

## **RULES OF APPELLATE PROCEDURE**

---

### **NOTICE**

---

Notice is hereby given that the following amendments to the Rules of Appellate Procedure were adopted on an interim basis to take effect October 1, 2021. The amendments to Section 67-3 were approved on an interim basis by the Supreme Court and Appellate Court on July 28, 2021. The courts have waived the provision of Section 86-1 requiring publication of rules sixty days prior to their effective date.

Attest:

Carl D. Cicchetti  
*Chief Clerk Appellate*

---

### **INTRODUCTION**

Contained herein are amendments to the Rules of Appellate Procedure. These amendments are indicated by underlined text for added language.

This material should be used as a supplement to the Connecticut Practice Book until the 2022 edition of the Practice Book becomes available.

---

**CHAPTER AND SECTION HEADINGS OF THE RULES**

---

**RULES OF APPELLATE PROCEDURE**

---

**CHAPTER 67  
BRIEFS**

Sec.

67-3. Page Limitations; Time for Filing Paper Briefs and Appen-  
dices

---

**AMENDMENTS TO THE RULES OF APPELLATE PROCEDURE**  
**CHAPTER 67**  
**BRIEFS**

**Sec. 67-3. Page Limitations; Time for Filing Paper Briefs and Appendices**

(Applicable to appeals filed on or after October 1, 2021.)

Except as otherwise ordered, the brief of the appellant shall not exceed thirty-five pages and shall be filed with the party appendix, if any, within forty-five days after the delivery date of the transcript ordered by the appellant or forty-five days after the clerk appendix is sent to the parties, whichever is later. In cases where no transcript is required or the transcript has been received by the appellant prior to the filing of the appeal, the appellant's brief and party appendix, if any, shall be filed within forty-five days of the filing of the appeal or forty-five days after the clerk appendix is sent to the parties, whichever is later.

The delivery date of the paper—not electronic—transcript shall be used, where applicable, in determining the filing date of briefs.

Any party whose interest in the judgment will not be affected by the appeal and who intends not to file a brief shall inform the appellate clerk of this intent prior to the deadline for the filing of the appellee's brief. In the case of multiple appellees, an appellee who supports the position of the appellant shall meet the appellant's time schedule for filing a brief.

Except as otherwise ordered, the brief of the appellee shall not exceed thirty-five pages, and shall be filed with any party appendix

within thirty days after the filing of the appellant's brief or the delivery date of the portions of the transcript ordered only by that appellee, whichever is later.

The appellant may file a reply brief in accordance with Section 67-5A.

Where there is a cross appeal, the brief and party appendix, if any, of the cross appellant shall be combined with the brief and party appendix, if any, of the appellee. The brief shall not exceed fifty pages and shall be filed with any party appendix at the time the appellee's brief is due. The brief and party appendix, if any, of the cross appellee shall be combined with the appellant's reply brief, if any. This brief shall not exceed forty pages and shall be filed within thirty days after the filing of the original appellee's brief. The cross appellant may file a cross appellant's reply brief in accordance with Section 67-5A.

Where cases are consolidated or a joint appeal has been filed, the brief of the appellants and that of the appellees shall not exceed the page limitations specified above.

All page limitations shall be exclusive of party appendices, if any, the cover page, the table of contents, the table of authorities, the statement of issues, the signature block of counsel of record, certifications and, in the case of an amicus brief, the statement of the interest of the amicus curiae required by Section 67-7.

Briefs shall not exceed the page limitations set forth herein except by permission of the chief justice or chief judge. Requests for permission to exceed the page limitations shall be filed with the appellate clerk, stating both the compelling reason for the request and the number of additional pages sought.

Where a claim relies on the state constitution as an independent ground for relief, the clerk shall, upon request, grant an additional five pages for the appellant and appellee briefs, which pages are to be used for the state constitutional argument only.

COMMENTARY: The purpose of these amendments is to clarify and update the requirements for filers excluded or exempt from electronic filing in light of the new rules regarding electronic briefs and party appendices. This section, as printed, incorporates the amendments that were approved by the Supreme Court on June 15, 2021, and by the Appellate Court on June 16, 2021, which are to take effect October 1, 2021. Only the amendments as marked in this notice are adopted on an interim basis.

---