

CIVIL APPELLATE BRIEF CHECKLIST

Below are checklists of items for appellate briefs. For more information, please review the Arizona Rules of Civil Appellate Procedure (ARCAP), particularly ARCAP 13 and 14. More detailed information and instructions are provided in the Guide for Self-Represented Appellants and Appellees.

APPELLANT'S OPENING AND APPELLEE'S ANSWERING BRIEF (ARCAP 13)

1. **Cover Page should be a separate page for the case caption and filer's information.**
2. **Table of Contents**
 - Outline the content of the brief and list the page numbers where each section is found.
3. **Table of Citations**
 - Create this table after the appellate brief is completed.
 - List all the legal authorities cited in alphabetical order.
 - For each authority, list all the pages on which it is cited.
4. **Headings for the Body of the Brief**
 - a. **Statement of the Case**
 - Briefly explain what the appeal is about and introduce your position on the issues.
 - b. **Statement of Facts**
 - Provide a history of the case, including all facts pertinent to the issues on appeal.
 - For each fact, cite the specific document in the record using the numbers listed in the Index of Record.
 - When citing a transcript, provide the page and line numbers, see ARCAP 11(b) and (c).
 - c. **Statement of Issues**
 - State what questions you want the Court to answer and what you think is incorrect in the judgment.
 - d. **Arguments**
 - Present legal arguments that address the questions raised in the Statement of Issues.
 - Cite the record for fact assertions and cite legal authorities such as statutes, case law, and constitutional provisions for legal assertions.
 - e. **Attorney Fee and Taxable Cost Claims on Appeal (ARCAP 21(a))**
 - Cite a legal basis to claim fees and costs.
 - f. **Conclusion - state the precise relief sought**
5. **Sign and date the brief**
6. **Complete and Sign a Certificate of Compliance (ARCAP 14)**
 - A statement at the end of the brief certifying that the brief does not exceed 14,000 words.
7. **Complete and Sign a Certificate of Service (ARCAP 15)**
 - A statement certifying that the brief was served on all parties, including the names of the parties served, the date of service, and the method of service (mail, email, TurboCourt). Be specific about the method as it determines the due date for the next brief.

APPELLANT'S OPTIONAL REPLY BRIEF (ARCAP 13)

The appellant may file a Reply Brief but is not required to do so. The Reply Brief is limited to responding to those arguments or facts presented in the Answering Brief. Do not introduce new arguments or repeat arguments made in the Opening Brief.

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2. **Table of Contents**
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3. **Table of Citations**
 - Create this table after the appellate brief is completed.
 - List all the legal authorities cited in alphabetical order.
 - For each authority, list each page on which it is cited.
4. **Headings for the Body of the Brief**
 - a. **Arguments**
 - Responses to Answering Brief
 - Cite the record for fact assertions and cite legal authorities such as statutes, case law, and constitutional provisions for legal assertions.
 - b. **Conclusion – state the precise relief sought**
5. **Sign and date the brief**
6. **Complete and Sign a Certificate of Compliance (ARCAP 14)**
 - A statement at the end of the brief certifying that the brief does not exceed 7,000 words.
7. **Complete and Sign a Certificate of Service (ARCAP 15)**
 - A statement certifying that the brief was served on the parties, including the names of the parties served, the date of service, and the method of service (mail, email, TurboCourt).

CROSS-APPEALS

Cross-appeal briefs follow the same format as the opening, answering, and reply briefs. Please refer to those checklists. Below only lists the differences.

1. **For appellee/cross-appellant,**
 - Combine the answering brief with the cross-appeal opening brief.
 - Certificate of compliance must state that the combined brief does not exceed 21,000 words.
2. **For appellant/cross-appellee,**
 - Combine the reply brief with the cross-appeal answering brief.
 - Certificate of compliance must state that the combined brief does not exceed 21,000 words.
3. **Optional for appellee/cross-appellant,**
 - May file a cross-appeal reply brief.
 - Certificate of compliance must state that the brief does not exceed 7,000 words.