

FILING INSTRUCTIONS

Appellant's Brief

1. Due 30 days after record complete date
2. Cover page (blue)

Should be in the following order:

3. Statement of the Issues
4. Table of Contents
5. Table of Cases
6. Concise Statement of the Case including the subject of the litigation, claims of the parties, facts of the case and proceedings below, appellant's specific claims of error, with appropriate references to the record
7. Argument containing issues presented, how issues were preserved, contentions of the appellant and reasons therefore, with citations to the authorities, statutes and parts of the record relied on. Must also include for each issue a concise statement of the applicable standard of review; the statement may appear in the discussion of each issue or under a separate heading placed before the discussion of the issues
8. Conclusion stating precise relief sought
9. Preferably bound by staple in upper left-hand corner (at least one unbound copy if bound)
10. 8½ x 11, 1½ inch left margin, 1 inch top, bottom and right margin
11. Times New Roman
12. 9000 word limit or file motion for ext 1 week BEFORE due date
13. E-file JUD – use this e-mail add. Jud-supremecourtbriefs@vermont.gov and in body of e-mail include wording that it's been tested for virus (see forms\brief.filing.1 for language). Must be e-filed to court and parties no later than date it's due; 8 hard copies to court and 1 to client
14. If filing is due by court order – no 3 extra "mailing" days

Appellee's Brief

1. Due 21 days after date Appellant's brief is filed
2. Cover Page (red)
3. Shall conform with requirements of Rule 28, paragraphs (a)(1)-(4) except that none of the following need appear unless appellee is dissatisfied with the statement of appellant: statement of the case; statement of standard of review.
4. Follow instructions for Appellant's Brief above

Reply Brief

1. Due w/in 10 days of date of state's brief (call court to get exact date they received brief), excluding weekends and holidays (VRAP 26); call ct to see exact date state's brief was filed
2. Cover page (gray)
3. 4500 word limit
4. Follow instructions for Appellant's Brief above

Amicus Brief

1. Due on date court orders
2. Cover page (green)
3. Signed by Defender General
4. Follow instructions for Appellant's Brief above

Supplemental Brief

1. Cover tan
2. Don't know that I've ever filed one of these so extremely rare
3. Follow instructions for Appellant's Brief above

Printed Case

1. Due 30 days after record complete date w/brief (not 10 days after rec comp per previous rule)
2. Cover page (white)
3. Pages – must be numbered
4. Table of contents
5. Decision appealed from immediately following table of contents
6. Docket entries
7. Information
8. Remaining documents in chronological order
9. Notice of appeal

10. E-file JUD – use this e-mail add. Jud-supremecourtbriefs@vermont.gov and in body of e-mail include wording that it's been tested for virus (see forms\brief.filing.1 for language). Must be e-filed to court and parties no later than date it's due; 1 hard copy to court and 1 to client

Motions, Stips, etc.

1. General motions: original + one copy to court, one copy to opposing counsel
2. Stipulations: original to court, one copy to opposing counsel
3. Double-spaced (12-point type)
4. Attorney name must appear preferably w/address
5. Motions for reargument due 14 days from date of judgment, 10 page max. excluding tables, covers, etc., original plus one copy
6. Mega motions (for more than one client) provide court with original plus one file copy for each separate case

Cross Appeal

1. Cover yellow
2. Length of brief 9000 words or 4500 for reply brief

F:\docs\cathy\forms\filing.instructions