

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered July 27, 2017.

(Deleted material is struck through, and new material is underscored.)

On June 22, 2017, Rules 325 and 711 were amended but contained clerical errors, which are corrected *nunc pro tunc* to June 22, 2017, as shown below. On June 22, 2017, the Article I Forms Appendix, Rule 90 form, was adopted but contained a clerical error, which is corrected *nunc pro tunc* to June 22, 2017, as shown below. On June 22, 2017, Rule 315 was amended but contained a clerical error, which is corrected *nunc pro tunc* to June 22, 2017, as shown below; on June 28, 2017, Rule 311 was amended but created clerical errors in Rule 315, Rule 311, and the Article III Forms Appendix, Rule 312 form, all of which are corrected *nunc pro tunc* to June 28, 2017.

Corrected Rule 325

Rule 325. Transmission of Record on Appeal ~~or Certificate in Lieu of Record~~

Upon payment of the prescribed fee for preparation of the record on appeal, the clerk shall file the record with the reviewing court.

Amended October 21, 1969, effective January 1, 1970; amended July 1, 1985, effective August 1, 1985; amended April 10, 1987, effective August 1, 1987; amended December 17, 1993, effective February 1, 1994; amended May 30, 2008, effective immediately; amended June 22, 2017, eff. July 1, 2017.

Committee Comments
(Revised October 21, 1969)

This rule, based on former Rules 36(2)(c) and 36-1(4), with some additions and changes, recognizes the existing practice of transmission of the record to the reviewing court by a party and affirmatively requires the clerk to deliver the record to the appellant for transmission upon request and payment of the prescribed fee. If such a request is not made but the fee is paid, the clerk is to transmit the record himself. The procedure provided for in the second and third sentence of this rule for filing a certificate in lieu of the record was initiated in 1964 by former Rule 36-1(4) for cases assignable to magistrates. The new procedure eliminates the wasteful and time-consuming step of sending the record to the reviewing court and then immediately having it sent back to the appellant, who normally needs it to prepare the excerpts from record or abstract and his brief. The requirement of filing the record can be met under the new rule by the filing of the certificate obtained from the clerk of the trial court. The appellant can then retain the record on appeal and either file it with his brief or, as will often be convenient, turn it over to the appellee for the latter's use during the writing of his brief. Rule 326 requires that the record be delivered to the reviewing court at the time the reply brief is due or earlier if the reviewing court so orders.

The requirement that a copy of the notice of appeal be sent to the clerk of the reviewing court with the certificate, added in 1969, is for the convenience of the clerk. Failure to comply, or late compliance, with this requirement would not affect the timeliness of the filing of the certificate.

Commentary
(December 17, 1993)

Rule 325 is amended to require the clerk of the circuit court to deliver the certificate in lieu of record directly to the reviewing court for filing, which is consistent with the circuit clerk's responsibility of delivering the record to the reviewing court. Previously, the certificate was delivered to appellant, who then had the responsibility of filing it with the reviewing court, a circuitous procedure. The provision that a copy of the notice of appeal be sent to the reviewing court with the certificate is eliminated as unnecessary because the reviewing court already would have received the notice of appeal under Rules 303 or 307.

Corrected Rule 711

Rule 711. Representation by Supervised Law Students or Graduates

(a) Eligibility. A student in a law school approved by the American Bar Association may be certified by the dean of the school to be eligible to perform the services described in paragraph (c) of this rule, if the student satisfies the following requirements:

- (1) The student must have received credit for work representing at least one-half of the total hourly credits required for graduation from the law school.
- (2) The student must be in good academic standing and be eligible under the school's criteria to undertake the activities authorized herein.

A graduate of a law school approved by the American Bar Association who (i) has not yet had an opportunity to take the examinations provided for in Rule 704, (ii) has taken the examinations provided for in Rule 704 but not yet received notification of the results of either examination, or (iii) has taken and passed both examinations provided for in Rule 704 but has not yet been sworn as a member of the Illinois bar may, if the dean of that law school has no objection, be authorized by the Administrative Director of the Illinois Courts to perform the services described in paragraph (c) of this rule.

For purposes of this rule, a law school graduate is defined as any individual not yet licensed to practice law in any jurisdiction.

(b) Agencies Through Which Services Must Be Performed. The services authorized by this rule may only be carried on in the course of the student's or graduate's work with one or more of the following organizations or programs:

- (1) a legal aid bureau, legal assistance program, organization, or clinic chartered by the State of Illinois or approved by a law school approved by the American Bar Association;
- (2) the office of the public defender; or
- (3) a law office of the State or any of its subdivisions.

(c) Services Permitted. Under the supervision of a member of the bar of this State, and with the written consent of the person on whose behalf the law student or graduate is acting, an

eligible law student or graduate may render the following services:

(1) Counsel and advise clients, negotiate in the settlement of claims, represent clients in mediation and other nonlitigation matters, and engage in the preparation and drafting of legal instruments.

(2) Appear in the trial courts, courts of review and administrative tribunals of this State, including court-annexed arbitration and mediation, subject to the following qualifications:

(i) Written consent to representation of the person on whose behalf the law student or graduate is acting shall be filed in the case and brought to the attention of the judge or presiding officer.

(ii) Appearances, pleadings, motions, and other documents to be filed with the court may be prepared by the student or graduate and may be signed by him/her with the accompanying designation "Law Student" or "Law Graduate" but must also be signed by the supervising member of the bar.

(iii) In criminal cases, in which the penalty may be imprisonment, in proceedings challenging sentences of imprisonment, and in civil or criminal contempt proceedings, the student or graduate may participate in pretrial, trial, and posttrial proceedings as an assistant of the supervising member of the bar, who shall be present and responsible for the conduct of the proceedings.

(iv) In all other civil and criminal cases in the trial courts or administrative tribunals, the student or graduate may conduct all pretrial, trial, and posttrial proceedings, and the supervising member of the bar need not be present.

(v) In matters before courts of review, the law student or graduate may prepare briefs, excerpts from the record, ~~abstracts~~, and other documents filed in courts of review of the State, which may set forth the name of the student or graduate with the accompanying designation "Law Student" or "Law Graduate" but must be filed in the name of the supervising member of the bar. Upon motion by the supervising member of the bar, the law student or law graduate may request authorization to argue the matter before the court of review. If the law student or law graduate is permitted to argue, the supervising member of the bar must be present and responsible for the conduct of the hearing.

(d) Compensation. A student or graduate rendering services authorized by this rule shall not request or accept any compensation from the person for whom the student or graduate renders the services, but may receive compensation from an agency described in paragraph (b).

(e) Law Student Certification and Authorization.

(1) Upon request of a student or the appropriate organization, the dean of the law school in which the student is in attendance may, if the dean finds that the student meets the requirements stated in paragraph (a) of this rule, file with the Administrative Director a certificate so stating. Upon the filing of the certificate and until it is withdrawn or terminated the student is eligible to render the services described in paragraph (c) of this rule. The Administrative Director shall authorize, upon review and approval of the completed application of an eligible student as defined in paragraph (a) and the certification as described in paragraph (e), the issuance of the temporary license. No services that are permitted under paragraph (c) shall be performed prior to the issuance of a temporary license.

(2) Unless otherwise provided by the Administrative Director for good cause shown, or unless sooner withdrawn or terminated, the certificate shall remain in effect until the expiration of 24 months after it is filed, or until the announcement of the results of the first bar examination following the student's graduation, whichever is earlier. The certificate of a student who passes that examination shall continue in effect until the student is admitted to the bar.

(3) The certificate may be withdrawn by the dean at any time, without prior notice, hearing, or showing of cause, by the mailing of a notice to that effect to the Administrative Director and copies of the notice to the student and to the agencies to which the student had been assigned.

(4) The certificate may be terminated by this court at any time without prior notice, hearing, or showing of cause. Notice of the termination may be filed with the Administrative Director, who shall notify the student and the agencies to which the student had been assigned.

(f) Application by Law Graduate. A law school graduate who wishes to be authorized to perform services described in paragraph (c) of this rule shall apply directly to the Administrative Director, with a copy to the dean of the law school from which he/she graduated.

Amended effective May 27, 1969; amended July 1, 1985, effective August 1, 1985; amended July 3, 1986, effective August 1, 1986; amended June 19, 1989, effective August 1, 1989; amended June 12, 1992, effective July 1, 1992; amended October 10, 2001, effective immediately; amended December 5, 2003, effective immediately; amended February 10, 2006, effective immediately; amended June 18, 2013, eff. July 1, 2013; amended June 8, 2016, eff. immediately; amended June 22, 2017, eff. July 1, 2017.

Committee Comments

(June 18, 2013)

This rule was amended effective July 1, 2013, to clarify that students and law graduates may perform nonlitigation legal services under this rule. Nothing in this rule should be construed to require law students or law graduates to be certified under this rule for work, including but not limited to transactional, pretrial, and policy work, that properly may be performed by a law student or other nonlawyer under Rule 5.3 of the Illinois Rules of Professional Conduct.

Committee Comments

(July 1, 1985)

This rule was amended, effective August 1, 1985, to allow the Administrative Director of the Illinois Courts to allow certain graduates of approved law schools to perform services under this rule pending their first opportunity to sit for the bar examination and to allow the Administrative Director, upon good cause shown, to extend the termination date of a certificate beyond the period prescribed by the rule. "Good cause shown" would ordinarily be limited to evidence that the licensee was unable to sit for the first bar examination offered following his graduation because of illness, a death in his family, military obligation, etc.

Corrected Article I Forms Appendix, Rule 90 Form

Rule 90. Conduct of the Hearings

[Rule 90(c) Cover Sheet]

**IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
_____ COUNTY, ILLINOIS**

Plaintiff)
))
v.) No. _____
Defendant))
))
))
))

**NOTICE OF INTENT
PURSUANT TO SUPREME COURT RULE 90(C)**

Pursuant to Supreme Court Rule 90(c), the plaintiff(s) intend(s) to offer the following documents that are attached into evidence at the arbitration proceeding:

- | I. | Healthcare Provider Bills | Amount Paid | Amount Unpaid |
|-----|------------------------------------|-------------|---------------|
| | 1. | | |
| | 2. | | |
| | 3. | | |
| | 4. | | |
| | 5. | | |
| | 6. | | |
| | 7. | | |
| | 8. | | |
| | 9. | | |
| | 10. | | |
| | | | |
| II. | Other Items of Compensable Damages | | |

- 1.
- 2.
- 3.
- 4.
- 5.

Attorney for Plaintiff

Corrected Rule 315

Rule 315. Leave to Appeal From the Appellate Court to the Supreme Court

(a) Petition for Leave to Appeal; Grounds. Except as provided below for appeals from the Illinois Workers' Compensation Commission division of the Appellate Court, a petition for leave to appeal to the Supreme Court from the Appellate Court may be filed by any party, including the State, in any case not appealable from the Appellate Court as a matter of right. Whether such a petition will be granted is a matter of sound judicial discretion. The following, while neither controlling nor fully measuring the court's discretion, indicate the character of reasons which will be considered: the general importance of the question presented; the existence of a conflict between the decision sought to be reviewed and a decision of the Supreme Court, or of another division of the Appellate Court; the need for the exercise of the Supreme Court's supervisory authority; and the final or interlocutory character of the judgment sought to be reviewed.

No petition for leave to appeal from a judgment of the five-judge panel of the Appellate Court designated to hear and decide cases involving review of Illinois Workers' Compensation Commission orders shall be filed, unless two or more judges of that panel join in a statement that the case in question involves a substantial question which warrants consideration by the Supreme Court. A motion asking that such a statement be filed may be filed as a prayer for alternative relief in a petition for rehearing, but must, in any event, be filed within the time allowed for filing a petition for rehearing.

(b) Time.

(1) **Published Decisions.** Unless a timely petition for rehearing is filed in the Appellate Court, a party seeking leave to appeal must file the petition for leave in the Supreme Court within 35 days after the entry of such judgment. If a timely petition for rehearing is filed, the party seeking review must file the petition for leave to appeal within 35 days after the entry of the order denying the petition for rehearing. If a petition is granted, the petition for leave to appeal must be filed within 35 days of the entry of the judgment on rehearing. The Supreme Court, or a judge thereof, on motion, may extend the time for petitioning for leave to appeal, but such motions are not favored and will be allowed only in the most extreme and compelling circumstances.

(2) **Rule 23 Orders.** The time for filing a petition for leave to appeal a Rule 23 order shall be the same as for published opinions, except that if the party who prevailed on an issue in the appellate court timely files a motion to publish a Rule 23 order pursuant to Rule 23(f), and if the motion is granted, a nonmoving party may file a petition for leave to appeal within 35 days after the filing of the published opinion. The filing of a Rule 23(f) publication

motion shall not invalidate a previously filed petition for leave to appeal.

(c) Contents. The petition for leave to appeal shall contain, in the following order:

(1) a prayer for leave to appeal;

(2) a statement of the date upon which the judgment was entered; whether a petition for rehearing was filed and, if so, the date of the denial of the petition or the date of the judgment on rehearing;

(3) a statement of the points relied upon in asking the Supreme Court to review the judgment of the Appellate Court;

(4) a fair and accurate statement of the facts, which shall contain the facts necessary to an understanding of the case, without argument or comment, with appropriate references to the pages of the record on appeal, in the format as set forth in the Standards and Requirements for Electronic Filing the Record on Appeal.

(5) a short argument (including appropriate authorities) stating why review by the Supreme Court is warranted and why the decision of the Appellate Court should be reversed or modified; and

(6) an appendix which shall include the opinion or order of the Appellate Court and any documents from the record which are deemed necessary to the consideration of the petition.

(d) Format; Service; Filing. The petition shall otherwise be prepared, served, and filed in accordance with the requirements for briefs as set forth in Rules 341 through 343, except that it shall be limited to 20 pages, or alternatively 7,000 words, excluding only the appendix.

(e) Records; Abstracts. The clerk of the Supreme Court shall transmit notice of the filing of the petition to the clerk of the Appellate Court, who, upon request of the clerk of the Supreme Court made either before or after the petition is acted upon, shall transmit to the clerk of the Supreme Court the record on appeal that was filed in the Appellate Court and the certified Appellate Court record.

(f) Answer. The respondent need not but may file an answer, with proof of service, within 21 days after the expiration of the time for the filing of the petition, or within such further time as the Supreme Court or a judge thereof may grant within such 21-day period. An answer shall set forth reasons why the petition should not be granted, and shall conform, to the extent appropriate, to the form specified in this rule for the petition, omitting the items (1), (2), (3), (4) and (6) set forth in paragraph (c) except to the extent that correction of the petition is considered necessary. The answer shall be prepared, served, and filed in accordance with the requirements for briefs except that it shall be limited to 20 pages, or alternatively 7,000 words, excluding only the appendix. No reply to the answer shall be filed. If the respondent does not file an answer or otherwise appear but wants notice of the disposition of the petition for leave to appeal, a request for such notice should be submitted to the clerk in Springfield.

(g) Transmittal of Trial Court Record if Petition Is Granted. If the petition is granted, upon notice from the clerk of the Supreme Court the clerk of the Appellate Court shall transmit to the Supreme Court the record on appeal that was filed in the Appellate Court and the Appellate Court record, unless already filed in the Supreme Court.

(h) Briefs. If leave to appeal is allowed, the appellant may allow his or her petition for leave to appeal to stand as the brief of appellant, or may file a brief. Within 14 days after the date on

which leave to appeal was allowed, appellant shall serve on all counsel of record a notice of election to allow the petition for leave to appeal to stand as the brief of appellant, or to file an additional brief, and within the same time shall file the notice with the clerk of the Supreme Court. If appellant elects to allow the petition for leave to appeal to stand as his or her brief, appellant shall file with the notice a complete table of contents, with page references, of the record on appeal and a statement of the applicable standard of review for each issue, with citation to authority, in accordance with Rule 341(h)(3). If appellant elects to file an additional brief, it shall be filed within 35 days from the date on which leave to appeal was allowed. Motions to extend the time for filing an additional brief are not favored and will be allowed only in the most extreme and compelling circumstances.

The appellee may allow his or her answer to the petition for leave to appeal to stand as the brief of appellee, or may file a brief. If the appellant has elected to allow the petition for leave to appeal to stand as the brief of appellant, within 14 days after the due date of appellant's notice the appellee shall serve on all counsel of record a notice of election to let the answer stand as the brief of appellee, or to file a brief, and within the same time shall file the notice with the clerk of the Supreme Court. If the appellee elects to file a brief, such brief shall be filed within 35 days of the due date of appellant's notice of election to let the petition for leave to appeal stand as the brief of appellant.

If the appellant has elected to file an additional brief, within 14 days after the due date of appellant's brief the appellee shall serve on all counsel of record a notice of election to let his or her answer stand as the brief of appellee, or to file an additional brief, and within the same time shall file a copy of the notice with the clerk of the Supreme Court. If appellee elects to file an additional brief it shall be filed within 35 days of the due date of appellant's brief.

If an appellee files a brief, the appellant may file a reply brief within 14 days of the due date of appellee's brief. If the brief of appellee contains arguments in support of cross-relief, the appellant's arguments in opposition shall be included in the reply brief and the appellee may file a reply brief confined strictly to those arguments within 14 days of the due date of appellant's reply brief. If the brief of the appellee contains arguments in support of cross-relief, the cover of the brief shall be captioned: "Brief of Appellee. Cross-Relief Requested."

Briefs, pleadings and other documents filed with the Supreme Court in cases covered by this rule shall, to the extent appropriate, conform to Rules 341 through 343.

In cases involving more than one appellant or appellee, including cases consolidated for purposes of the appeal, any number of either may join in a single brief, and any appellant or appellee may adopt by reference any part of the brief of another. Parties may similarly join in reply briefs.

(i) Child custody cases. A petition for leave to appeal in a child custody or allocation of parental responsibilities or relocation of emancipated minors case, as defined in Rule 311, and any notice, motion, or pleading related thereto, shall include the following statement in bold type on the top of the front page: ~~THIS APPEAL INVOLVES A QUESTION OF CHILD CUSTODY, ALLOCATION OF PARENTAL RESPONSIBILITIES, ADOPTION, TERMINATION OF PARENTAL RIGHTS OR OTHER MATTER AFFECTING THE BEST INTERESTS OF A CHILD.~~ **THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).**

(j) Delinquent minor cases. A petition for leave to appeal in a delinquent minor case, as provided for in Rule 660A, and any notice, motion, or pleadings related thereto, shall include the following statement in bold type on the top of the front page: THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT.

(k) Oral Argument. Oral argument may be requested as provided in Rule 352(a).

Amended effective November 30, 1972; amended effective September 1, 1974; amended October 1, 1976, effective November 15, 1976; amended September 29, 1978, effective November 1, 1978; amended July 30, 1979, effective October 15, 1979; amended February 19, 1982, effective April 1, 1982; amended May 28, 1982, effective July 1, 1982; amended February 1, 1984, effective February 1, 1984, with Justice Moran dissenting (see *Yellow Cab Co. v. Jones* (1985), 108 Ill. 2d 330, 342); amended April 27, 1984, effective July 1, 1984; amended February 21, 1986, effective August 1, 1986; amended February 27, 1987, effective April 1, 1987; amended April 7, 1993, effective June 1, 1993; amended December 17, 1993, effective February 1, 1994; amended September 23, 1996, effective immediately; amended September 22, 1997, effective October 1, 1997; amended March 19, 2003, effective May 1, 2003; amended December 5, 2003, effective immediately; amended October 15, 2004, effective January 1, 2005; amended February 10, 2006, effective July 1, 2006; amended May 24, 2006, effective September 1, 2006; amended August 15, 2006, effective immediately; amended October 2, 2006, effective immediately; amended September 25, 2007, effective October 15, 2007; amended February 26, 2010, effective immediately; amended Mar. 15, 2013, eff. May 1, 2013; amended May 23, 2013, eff. July 1, 2013; amended Dec. 11, 2014, eff. Jan. 1, 2015; amended Mar. 15, 2016, eff. immediately; amended June 22, 2017, eff. July 1, 2017; amended June 28, 2017, eff. July 1, 2017.

Committee Comments
(February 10, 2006)

Paragraph (b) is amended to dispense with the requirement of filing an affidavit of intent to file a petition for leave to appeal or a certificate of intent to file a petition for leave to appeal. This amendment is consistent with the public policy of this state as evinced by the Code of Civil Procedure, which favors resolution on the merits: “This Act shall be liberally construed, to the end that controversies may be speedily and finally determined according to the substantive rights of the parties.” 735 ILCS 5/1-106.

The amendment also addresses the concerns addressed in *A.J. Maggio Co. v. Willis*, 197 Ill. 2d 397 (2001), *Roth v. Illinois Farmers Insurance Co.*, 202 Ill. 2d 490 (2002), and *Wauconda Fire Prevention District v. Stonewall Orchards, LLP*, 214 Ill. 2d 417 (2005), all of which dealt with the rather unclear requirements of Rule 315, which had been amended in 1993 to require the filing of an affidavit of intent within 21 days in order to have 35 days in which to file a petition for leave to appeal.

Paragraph (b) is further amended to separate the provision on the time for filing a petition for leave to appeal, which remains in paragraph (b), from the provision on the content of the petition, which becomes a new paragraph (c). The subsequent paragraphs are relettered accordingly.

Paragraph (b) is also amended to allow a party that may not have sought Supreme Court review of an adverse disposition under Rule 23(b) or (c) the opportunity to seek review of that disposition after the Appellate Court grants a motion to publish it.

Corrected Rule 311

Rule 311. Accelerated Docket

(a) Mandatory Accelerated Disposition of Child Custody or Allocation of Parental Responsibilities or Relocation of Unemancipated Minors Appeals. The expedited procedures in this subpart shall apply to appeals from final orders in child custody or allocation of parental responsibilities cases or decisions allowing or denying relocation (formerly known as removal) of unemancipated minors and to interlocutory appeals in child custody or allocation of parental responsibilities cases or decisions allowing or denying relocation (formerly known as removal) of unemancipated minors from which leave to appeal has been granted pursuant to Rule 306(a)(5). If the appeal is taken from a judgment or order affecting other matters, such as support, property issues or decisions affecting the rights of persons other than the child, the reviewing court may handle all pending issues using the expedited procedures in this rule, unless doing so will delay decision on the child custody or allocation of parental responsibilities or the relocation of the unemancipated minors appeal.

(1) *Special Caption.* The notice of appeal or petition for leave to appeal, docketing statement, briefs and all other notices, motions and pleadings filed by any party in relation to an appeal involving child custody or allocation of parental responsibilities or decisions allowing or denying relocation of unemancipated minors shall include the following statement in bold type on the top of the front page:

THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).

(2) *Service Upon the Circuit Court.* In addition to the service required by Rule 303(c), a party filing notice of appeal in a child custody or allocation of parental responsibilities case shall, within seven days, serve the notice of appeal on the trial judge who entered the judgment or order appealed and the office of the chief judge of the circuit in which the judgment or order on appeal was entered. Where leave to appeal has been granted pursuant to Rule 306(a)(5), the appellant shall, within seven days, serve the order granting leave to appeal upon the trial judge who entered the judgment or order appealed from and the office of the chief judge of the circuit in which the judgment or order on appeal was entered.

(3) *Status Hearing in Circuit Court.* On receipt of the notice of appeal or order granting leave to appeal under Rule 306(a)(5) in a child custody or allocation of parental responsibilities case, the trial judge shall set a status hearing within 30 days of the date of filing of the notice of appeal or order granting leave to appeal to determine the status of the case, including payments of required fees to the clerk of the circuit court and court reporting personnel as defined in Rule 46 for the preparation of the transcript of proceedings, and take any action necessary to expedite preparation of the record on appeal and the transcript of the proceedings. The trial court shall have continuing jurisdiction for the purpose of enforcing the rules for preparation of the record and transcript. The trial court may request the assistance of the chief judge to resolve filing delays, and the chief judge shall assign or

reassign the court reporting personnel's work as necessary to ensure compliance with the filing deadlines.

(4) *Record*. The record on appeal and the transcript of proceedings in a child custody or allocation of parental responsibilities case shall be filed no later than 35 days after the filing of the notice of appeal or granting of leave to appeal pursuant to Rule 306(a)(5). Any request for extension of the time for filing shall be accompanied by an affidavit of the court clerk or court reporting personnel stating the reason for the delay, and shall be served on the trial judge and the chief judge of the circuit. Lack of advance payment shall not be a reason for noncompliance with filing deadlines for the record or transcript. Any subsequent request for continuance shall be made to the appellate court on motion with notice to all parties in accordance with rules.

(5) *Deadline for Decision*. Except for good cause shown, the appellate court shall issue its decision within 150 days after the filing of the notice of appeal or granting of leave to appeal pursuant to Rule 306(a)(5).

(6) *Local Rules*. The appellate court of each district shall by administrative order or rule adopt mandatory procedures to ensure completion of child custody or allocation of parental responsibilities appeals within the time specified in paragraph (5). The order or rule may include provisions regarding the use of memoranda in lieu of briefs, provisions for the separation of child custody or allocation of parental responsibilities issues from other issues on appeal, and any other procedures necessary to a fair and timely disposition of the case. The clerk of the appellate court shall be responsible for seeing that the accelerated docket is maintained and for advising the court of any noncompliance with the rules of the court concerning timely filing.

(7) *Briefing Schedule*. The brief of the appellant or memorandum in lieu of a formal brief is due 21 days after filing of the record on appeal in the appellate court. The brief of the appellee or memorandum in lieu of a formal brief is due 21 days from the due date of the appellant's brief. Any reply brief or memorandum in lieu of a formal brief is due 7 days from the due date of the appellee's brief. In the case of a cross-appeal, the cross-reply brief or memorandum in lieu of a formal brief is due 7 days from the due date of the reply brief.

(8) *Continuances Disfavored*. Requests for continuance are disfavored and shall be granted only for compelling circumstances. The appellate court may require personal appearance by the attorney or party requesting the continuance.

(9) *Effective Date*. This rule shall apply to all orders in which a notice of appeal is filed after its effective date.

(b) Discretionary Acceleration of Other Appeals. Any time after the docketing statement is filed in the reviewing court, the court, on its own motion, or on the motion of any party, for good cause shown, may place the case on an accelerated docket. The motion shall be supported by an affidavit stating reasons why the appeal should be expedited. If warranted by the circumstances, the court may enter an order accepting a supporting record prepared pursuant to Rule 328, consisting of those lower court pleadings, reports of proceedings or other materials that will fully present the issues. In its discretion the court may accept memoranda in lieu of formal briefs. The court may then enter an order setting forth an expedited schedule for the disposition of the appeal.

(1) *Special Caption*. The notice of appeal or petition for leave to appeal, docketing statement, and all other notices, motions, and pleadings filed by any party in relation to an appeal where the reviewing court, for good cause shown, has placed the case on an accelerated docket shall include the following statement in bold type on the top of the front page:

THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION SPECIFICALLY ORDERED UNDER RULE 311(b) BY THE REVIEWING COURT.

Adopted June 15, 1982, effective July 1, 1982; amended June 19, 1989, effective August 1, 1989; amended December 17, 1993, effective February 1, 1994; amended February 26, 2010, effective immediately; amended Mar. 8, 2016, eff. immediately; amended June 22, 2017, eff. July 1, 2017; amended June 28, 2017, eff. July 1, 2017.

Committee Comments
(March 8, 2016)

Special Supreme Court Committee on Child Custody Issues

The Illinois Marriage and Dissolution of Marriage Act, Pub. Act 99-90 (eff. Jan. 1, 2016) (amending 750 ILCS 5/101 et seq.), has changed the terms “Custody,” “Visitation” (as to parents) and “Removal” to “Allocation of Parental Responsibilities,” “Parenting Time” and “Relocation.” These rules are being amended to reflect those changes. The rules utilize both “custody” and “allocation of parental responsibilities” in recognition that some legislative enactments covered by the rules utilize the term “custody” while the Illinois Marriage and Dissolution of Marriage Act and the Illinois Parentage Act of 2015 utilize the term “allocation of parental responsibilities.” The Special Committee has attempted to adhere to the usage found in the applicable legislative enactments.

Committee Comments
(August 1, 1989)

Amended in 1989 to give the Appellate Court discretion, for good cause shown, to order cases to an accelerated docket on its own motion or on the motion of a party, rather than requiring that all parties agree to such action.

Committee Comments
(February 26, 2010)

Paragraph (a)

Paragraph (a) was originally enacted as Rule 306A in 2004 to expedite the resolution of appeals affecting the care and custody of children. In 2010, Rule 306A was moved to paragraph (a) of this rule. The purpose of this amendment was to streamline the wording of the rule and facilitate its use. The amendment was also intended to clarify that the rule addresses only the

procedures to be followed in order to expedite disposition of child custody appeals. Importantly, this rule does not confer any new appeal rights or affect finality for purposes of appellate jurisdiction. The appealability of any order affecting child custody is governed principally by Rules 301, 304, 303, and 306. The expedited procedures set forth in paragraph (a) apply to all child custody appeals, whether they have been taken from final orders appealable as of right or interlocutory orders from which the court has granted leave to appeal. The goal of paragraph (a) remains to promote stability for not only abused and neglected children, but also children whose custody is an issue in dissolution of marriage, adoption, and other proceedings, by mandating swifter disposition of these appeals.

Paragraph (b)

Paragraph (b) encompasses the pre-2010 amendment version of Rule 311, which permits the expedited resolution of any appeal upon the request of any party and at the discretion of the appellate court.

Corrected Article III Forms Appendix, Rule 312 Form

Rule 312. Docketing Statement

Docket Number in the Reviewing Court

Case Title (Complete))	Appeal from _____ County
)	Circuit Number _____
)	Trial Judge _____
)	Date of Notice of Appeal _____
)	Date of Judgment _____
)	Date of Postjudgment Motion Order _____
)	_____
)	Supreme court rule which confers jurisdiction
)	upon the reviewing court _____

DOCKETING STATEMENT
(Civil)

1. Is this a cross-appeal, separate appeal, joining in a prior appeal, or related to another appeal which is currently pending or which has been disposed of by this court? _____

If so, state the docket number(s) of the other appeal(s):

2. If any party is a corporation or association, identify any affiliate, subsidiary, or parent group:

3. Full name and complete address of appellant(s) filing this statement:

Name: _____

Address: _____

Telephone: _____

E-mail address: _____

*Use additional page if multiple appellants.

Counsel on Appeal for appellant(s) filing this statement:

Name: _____ ARDC # _____

Address: _____

Telephone: _____

E-mail address: _____

*Use additional page if multiple appellants.

4. Full name and complete address of appellee(s):

Name: _____

Address : _____

Telephone: _____

E-mail address: _____

*Use additional page if multiple appellees.

Counsel on Appeal for appellee(s):

Name: _____

Address: _____

Telephone: _____

E-mail address: _____

*Use additional page if multiple appellees.

5. Court reporting personnel:

Name: _____

Address: _____

Telephone: _____

E-mail address: _____

*Use additional page if multiple court reporting personnel.

6. Is this appeal from a final order in a matter involving child custody or allocation of parental responsibility or relocation of unemancipated minors pursuant to Illinois Supreme Court Rule 311(a), which requires **Mandatory Accelerated Disposition of Child Custody, ~~or~~ Allocation of Parental Responsibilities, and Relocation of Unemancipated Minors Appeals?**

Yes: _____

No: _____

*If yes, this docketing statement, briefs and all other notices, motions and pleadings filed by any party shall include the following statement in bold type on the top of the front page:

~~THIS APPEAL INVOLVES A QUESTION OF CHILD CUSTODY, ALLOCATION OF PARENTAL RESPONSIBILITIES, ADOPTION, TERMINATION OF PARENTAL RIGHTS, OR OTHER MATTER AFFECTING THE BEST INTERESTS OF A CHILD. THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).~~

7. State the general issues proposed to be raised (failure to include an issue in this statement will not result in the waiver of the issue on appeal):

As ___ attorney for the appellant ___ self-represented appellant (check one), I hereby certify that on the ___ day of _____, 20___, I requested the clerk of the circuit court to prepare the record on appeal, and on the ___ day of _____, 20___, I requested the court reporting personnel to prepare the transcript(s).

Date

Appellant's Attorney

OR Appellant