appeal was filed.

NOTE: The appellant will need to have paid all fees due to the clerk's office OR filed a fee waiver prior to the clerk's office sending the records to the appellate court. If there are outstanding fees due, the clerk will not submit the record until those fees are paid.

5. **If the record is missing an important document, can I add it?**

Yes. If the document was filed in the circuit court, but is not in the record, you may ask the appellate court for permission to supplement the record. You will need to file a motion for leave to supplement the record *after* the record has been delivered to the clerk of the appellate court (see [Rule 329](#)). If the appellate court grants your motion, the circuit court clerk will prepare the supplement.

If you communicate with the other party and they agree that the document needs to be supplemented to the record, you may entitle your motion as an "agreed motion" and inform the court that the other party does not oppose your motion.

Consult the [local rules](#) in your appellate district for any specific procedures related to filing motions to supplement the record on appeal.