

**MASSACHUSETTS APPEALS COURT
CHECKLIST FOR PREPARATION OF PAPER BRIEF AND APPENDIX**

BRIEF COVER	<u>Mass.R.A.P.</u>
Color: Appellant-Blue, Appellee-Red, Reply-Grey, Intervener/Amicus-Green	20(a)
Name of the court and number of the case; Title of the case; Nature of the proceeding in the court; and name of court, agency, or board below	20(a)
Attorney's name, address, BBO number, telephone number, and email address	20(a)
Title of Document (i.e. Appellant's Brief, Appellee Brief, Appellant's Reply Brief)	20(a)
If the case is impounded, the cover must clearly indicate impoundment status (i.e. IMPOUNDED)	16(m)

FORMAT	<u>Mass.R.A.P.</u>
Securely bound on the left hand side	20(a)
Page limit: Appellant/Appellee Briefs = 50 Pages; Reply Brief = 20 Pages. Page limits do not include tables of contents or authorities, addendum, or signature page of the filing party	16(h)
Black ink, double spaced, 8.5"x11" White paper, monospaced font not exceeding 10.5 characters per inch. (Such as this text: Courier New size 12) Footnotes must use the same font & size.	20 and Reporter's notes 1999 (11-2)
Pages may be double sided (not required)	20(a)(4)
1.5 inch margins on the left and right, and 1 inch margins on the top and bottom of the page	20(a)(1)

CONTENTS	<u>Mass.R.A.P.</u>
Corporate Disclosure Statement on possible judicial conflict of interest. (Even if already filed, the party's principal brief must include the statement before the table of contents.)	S.J.C. Rule 1:21
Table of Contents with page references	16(a)(1)
Table of Authorities including cases alphabetically arranged with page references, statutes and other legal authorities.	16(a)(3)
Citations are to the official Massachusetts Reporter Volumes	16(g)
Statement of Issues (Appellee only needs to include if dissatisfied with Appellant Statement of Issues)	16(a)(2)
Statement of the Case with page references to Record Appendix (Appellee to include only if dissatisfied with Appellant's Statement)	16(a)(3)
Summary of the Argument with page references to the argument section (only if the argument section exceeds 24 pages)	16(a)(4)
Argument section contains a legal argument addressing issues, supported by legal authority	16(a)(4)
Conclusion: A concise statement of the relief requested from the court	16(a)(3)
An addendum (bound with the brief) containing copies of any cited statutes, rules, regulations, ordinances, and of the judgment or order at issue on appeal.	16(f)
Pseudonyms or initials replacing the names of impounded parties	16(m)
Certificate of compliance must be at the last page of every brief	16(k)

	FILING & SERVICE	<u>Mass R.A.P.</u>
	Brief Due - APPELLANT - 40 days after entry of appeal; APPELLEE - 30 days after service of Appellant brief; REPLY - 14 days after service of Appellee brief	14, 19(a)
	4 copies must be filed with the court, 2 copies served on each opposing party, and at least 1 copy kept for self	19(b)(1)
	You may hand deliver OR mail the copies to the court and opposing parties	13, 14, 19(a)&(b)(1)
	A certificate of service, showing service upon the opposing counsel with the date and manner of service, and the name and address of the person served must be filed at the time the brief is filed with the court, signed under penalties of perjury	13
	The Clerk's Office requests that the certificate of service be filed as a separate document, not bound in the brief	

CALCULATION OF TIME FOR FILING: The appellee's brief is due **30** days after service of the appellant's brief, and a reply brief is due **14** days after service of the appellee's brief- **M.R.A.P. 19 (a)**. If the brief is served by mail, **3** days are added to the due date of the responsive brief - **M.R.A.P. 14 (c)**. If the due date for a brief falls on a Saturday, Sunday, or legal holiday, the brief will be due on the next business day - **M.R.A.P. 14 (a)**. For purposes of determining due date, service is complete the date the opposing party mails the brief - **M.R.A.P. 13 (c)**.

	RECORD APPENDIX	<u>Mass R.A.P.</u>
	A copy of the lower court docket	18(a)(1)
	The first pleading filed in the case	18(a)(2)
	A copy of any pleading that you refer to in your brief	18(a)(4)
	A copy of the judgment or order that you are appealing (in addition to the copy included in the addendum attached to your brief) and any order of impoundment/confidentiality.	18(a)(3)
	If bound separately from your brief, the Appendix needs a white cover	20(a)
	Cover: name of court and number of the case; title of the case; nature of the proceeding in the court; and name of court, agency, or board below	20(a)
	Table of contents that identifies each document and lists page number (i.e. A1 or R2 etc.)	18(d)
	Every page of the appendix must be numbered consecutively	18(d)
	Each document shall be ordered in chronological order as filed in the trial court	18(d)
	Not more than 1.5 inches thick. If it is, it must be broken into separate volumes	20(a)
	If entire case is impounded, the cover must clearly indicate that the record appendix is impounded. If only some of the documents are impounded, create a separate volume and label it clearly as	18(g)
	4 Copies must be filed with the court, 2 copies served on each opposing party, and at least 1 copy kept for self	19(b)(1)
	You are allowed to divide exhibits and transcripts into separate volumes. If you do this, file 2 copies of the exhibits and serve 1 ; file 1 copies of transcripts and serve 1	18(e)(1)