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| Get an informal brief - Appellee |

Congratulations {{ users }}! You have finished all the forms you need to complete your informal brief and appendix. Now, you must deliver your brief and appendix to the Appeals Court and to the other parties involved in this case. Read the instructions below.

## Next steps

1. Deliver a copy to the appellee(s) or their attorney(s).
2. File this brief with the Appeals Court now. You can do this by [mail](#_Filing_the_brief_1) or [electronically](#_Filing_the_brief).
3. **Keep a copy for yourself.**

## To file your appellee brief right away

1. Look over the forms below, one more time. Make sure everything is correct.
2. Be sure to include the [Supplemental Record Appendix](#_Record_Appendix_(filed) and, if required, [Impounded Record Appendix](#_Impounded_Record_Appendix).
3. Call the Appeals Court Clerk’s Office at

(617) 921-4443 if you need help delivering the forms to the court.

## What happens after I file my appellee brief?

The judges read the briefs and the record appendices. They may decide the appeal based just on the briefs and record appendices, or they may schedule a hearing for oral argument.

1. Send your brief.
2. Wait for a reply from the Appeals Court.

## What can the judges do?

The judges will read your brief. The court will notify you of the next steps. The court will either schedule an oral argument then issue a written decision or not have a hearing and issue a written decision.

**Read** the decision as soon as you get it. If you disagree with the Appeals Court’s decision, you may file either a motion for reconsideration or modification of the decision (Rule 27) in the Appeals Court or file an application for further appellate review (Rule 27.1) in the Supreme Judicial Court. Each option has a short time deadline so you must quickly review the rules and file.

## Filing the brief electronically

You can file this brief electronically with the Appeals Court by converting and saving this Word document to a PDF. To save as a PDF, please go to "**File**" and select "**Save as Adobe PDF**."

Then, enter the appropriate file name for the PDF (e.g., Informal Appellee Brief) and select the folder where you wish to save this document. Lastly, press the "**Save**" button at the bottom to complete saving. An informal brief may be electronically served and filed by [creating an account](https://massachusetts.tylertech.cloud/OfsWeb).

## Filing the brief by mail

If you are not filing electronically, an original paper copy may be mailed to:

**Massachusetts Appeals Court**

**Clerk's Office**

**1 Pemberton Square, Room 1200**

**Boston, MA, 02108**

Also, send a copy to each party involved in the case.

To print a copy of this Word document, please go to "**File**" and select "**Print**." Then, choose the correct printer and customize your print settings (e.g., number of copies). Lastly, press the "**Print**" button, with the printer icon, to complete printing.

## Learn more

Visit [**https://www.mass.gov/info-details/appeals-court-informal-brief-pilot-program**](https://www.mass.gov/info-details/appeals-court-informal-brief-pilot-program)

or use the QR code below:

A qr code with a white background

AI-generated content may be incorrect.

## Supplemental Record Appendix (filed as a separate document)

As an appellee (responding to an appeal), you may file a record appendix that will be called the "supplemental appendix," containing copies of documents that were filed in or created by the trial court or agency, are not impounded, and are relevant to the Appeals Court's review of the issues raised on appeal, even if the document is also included in the appellant's record appendix. There is a **special procedure for filing impounded information** that is described below and in section (d) (4) of the Informal Brief Guidance.

Filing a supplemental appendix is not mandatory unless the document or testimony you are referring to in your informal appellee brief was not included in the appellant's record appendix or transcript(s). If you are an appellee responding to an informal brief under this pilot program, you do not need permission to file a supplemental appendix, whether you are submitting an informal brief or a formal one.

If a supplemental appendix is filed, it must be filed as a **separate document** from the informal appellee brief. It is filed at the same time as when you file your appellee brief. The pages must be numbered consecutively with the cover page being page one, and the supplemental appendix must include a table of contents that lists by title each document it contains, and the page on which it begins. A template is provided as part of this pilot program. A copy of a supplemental appendix must be served on each party in the case, with the service identified in your certificate of service.

**Please note that only materials that were presented to the lower court or agency may be included in a supplemental appendix**. If you wish to include materials that were not presented to the lower court or agency, you must file a motion in the Appeals Court seeking permission to do so. (Such motions are usually denied because the Appeals Court reviews the judge's decision based only on the information that was before the judge.)

## Impounded Record Appendix (filed as a separate document)

In addition to information that is automatically impounded or confidential under a law or court rule, such as the names of children or victims of certain crimes or financial statements in a divorce or child support case, any information or document that was impounded in the trial court continues to be impounded in the Appeals Court. **You are responsible for finding out which if any such laws or rules apply in your case**.

Documents containing **impounded information must be filed in a separate record appendix volume** whose cover states it "Contains Impounded Material." Like your regular record appendix, this impounded volume of appendix must have consecutive page numbers, with the cover page being page one, and must have a table of contents listing each document along with the page where it begins. A template is provided as part of this pilot program.

Documents that are not impounded but appear in an appendix and contain confidential or personal identifying information (PII) must be "redacted," which means **the confidential information and PII is blacked out so it cannot be seen**. Examples of PII are Social Security numbers, taxpayer identification numbers, driver's license numbers, State-issued ID card numbers, passport numbers, financial account numbers, and credit or debit card numbers.