

APPELLATE CASE FLOW

Civil or Criminal Appeal

Filing the Appeal

The appealing party must file with the clerk of the trial court a Notice of Appeal with journal entry attached, a Praecipe, and a Docketing Statement, as well as \$175 for costs or an affidavit of indigency, generally within 30 days of entry of judgment. App.R. 3 and 4; Loc.App.R. 3 and 9.



Transmission of the Record

Record must be transmitted to the appellate court within 40 days (accelerated docket – 20 days) after the notice of appeal is filed. App.R. 10; Loc.App.R. 10 and 11.1.



Briefing

Appellant's brief is due within 20 days (accelerated docket – 15 days) after the clerk gives notice that the record was filed. App.R. 11.1(C) and 18; Loc.App.R. 11.1



Appellee's brief is due within 20 days (accelerated docket – 15 days) after service of the appellant's brief. App.R. 11.1(C) and 18; Loc.App.R. 11.1.



Appellant's reply brief, if appropriate, is due within 10 days after service of the appellee's brief. App.R. 18. No reply brief is permitted in appeals on the accelerated docket unless ordered by the court. App.R. 11.1; Loc.App.R. 11.1.



Oral Argument

After briefing is completed, the appellate court will generally schedule oral argument. Argument may be waived or cancelled under certain circumstances.

Loc.App.R. 21.



Decision

After oral argument, the court of appeals enters its journal entry and opinion deciding the appeal. Loc.App.R. 22.



Post-Judgment Motions

Within ten days after the entry is journalized, any party may file an application for reconsideration, application for en banc consideration, or a motion to certify a conflict, if appropriate. App.R. 25 and 26; Loc.App.R. 26. An application for reconsideration and/or an application for en banc consideration will toll the time for appeal to the supreme court. S.Ct. Prac.R. 7.01(A)(5) & (6).



Appeal to the Ohio Supreme Court

After the opinion of the appellate court has been journalized and any applications for reconsideration and/or en banc consideration have been decided, the parties normally have 45 days to file an appeal to the Supreme Court of Ohio.

S.Ct. Prac.R. 7.01(A)(5) & (6).