

Proposal 07-04
Amends Supreme Court Rule 343
Offered by the Appellate Lawyers Association

Rule 343. Times for Filing and Serving Briefs

(a) Time. Except as provided in subparagraph (b) below and elsewhere in these rules (see Rules 306, 307, 308, 315, and 317), the brief of the appellant shall be filed in the reviewing court within 35 days from the filing of the record on appeal. Within 35 days from the due date of the appellant's brief, or in the case of multiple appellants, the latest due date of any appellant's brief, the appellee shall file his or her brief in the reviewing court. Within 14 days from the due date of the appellee's brief, or in the case of multiple appellees, the latest due date of any appellee's brief, the appellant may file a reply brief.

(b) Cross-Appeals and Separate Appeals. Unless otherwise ordered by the reviewing court or a judge thereof, briefs of cross-appellants and separate appellants shall be filed as follows:

(1) *Cross-Appeals.* A cross-appellant shall file a single brief as appellee and cross-appellant at the time his or her brief as appellee is due; the appellant's answer to the arguments on the cross-appeal shall be included in appellant's reply brief, which shall be filed within 35 days from the due date of the single brief filed by the cross-appellant; and the cross-appellant may file a reply brief confined strictly to replying to those arguments raised on the cross-appeal within 14 days after the due date of the appellant's reply brief.

(2) *Separate Appeals.* A separate appellant shall follow the same briefing schedule as prescribed for the appellant. All appellees shall file their briefs within 35 days of the due date of appellants' briefs. Any replies may be filed within 14 days of the due date of appellees' briefs.

(c) Extending or Shortening Time. The reviewing court or a judge thereof, *sua sponte* or upon the motion of a party supported by affidavit or verification by certification under section 1-109 of the Code of Civil Procedure showing a good cause, may extend or shorten the time of any party to file a brief. (See Rule 361.)

Committee Comments

(insert date)

Paragraph (b)(1) was amended to make clear that the appellant has 35 days from the due date of the single brief filed by the cross-appellant to file a reply brief that includes the appellant's answer to the arguments on the cross-appeal rather than the 14 days generally allowed for filing reply briefs set forth in paragraph (a). This amendment makes no substantive change to this rule.