

AGENDA

Meeting of the Advisory Committee on Appellate Rules
Thursday, October 23, 2025 - 2:00 p.m.

I. OLD BUSINESS

- A. Approval of minutes of April 3, 2025
- B. Whether to amend § 84-1 regarding certification to the Supreme Court

II. NEW BUSINESS

- A. Whether to amend § 67-5A regarding the reply brief
- B. Whether to amend §§ 67-3 and 67-3A regarding the time for filing briefs and appendices
- C. Whether to amend §§ 67-4, 67-5 and 67-3A regarding the brief of the appellant and appellee
- D. Whether to amend § 68-4A regarding the clerk appendix format
- E. Whether to amend § 69-2 regarding cases ready for assignment
- F. Whether to amend §§ 73-2, 73-3 and 73-4 regarding reservations
- G. Whether to amend §§ 82-4, 82-5 and 82-6 regarding certified questions of law
- H. Whether to amend § 76-2 and 76-3 regarding appeals in workers' compensation cases
- I. Whether to amend § 63-4 regarding the docketing statement
- J. Whether to amend § 72-2 and 72-3 regarding writs of error

III. ANY OTHER BUSINESS THAT MAY COME BEFORE THE COMMITTEE

IV. NEXT MEETING

Meeting of the Advisory Committee on Appellate Rules

Thursday, April 3, 2025, at 2:00 p.m.

Justice D'Auria called the meeting to order at 2:00 p.m.

Members in attendance:

Justice Gregory T. D'Auria, Co-Chair
Attorney Jeffrey Babbin
Attorney Colleen Barnett
Attorney Jill Begemann
Attorney Renee Cimino
Attorney Timothy Costello
Attorney Richard Emanuel
Attorney Paul Hartan
Attorney James Healy
Hon. Sheila A. Huddleston
Attorney Daniel Krisch
Attorney Jessie Opinion
Attorney Charles Ray
Attorney René Robertson
Attorney Michael Skold
Attorney Giovanna Weller

Members not in attendance:

Judge Eliot D. Prescott, Co-Chair
Attorney Wesley Horton
Attorney Jennifer Bourn
Attorney Carl Cicchetti
Attorney Eric Levine

Additional attendees:

Chief Judge Melanie L. Cradle
Attorney Kenneth Bartschi (for
Attorney Wesley Horton)
Attorney David Goshdigian
Attorney Andrew Redman

This meeting was held in the Attorney Conference Room at the Supreme Court, and Justice D'Auria opened the meeting by welcoming Chief Judge Cradle, who was sworn in as the Chief Judge of the Appellate Court on March 6, 2025.

I. OLD BUSINESS

A. Approval of the minutes of October 24, 2024 meeting

Attorney Barnett's motion to approve the minutes of the October 24, 2024 meeting was seconded by Attorney Krisch. The minutes were approved unanimously.

B. Whether to amend § 84-1 regarding certification to the Supreme Court

Attorney Goshdigian recounted that, at the October, 2024 meeting, the committee tabled the proposal that would amend § 84-1 to allow for a party to petition the Supreme Court for certification to appeal from the Appellate Court's denial of a motion for permission to file a late appeal, as that proposal is contingent on a change to General Statutes § 51-197f. Attorney Goshdigian reported that the Judicial Branch included the proposed change to § 51-197f in its court operations bill that is currently before the Judiciary Committee. He went on to report that there was a public hearing on the bill on Monday, March, 31, and that the amendment to § 51-197f was not discussed. Attorney Goshdigian detailed that the bill has not advanced past the Judiciary Committee and suggested that this committee could take up the rule proposal again in the fall should the statutory amendment pass.

II. NEW BUSINESS

A. Whether to amend § 68-3A regarding the clerk appendix contents

Attorney Begemann explained that this proposal removes the prohibition on including memoranda of law in the clerk appendix. Justice D'Auria added that the change should not dissuade practitioners from including materials in their party appendix and using hyperlinks to those materials in their briefs, if desired. Attorney Babbin asked for clarification as to whether memoranda of law and replies from all parties will be included in the clerk appendix. Justice D'Auria responded that the Appellate Clerk's Office will include memoranda, including replies, from all parties, and Attorney Robertson added that, generally, memoranda from all parties with respect to a dispositive motion are included in the clerk appendix. Justice D'Auria also offered that this rule will provide the judges with the relevant materials without having to take the time to search through the record. Attorney Robertson moved to approve the proposal, Attorney Barnett seconded, and all members of the committee voted in favor.

B. Whether to amend § 67-10 regarding the citation of supplemental authorities after the brief is filed

Attorney Robertson described that this proposal removes the phrase "and without argument" that follows "concisely" in § 67-10 such that the section will read, "The letter shall concisely state the relevance of the supplemental citations and shall include" She explained that the inclusion of argument in § 67-10 letters has become an issue, especially for those who do not regularly practice appellate law, and, moreover, that the Appellate Clerk's Office has difficulty discerning what constitutes argument in these letters. Attorney Babbin expressed his agreement with the proposal and noted that the proposal does not include a word count requirement. The committee briefly discussed the word count requirement and the consensus was that § 67-10 letters should have a word count certification consistent with the language used throughout the appellate rules, which is discussed later in agenda item H. Attorney Hartan moved to approve the proposal regarding § 67-10, as amended to include a word count certification, which was seconded by Attorney Babbin, and the motion passed unanimously.

C. Whether to amend § 62-9 regarding withdrawal of appearance

Attorney Robertson detailed that the purpose of this proposal is to ensure that clients are notified when an attorney has moved to withdraw his or her appearance, even when there is another appearance on file. Attorney Weller asked whether the phrase, "after an additional appearance," could be clarified because it may be confusing whether the second attorney who filed an appearance in a case can withdraw under this subsection when "an additional appearance" has not been filed yet. Attorney Weller also asked about the phrase, "in place of the appearance," and Attorney Barnett responded that that phrase was substituted for the phrase, "in lieu of," in the Superior Court rules, which is reflected in the appellate rules as well. After a brief discussion, Attorney Weller moved to approve the proposal, as amended to replace the phrase, "after an additional appearance," with "provided that a substitute appearance." Attorney Ray seconded the motion, which passed unanimously.

D. Whether to amend §§ 66-3, 77-1, 78-1, 78a-1, 78b-1, 81-3, 81-5, 83-1A, 83-1B, 84-6, 84-6A and 84-7 regarding motions, petitions and oppositions

Attorney Robertson explained that the purpose of this proposal is to make the formatting rules for briefs, motions, petitions, and oppositions consistent such that all of them are filed, with any attachments, as one document with a single pagination scheme.

Additionally, the proposal makes clear in § 66-3 that a party cannot file a motion to dismiss a motion, and, instead, "shall" raise any jurisdictional claim in the opposition. Judge Huddleston opined that the phrase "motions and oppositions" sounds awkward when read together with "shall be filed as one document." Attorney Babbitt agreed and proposed clarifying language to explain that motions and oppositions, including attachments, shall "each" be filed as one document. This item was tabled pending an email vote on a revised proposal.

Addendum. On April 9, 2025, the committee voted unanimously by email to approve the following revised proposal: "Motions and oppositions shall each be filed as one document with a single pagination scheme that starts on the first page of the motion or opposition and continues throughout the entire document, on every page, including the pages in the attached appendix, if any."

E. Whether to amend § 61-16 to require periodic updates in bankruptcy cases

Attorney Barnett described that the appellate courts regularly check on the status of bankruptcy cases when there is a bankruptcy stay in place and that this proposal will make it the parties' responsibility to keep the reviewing court informed in this respect. The proposal requires that, when a bankruptcy petition is filed, the parties shall file notice of periodic updates with the reviewing court and, also, that dismissal of the appeal is a possible sanction for noncompliance. Currently, the Appellate Clerk's Office contacts the parties to ask for bankruptcy updates, and this proposal would put the burden on the parties to provide those updates regularly. Attorney Weller asked whether the rule should detail the substance of the updates. In response, Attorney Barnett highlighted that § 61-16 (a) requires the parties to state the date that the bankruptcy petition was filed, the jurisdiction and docket number, the name of the debtor, and how the automatic bankruptcy stay applies to the case on appeal; Attorney Barnett suggests that an update under this proposal will contain updated information. Attorney Ray proposed deleting the phrase in subsection (c), "If the party who filed the bankruptcy petition or who was the debtor named in an involuntary bankruptcy petition is an appellant," such that the sentence will read, "Failure to comply with the notice requirement of this rule may result in the dismissal of the appeal or the imposition of sanctions pursuant to Section 85-1." Judge Huddleston agreed with Attorney Ray's proposed amendment, and Attorney Robertson moved to adopt the proposal as amended. Attorney Ray seconded the motion, and all members voted in favor of approving the proposal as amended.

F. Whether to amend § 63-4 (a) (3) regarding amendments to the transcript order

Attorney Robertson described that, because the transcript order form is due within ten days of filing an appeal, parties often will file an amended transcript order that necessitates a motion and permission from the court. Under this proposal, parties can

file one amended transcript order form as of right so long as certain conditions are met. Specifically, an amended transcript order requires permission from the court when (A) the party has filed a transcript order form amendment as of right already, (B) the amendment seeks to add transcripts from a different matter, (C) the amendment seeks to add hearing dates that occurred after the appeal was filed, (D) the amendment is sought after the final order for the appellant's brief, or (E) the amendment is sought after the appellant's brief as been filed. Attorney Robertson explained that, under this proposal, a party's brief deadline will still be set based on the date when the initial transcript order was filed and not the date of any amendment. Attorney Bartschi raised the issue of whether permission would be required to request transcripts for an amended appeal, as those transcripts would be for proceedings "that occurred after the appeal was filed." Attorney Barnett noted that a new transcript order form is required for an amended appeal, which Attorney Babbin confirmed under § 61-9. Judge Huddleston recommended amending proposed § 63-4 (a) (3) (C) to provide that permission of the court is required for "any amendments that seek to add hearing dates that occurred after the appeal was filed, except as provided in Section 61-9." The committee then discussed whether a party can order a transcript from "a different trial court matter" and, generally, agreed that such a request is plausible. Attorney Barnett added that this proposal concerns an amendment as of right and that a party is always free to file a motion seeking to amend his or her transcript order. Attorney Krisch moved to approve the proposal as amended, and Attorney Babbin seconded the motion, which passed unanimously.

G. Whether to amend §§ 67-2, 67-2A, 67-3, 67-3A, 65-5, 70-5 and 77-2 regarding briefs and appendices

Attorney Robertson introduced this proposal with a brief overview, describing that it generally provides that parties with an exemption from e-filing shall file one paper brief and that parties who e-file are no longer required to file a paper brief. The proposal also eliminates the required font size and typeface for those with an exemption from e-filing because, at times, the methods employed by exempt filers, such as using typewriters, make it difficult to comply with those format requirements. Attorney Robertson also explained that this proposal provides more specificity with respect to the bookmark requirement for electronic briefs, and, also, that both exempt and nonexempt parties may use a form to request deviations from the briefing requirements. She went on to describe the other aspects of this proposal, which include that an amended transcript order does not affect the brief due date and that, following a transfer, the parties are now required to "update the covers of their briefs with the new court and docket number" before filing them in the new court. The committee generally was very receptive to the proposal, and Attorney Robertson fielded various questions. Attorney Weller noted that the proposal references the "guidelines established by the court and published on the Judicial Branch website" but that she had difficulty finding those guidelines. Attorney Hartan responded that the concern would be addressed, and Attorney Barnett noted that a link to the guidelines is included in the initial letter that the Appellate Clerk's Office sends when an appeal has been filed.

In light of the elimination of the requirement that a paper brief be filed, Attorney Krisch asked whether the court maintained paper copies of briefs in the event that electronic

briefs were unavailable. Attorney Hartan noted that the appellate courts are required to deposit the briefs and clerk appendices with the Connecticut State Library, and Justice D'Auria hypothesized that the archival aspect of this rule change may be beyond the purview of this committee. Attorney Emanuel added that he prefers to use paper copies over electronic documents, and Justice D'Auria responded that the individual judges will be able to access a brief in the judge's preferred format. Attorney Krisch moved to approve the proposal, Attorney Babbin seconded the motion, and all voted in favor.

H. Whether to amend §§ 66-3, 77-1, 78-1, 78a-1, 78b-1, 81-2, 81-3, 84-5 and 84-6 to add a word count certification

In light of the approved rule change in October, 2024, that added a word count certification requirement to petitions, Attorney Krisch proposed that other filings, aside from briefs, also have a word count certification requirement and gave an overview of his proposal. Attorney Babbin noted that the proposal referred to only § 66-2 (b) and that motions for an extension of time are governed by a different word count under § 66-1 (b). He recommended amending the proposal to state that the certification should provide "that the motion or opposition complies with the word count requirement of Section 66-1 (b) or Section 66-2 (b), as applicable." Attorney Ray question whether a word count certification should be required in light of the fact that there is already a requirement under Section 62-7 that the filer certify that "the document complies with all applicable Rules of Appellate Procedure." The committee discussed whether the certification should specify the exact number of words in the filing or if it should generally certify compliance with the word count requirement. Attorney Babbin proffered that the additional certification can help ensure compliance with the rules, and Attorney Krisch did not have strong feelings either way. Attorney Robertson confirmed that the Appellate Clerk's Office will check to ensure compliance with the word count requirement, and she stated a preference not to require the certification of a specific number of words, as that would be another reason to return the filing should the certified word count be incorrect. Attorney Hartan noted that a motion to strike can be used when a filing does not comply with the word count and, then, moved to adopt the proposal, as amended. The motion was seconded by Attorney Ray and passed unanimously. Attorney Robertson noted that, as previously approved, the same language will be added to the proposal regarding supplemental authority letters in Section 67-10.

I. Whether to amend §§ 60-4, 62-5, 63-4, 66-3, 67-4, 67-5, 67-7A, 72-1, 73-1, 81-2, 81-3, 82-3, 83-1, 84-5 and 84-6 regarding the requirement that parties file a certificate of interested entities

Attorney Hartan introduced this proposal by describing the background of the certificate of interested entities requirement. He explained that the certificate of interested entities is not functioning as intended and is creating issues for the appellate courts. Attorney Hartan elaborated that this proposal broadens the definition of "entity" to include trusts and joint ventures and that the proposal provides more flexibility, as the reviewing court will now order the parties to file a certificate of interested entities only when necessary. Attorney Barnett offered additional details on how the certificate of interested entities requirement has impacted the Appellate Court, and she added that, although no longer required, a certificate of interested entities will not be returned if a party submits one absent a court order. Attorney Ray asked when the reviewing court will request a

certificate of interested entities, and Attorney Hartan responded that the intent is to ask for them as soon as the need is apparent. Justice D'Auria added that the judges need this information to be provided to them and that practitioners may try to anticipate when filing a certificate of interested entities could be appropriate. Attorney Babbin detailed that an earlier iteration of the docketing statement required similar information, and he raised the possibility that this information could be included in the docketing statement, which Justice D'Auria agreed was a fair proposal. Attorney Hartan moved to approve the proposal as drafted, and Attorney Healy seconded the motion, which passed unanimously.

III. ANY OTHER BUSINESS THAT MAY COME BEFORE THE COMMITTEE

Attorney Babbin described a recent filing in which, instead of using a form provided by the Judicial Branch under a new rule, he drafted a motion himself that the Appellate Clerk's Office returned for not including headings. Attorney Babbin was under the impression that headings were no longer required for these motions, and Attorney Robertson responded that she would look into the issue and follow up with Attorney Babbin.

IV. NEXT MEETING

The date of the next meeting will be at the discretion of the co-chairs, and it is anticipated for fall, 2025.

The meeting adjourned at 3:12 p.m.

Respectfully Submitted,

Attorney David Goshdigian

General Statutes

Sec. 51-197f. Further review by certification only. Upon final determination of any appeal by the Appellate Court [or upon the Appellate Court's denial of a motion to file a late appeal](#), there shall be no right to further review except the Supreme Court shall have the power to certify cases for its review upon petition by an aggrieved party or by the appellate panel which heard the matter. A vote of three judges of the Supreme Court shall be required to certify a case for review by the Supreme Court, except that if fewer than six judges of said court are available to consider a petition, a vote of two judges of said court shall be required to certify a case, under such other rules as the justices of said court shall establish. The procedure on appeal from the Appellate Court to the Supreme Court shall, except as otherwise provided, be in accordance with the procedure provided by rule or law for the appeal of judgments rendered by the Superior Court, unless modified by rule of the justices of the Supreme Court.

Practice Book

Sec. 84-1. (Rev. to 2025) Certification by Supreme Court.

No appeal may be taken from a final decision of the Appellate Court to the Supreme Court unless the Supreme Court grants certification. When an appeal is decided by the Appellate Court [or when the Appellate Court denies a motion to file a late appeal](#), an aggrieved party may petition the Supreme Court for certification to appeal. If certification is granted, the petitioner may file an appeal to the Supreme Court. Failure to obtain an order from the Supreme Court granting certification will result in the rejection of the appeal to the Supreme Court.

Sec. 67-5A. The Reply Brief

The appellant may file a reply brief, which should respond directly and succinctly to the arguments in the appellee's brief. The format of a reply brief shall be in accordance with Section 67-2 or 67-2A, and shall contain the following: a table of contents; a table of authorities; the argument, divided under appropriate headings, as needed; and a conclusion. The reply brief shall be filed within twenty days after the filing of the last appellee's brief.

~~The reply brief shall be filed within twenty days after the filing of the last appellee's brief.~~

Except as otherwise ordered, the reply brief shall not exceed 6500 words for electronic filers, or fifteen pages for filers that are excluded or exempt from electronic filing pursuant to Section 60-8. Word counts and page limitations are exclusive of the cover page, the table of contents, the table of authorities, the signature block of counsel of record, certifications and any appendix. Requests for permission to exceed 6500 words or fifteen pages shall be filed in accordance with Section 67-3 or 67-3A.

If there is a cross appeal, the cross appellant may file a reply brief as to the cross appeal in accordance with the requirements of this rule.

Where a claim relies on the state constitution as an independent ground for relief, the clerk shall, upon request, grant an additional two pages or 800 words for the reply brief, which pages or words are to be used for the state constitutional argument only.

Sec. 67-3. Page Limitations; Time for Filing Paper Briefs and Appendices for Filers Excluded or Exempt from Electronic Filing Pursuant to Section 60-8; Copies

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 initial transcript order 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 forty-five days after the clerk appendix is sent to the parties. Amendments to the transcript order pursuant to Section 63-4 (a) (3) or with permission of the court are not considered in determining the due date for the appellant's brief under this section.

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~~Any appellee who supports the position of the appellant shall ~~meet the appellant's time schedule for filing a brief~~file their brief and party appendix, if any, on or before the due date of the appellant's 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 and certifications.

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.

Sec. 67-3A. Word Limitations; Time for Filing Electronic Briefs and Party Appendices

Except as otherwise ordered, the brief of the appellant shall not exceed 13,500 words. The brief shall be filed with the party appendix, if any, either within forty-five days after the delivery date of the initial transcript order 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 forty-five days after the clerk appendix is sent to the parties. Amendments to the transcript order pursuant to Section 63-4 (a) (3) or with permission of the court are not considered in determining the due date for the appellant's brief under this section.

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~~Any appellee who supports the position of the appellant shall ~~meet the appellant's time schedule for filing a brief~~file their brief and party appendix, if any, on or before the due date of the appellant's brief.

Except as otherwise ordered, the brief of the appellee shall not exceed 13,500 words, 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 18,000 words 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 16,000 words 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 word limitations specified above.

All word 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 67-7A.

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

Where a claim relies on the state constitution as an independent ground for relief, the clerk shall, upon request, grant an additional 2000 words for the appellant and appellee briefs, which words are to be used for the state constitutional argument only.

Sec. 67-4. The Appellant's Brief; Contents and Organization

The appellant's brief shall contain the following:

(a) A table of contents.

(b) A concise statement setting forth, in separately numbered paragraphs, without detail or discussion, the principal issue or issues involved in the appeal, with appropriate references to the page or pages of the brief where the issue is discussed, pursuant to subsection (e) hereof. Such statement shall be deemed in replacement of and shall supersede the preliminary statement of issues.

(c) A table of authorities cited in the brief, with references to the page or pages of the brief where the citations to those authorities appear. Citations shall be in the form provided in Section 67-11.

[\(d\) A list of trial court exhibits referenced in the brief.](#)

(~~d~~e) A statement of the nature of the proceedings and of the facts of the case bearing on the issues raised. The statement of facts shall be in narrative form, shall be supported by appropriate references to the page or pages of the transcript or to the document upon which the party relies and shall not be unnecessarily detailed or voluminous.

(~~e~~f) The argument, divided under appropriate headings into as many parts as there are points to be presented, with appropriate references to the statement of facts or to the page or pages of the transcript or to the relevant document. The argument on each point shall include a separate, brief statement of the standard of review the appellant believes should be applied.

(1) When error is claimed in the trial court's refusal to charge the jury as requested, the party claiming such error shall include in the brief of that party or the appendix thereto a verbatim statement of the relevant portions of the charge as requested and as given by the court and any relevant exceptions to the charge as given and shall recite in narrative form any evidence which it is claimed would entitle that party to the charge as requested, with appropriate references to the page or pages of the transcript.

(2) When error is claimed in the charge to the jury, the brief or appendix shall include a verbatim statement of all relevant portions of the charge and all relevant

exceptions to the charge. Unless essential to review of a claimed error, a verbatim statement of the entire charge to the jury should not be included in the brief or appendix. Evidence relevant to the claimed error shall be recited in narrative form with appropriate references to the page or pages of the transcript.

(3) When error is claimed in any evidentiary ruling in a court or jury case, the brief or appendix shall include a verbatim statement of the following: the question or offer of exhibit; the objection and the ground on which it was based; the ground on which the evidence was claimed to be admissible; the answer, if any; and the ruling.

(4) When error is claimed in any other ruling in a court or jury case, the brief or appendix shall include the pertinent motion or pleading as well as any other pertinent documents which are a part of the record of the proceedings below.

(5) When the basis of an evidentiary or other ruling referred to in subsection (e) (3) or (e) (4) cannot be understood without knowledge of the evidence or proceeding which preceded or followed the ruling, a brief narrative or verbatim statement of the evidence or proceeding should be made. A verbatim excerpt from the transcript should not be used if a narrative statement will suffice. When the same ruling is repeated, the brief should contain only a single ruling unless the other rulings are further illustrative of the rule which determined the action of the trial court or establish the materiality or harmfulness of the error claimed. The statement of rulings in the brief shall include appropriate references to the page or pages of the transcript.

(fg) A short conclusion stating the precise relief sought.

(gh) The text of the pertinent portions of any constitutional provision, statute, ordinance or regulation at issue or on which the appellant relies. Such text need not be included in the brief if it is included in the appendix to the appellant's brief.

(hi) In appeals filed pursuant to Section 81-4, a statement identifying the version of the land use regulations filed with the appellate clerk.

(ij) The appellant's brief shall be organized in the following order: table of contents; statement of issues; table of authorities; [list of trial court exhibits referenced in the brief](#); if the appeal was filed pursuant to Section 81-4, statement identifying version of land use regulations filed with the appellate clerk; statement of facts; argument;

conclusion and statement of relief requested; signature; and certification pursuant to Section 62-7.

Sec. 67-5. The Appellee's Brief; Contents and Organization

The brief of the appellee shall contain, in a form corresponding to that stated in Section 67-4, the following:

(a) A table of contents.

(b) A counterstatement of any issue involved as to which the appellee disagrees with the statement of the appellant or a statement of any other grounds which were properly raised by an appellee under Section 63-4. Such statement shall be deemed in replacement of and shall supersede the preliminary statement of the issues.

(c) A table of authorities cited in the brief, with references to the page or pages of the brief where the citations to those authorities appear. Citations shall be in the form provided in Section 67-11.

(d) A list of trial court exhibits referenced in the brief.

(~~d~~e) A counter statement of any fact as to which the appellee disagrees with the statement of the appellant. The counter statement of facts shall be in narrative form and shall be supported by appropriate references to the page or pages of the transcript or to the relevant document upon which the appellee relies. An appellee may not rely on any fact unless it is set forth in the appellee's counter statement of facts or in the appellant's statement of facts or is incorporated in any brief of the parties in accordance with Section 67- 4 (e) or with subsection (e) hereof.

(~~e~~f) The argument of the appellee, divided as provided in Section 67-4 (~~e~~f). The argument on each point shall include a separate, brief statement of the standard of review the appellee believes should be applied. The argument may augment or take exception to the appellant's presentation of rulings or the charge by reference to any relevant part of the court's charge or any other evidence in narrative or verbatim form which is relevant to such question, with appropriate references to the statements of facts or to the page or pages of the transcript or to the relevant document.

(~~f~~g) Claims, if any, directed to any rulings or decisions of the trial court adverse to the appellee. These shall be made in the manner provided in Section 67-4 (e).

(g) A short conclusion stating the precise relief sought.

(h) The text of the pertinent portions of any constitutional provision, statute, ordinance or regulation at issue or on which the appellee relies. Such text need not be included in the brief if it is included in the appellant's brief or appendix or in the appendix to the appellee's brief.

(i) In appeals filed pursuant to Section 81-4, a statement as to whether the appellee disputes the applicability of the version of the land use regulations filed with the appellate clerk. If the appellee disputes the applicability of such regulations, it shall set forth its basis for maintaining that such regulations do not apply.

(j) The appellee's brief shall be organized in the following order: table of contents; statement of issues; table of authorities; [list of trial court exhibits referenced in the brief](#); statement of facts; argument; conclusion and statement of relief requested; signature; and certification pursuant to Section 62-7.

(k) When the appellee is also the cross appellant, the issues on the cross appeal shall be briefed in accordance with Section 67-4. In such a case, the briefs shall clearly label which sections of the brief refer to the appeal and which refer to the cross appeal.

Sec. 67-3A. Word Limitations; Time for Filing Electronic Briefs and Party Appendices

Except as otherwise ordered, the brief of the appellant shall not exceed 13,500 words. The brief shall be filed with the party appendix, if any, either 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 either 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.

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 13,500 words, 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 18,000 words 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 16,000 words 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 word limitations specified above.

All word limitations shall be exclusive of party appendices, if any, the cover page, the table of contents, the table of authorities, [the list of trial court exhibits referenced in the brief](#), 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 67-7A.

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

Where a claim relies on the state constitution as an independent ground for relief, the clerk shall, upon request, grant an additional 2000 words for the appellant and appellee briefs, which words are to be used for the state constitutional argument only

Sec. 68-4A. Clerk Appendix Format

The cover of the clerk appendix shall include the following in order from the top of the page: (1) the name of the court; (2) the appellate docket number; and (3) the appellate case name. The appellate clerk shall prepare a table of contents for the clerk appendix that provides giving the title or nature of each document; the date the document was filed in the proceedings below, the entry number as listed on the case detail, or both; and ~~included in the clerk appendix, along with~~ the corresponding page number of the clerk appendix on which the document begins. The pages of the clerk appendix shall be numbered sequentially. ~~The date when each paper contained in the clerk appendix was filed must be stated.~~

Sec. 69-2. Cases Ready for Assignment

(a) Except as provided in Section 79a-6 (e), ~~C~~ases will be considered ready for assignment when the briefs and appendices, if any, of all parties, including reply briefs, have been filed or the time for filing reply briefs has expired. Cases may also be considered ready for assignment and appear on the docket prior to the completion of briefing at the discretion of the court.

(b) Any case ready for assignment may be assigned pursuant to Section 69-3. After notice to counsel of record of a date and time to be heard, the chief justice, the chief judge, or a designee may order the assignment of any appeal, notwithstanding the fact that the case on appeal does not appear on the docket.

(c) If an assigned case is settled or withdrawn for any reason, counsel for the appellant shall notify the appellate clerk immediately.

Sec. 73-2. Consideration of Reservation Request by Superior Court

If the Superior Court determines that a reservation would be appropriate, it shall forward the reservation request with its determination, which shall include the items specified in Section 73-1 (a), to the appellate clerk and to all parties of record. The Supreme Court or Appellate Court shall either ~~preliminarily~~ accept or decline the reservation request, but may later reject the reservation if it should appear to have been improvidently granted. The Supreme Court or Appellate Court will not entertain a reservation unless the question or questions presented are reasonably certain to enter into the decision of the case and it appears that their determination would be in the interest of simplicity, directness and judicial economy. The Supreme Court or Appellate Court may also request that the Superior Court provide additional facts required for a decision upon the questions reserved and to clarify such questions when necessary.

Sec. 73-3. Procedure upon Acceptance of Reservation

(a) The appellate clerk shall notify the clerk of the trial court and the parties of the decision or order on the reservation request. Within twenty days of issuance of the notice ~~of an order of preliminary acceptance~~ that the reservation has been accepted, the ~~appellant~~ plaintiff shall file the reservation in accordance with the provisions of Section 63-3 for filing appeals, except that no entry fee shall be paid and no costs shall be taxed in favor of any party. ~~In addition, within ten days of the filing of the appeal, the appellant shall~~ All proceedings subsequent to the filing of the matter shall be governed by the rules applicable to appeals except that no Section 63-4 papers shall be filed, other than file a docketing statement in the form specified in pursuant to Section 63-4 (a) (4), and the time for filing briefs and party appendices shall be governed by Section 73-4.

(b) The plaintiff in the court that ordered the reservation shall be deemed the appellant, and the defendant in such court shall be deemed the appellee for purposes of these rules, unless otherwise ordered by the court.

(c) The advice of the Appellate Court on a reservation may be reviewed by the Supreme Court only upon the granting of certification as provided in Chapter 84.

Sec. 73-4. Briefs, Appendices and Argument

Clerk Appendices are not prepared for matters filed pursuant to this chapter. Briefs and party appendices filed by the parties shall conform to the rules set forth in Chapter 67, except that the parties shall file initial briefs and appendices within forty-five days of issuance of the notice ~~of an~~ the order of ~~preliminary~~ acceptance. A party wishing to file a reply brief must do so within twenty days of the filing of the last initial brief. Extensions of time will not be granted except for extraordinary cause. The Appellate Court may assign

reservations without the matter appearing on the docket and before reply briefs are filed.

Oral argument shall be as provided in Chapter 70, unless otherwise ordered by the court.

Sec. 82-4. Preparation of Certification Request

The certification request shall be prepared by the certifying court, signed by the judge presiding at the hearing, and forwarded to the Supreme Court by the clerk of the certifying court under its official seal. Upon receipt of the certification request, the appellate clerk shall notify the parties who shall be allowed a period of ten days from the date of such notice to file objections to the acceptance of the certification request. The Supreme Court shall either ~~preliminarily~~ accept or decline the certification request. The appellate clerk shall notify the clerk of the court requesting certification and all parties of the decision or order on the certification request. ~~If the Supreme Court preliminarily accepts the certified question, the plaintiff in the court that requested certification shall be deemed the appellant, and the defendant in such court shall be deemed the appellee unless otherwise ordered by the Supreme Court.~~

The Supreme Court may later reject the certification if it should appear to have been improvidently granted. The Supreme Court may decline to answer the questions certified whenever it appears that the questions have been improperly framed, the necessary facts have not been fully set forth, or, for any other reason, certification has been improvidently granted. The Supreme Court may also request that the certifying court provide additional facts required for a decision upon the questions certified and clarify such questions when necessary. If the Supreme Court grants the certification request, it may require the ~~appellant~~ parties to file those portions of the record that the Supreme Court deems necessary to answer the certified questions.

Sec. 82-5. ~~Receipt~~Procedure on Acceptance of Certified Question; Costs of Certification

Within twenty days of issuance of the notice ~~of an order of preliminary acceptance~~ that the certified questions have been accepted, the ~~appellant~~ plaintiff shall file the matter in accordance with the provisions of Section 63-3 for filing an appeal and shall pay all required fees in accordance with Section 60-7 or 60-8. After paying the filing fee, the ~~appellant~~ plaintiff shall be entitled to seek reimbursement from the ~~appellee~~ defendant for one half of the filing fee, unless otherwise ordered by the court that requested certification. The plaintiff in the court that requested certification shall be deemed the appellant, and the defendant shall be deemed the appellee. All proceedings subsequent to the filing of the matter shall be governed by the rules applicable to appeals except that no Section 63-4 papers shall be filed, other than a docketing statement pursuant to Section 63-4 (a) (4), and as to the time for filing briefs and party appendices shall be governed by Section 82-6. No security or recognizance shall be required, and no costs shall be taxed in favor of either party.

Sec. 82-6. Briefs, Appendices, Assignment and Argument

Clerk appendices are not prepared for matters filed pursuant to this chapter. Briefs and party appendices, if any, filed by the parties shall conform to the rules set forth in Chapter 67, except that the parties shall file initial briefs and appendices within forty-five days of issuance of the notice of ~~an~~the order of ~~preliminary~~ acceptance. A party wishing to file a reply brief must do so within twenty days of the filing of the last initial brief. Extensions of time will not be granted except for extraordinary cause. The Supreme Court may assign certified questions without the matter appearing on the docket and before reply briefs are filed.

Oral argument shall be as provided in Chapter 70, unless otherwise ordered by the court.

Sec. 76-2. Filing Appeal

The appeal shall be filed with the appellate clerk in accordance with the provisions of Section 63- 3. The appellant shall deliver a copy of the appeal form to each party of record in accordance with the provisions of Section 62-7 and to the board or the administrative law judge, as appropriate. The appellate clerk shall deliver a copy of the appeal form to the board or the administrative law judge, as appropriate, ~~and to each appearing party.~~

Sec. 76-3. Preparation of Case File; Exhibits

Within ten days of the issuance of notice of the filing of an appeal, the board or the administrative law judge, as appropriate, shall deliver to the appellate clerk an electronic copy of the file and the transcripts of any hearings and the exhibits that were before the board or the administrative law judge. No omissions may be made from the case file except upon the authorization of the appellate clerk. Each document of the case file must be numbered, and the file must include a table of contents listing each item entered in the file according to its number.

Any party that intends to order transcripts of the proceedings before the board shall file a certificate regarding transcript as required by Section 63-4 (a) (3). The transcripts shall be ordered in accordance with the provisions of Section 63-8, except that the order shall be placed through the appropriate hearing reporter and the Compensation Review Board.

~~All exhibits before the board or the administrative law judge are deemed exhibits on appeal. The appellate clerk shall notify the board or the administrative law judge of the exhibits required by the court. It shall be the responsibility of the board or the administrative law judge to transmit those exhibits promptly to the appellate clerk.~~

~~Nothing in this section relieves the appellant and the appellee of their duty to comply with the appendix requirements of Section 67-8.~~

Sec. 63-4. Additional Papers To Be Filed by Appellant and Appellee Subsequent to the Filing of the Appeal

(a) Within ten days of filing an appeal, the appellant shall also file with the appellate clerk the following:

(1) A preliminary statement of the issues (JD-SC-038) intended for presentation on appeal. If any appellee wishes to: (A) present for review alternative grounds upon which the judgment maybe affirmed; (B) present for review adverse rulings or decisions of the court which should be considered on appeal in the event the appellant is awarded a new trial; or (C) claim that a new trial rather than a directed judgment should be ordered if the appellant is successful on the appeal, that appellee shall file a preliminary statement of issues within twenty days from the filing of the appellant's preliminary statement of the issues. Except as otherwise provided, a party may as of right file amendments to the preliminary statement of issues at any time until that party's brief is filed.

Whenever the failure to identify an issue in a preliminary statement of issues prejudices an opposing party, the court may refuse to consider such issue.

(2) A designation of the proposed contents of the clerk appendix (JD-SC-039) that is to be prepared by the appellate clerk under Section 68-2A listing the specific documents docketed in the case file that the appellant deems are necessary to include in the clerk appendix for purposes of presenting the issues on appeal, including their dates of filing in the proceedings below, and, if applicable, their number as listed on the docket sheet. The appellant shall limit the designation to the documents referenced in Section 68-3A for inclusion in the clerk appendix. If any other party disagrees with the inclusion of any documents designated by the appellant, or deems it necessary to include other documents docketed in the case file in the clerk appendix, that party may, within seven days from the filing of the appellant's designation of the proposed contents of the clerk appendix, file its own designation of the proposed contents of the clerk appendix.

(3) A certificate stating that no transcript is deemed necessary (JD-SC-040) or a transcript order confirmation from the official court reporter pursuant to Section 63-8. If the appellant is to rely on any transcript delivered prior to the filing of the appeal, the

transcript order confirmation shall indicate that an electronic version of a previously delivered transcript has been ordered.

If any other party deems any other parts of the transcript necessary that were not ordered by the appellant, that party shall, within twenty days of the filing of the appellant's transcript papers, file a transcript order confirmation for an order placed in compliance with Section 63-8. If the order is for any transcript delivered prior to the filing of the appeal, the transcript order confirmation shall indicate that an electronic version of a previously delivered transcript has been ordered.

Amendments to the transcript statement may be made only upon the granting of a motion.

(4) A docketing statement (JD-SC-041) containing the following information to the extent known or reasonably ascertainable by the appellant: (A) the names and addresses of all parties to the appeal, and the names, addresses, and email addresses of trial and appellate counsel of record, and the names and addresses of all entities and/or ~~persons~~ individuals having a legal interest in the cause on appeal sufficient to raise a substantial question whether a judge should be disqualified from participating in the decision on the case by virtue of that judge's personal or financial interest in any such entities and/or ~~persons~~ individuals; (B) the case names and docket numbers of all pending cases, including appeals to the Supreme Court or Appellate Court, that arise from substantially the same controversy as the cause on appeal or involve issues closely related to those presented by the appeal; (C) the case name and docket number with respect to any active criminal protective order, civil protective order, or civil restraining order that governs any of the parties to the appeal as well as the case name and docket number with respect to any such order that has expired or previously was requested but not issued; and (D) in criminal and habeas cases, the defendant's or petitioner's conviction(s) and sentence(s) that are the subject of the direct criminal or habeas appeal and whether the defendant or petitioner is incarcerated. If additional information is or becomes known to, or is reasonably ascertainable by the appellee, the appellee shall file a docketing statement supplementing the information required to be provided by the appellant. Amendments to the docketing statement may be filed at any time.

When an appellant or an appellee is aware that one or more appellees have no interest in participating in the appeal, the appellant and any other appellees may be relieved of the requirement of certifying copies of filings to those appellees by designating the nonparticipating appellee(s) in a section of the docketing statement named “Nonparticipating Appellee(s).” This designation shall indicate that if no docketing statement in disagreement is filed, subsequent filings will not be certified to those appellees.

If an appellee disagrees with the nonparticipating designation, that appellee shall file a docketing statement indicating such disagreement within twenty days of the filing of that designation. All documents filed on or before the expiration of the time for an appellee to file a docketing statement in disagreement as stated above shall be delivered pursuant to Section 62-7 (b) to all counsel of record. If no docketing statement in disagreement is filed, subsequent filings need not be certified to nonparticipating appellees.

(b) If applicable, within ten days of filing an appeal, the appellant shall also file with the appellate clerk the following:

(1) A preargument conference statement (JD-SC-028A) in matters that are eligible for a preargument conference pursuant to Section 63-10, if all parties participating in the appeal are interested in attending a preargument conference.

(2) A constitutionality notice, in all noncriminal cases where the constitutionality of a state statute, rule, regulation, or executive action is called into question. Said notice shall identify the statute, rule, regulation, or executive action; the name and address of the party questioning it; and whether the constitutionality of the questioned item was upheld by the trial court. The appellate clerk shall deliver a copy of such notice to the attorney general. If a question becomes apparent to a party or to the court at any time after preliminary papers are filed, the party shall immediately file or amend the notice mandated by this section, and the court, even absent a party filing a notice, shall issue such notice. This section does not apply to habeas corpus matters based on criminal convictions, or to any case in which the attorney general is a party, has appeared on behalf of a party, or has filed an amicus brief in proceedings prior to the appeal.

(3) In matters in which documents are under seal, conditionally or otherwise, or

limited as to disclosure, a notice identifying the time, date, scope and duration of the sealing order with a copy of the order. (See Section 77-2.)

(4) If an entity as defined in Section 60-4 is an appellant, counsel of record for that entity shall file a certificate of interested entities or individuals as defined in Section 60-4 in any civil appeal to assist the appellate jurists in making an informed decision regarding possible disqualification from the appeal. If an entity in a civil appeal is an appellee, counsel of record for the entity shall file a certificate of interested entities or individuals within twenty days of the filing of the appellant's preliminary statement of the issues. Counsel of record has a continuing duty to amend the certificate of interested entities or individuals during the pendency of the appeal if any changes occur.

(c) Failure to comply with this rule shall be deemed as sufficient reason to schedule a case for sanctions under Section 85-3 or for dismissal under Section 85-1.

(d) The use of the forms indicated in subdivisions (1), (2) and (3) of subsection (a) is optional. The party may instead draft documents in compliance with the rules.

NOTE: The form number parenthetical, (JD-SC-041), added to the first sentence of subsection (a) (4) will appear in the 2026 Practice Book as a technical change.

Sec. 72-2. Form

The writ of error shall clearly indicate the plaintiff in error and the defendant in error and shall contain in numbered paragraphs the facts upon which the plaintiff in error relies and a statement of the relief claimed.

Sec. 72-3. Applicable Procedure

(a) The writ of error, if in proper form, shall be allowed and signed by a judge or clerk of the court in which the judgment or decree was rendered. The writ of error shall be presented for signature within twenty days of the date notice of the judgment or decision complained of is given but shall be signed by the judge or clerk even if not presented in a timely manner. Failure without cause to present the writ of error in a timely manner may be a ground for dismissal of the writ of error by the court having appellate jurisdiction.

(b) The writ of error shall be served and returned as other civil process, except that the writ of error shall be served at least ten days before the return day and shall be returned to the appellate clerk at least one day before the return day. The return days are any Tuesday not less than twelve nor more than thirty days after the writ of error is signed by a judge or clerk of the court.

(c) The writ of error shall be deemed filed the day it is properly returned to the appellate clerk. The plaintiff in error shall return the writ of error to the appellate clerk by (1) complying with Section 60-7 or 60-8 by paying the required fee, submitting a signed application for waiver of fees and the order of the trial court granting the fee waiver, or certifying that no fees are required; (2) submitting the matter in accordance with the provisions of Section 63-3; and (3) submitting the allowed and signed writ of error and the signed marshal's return to the appellate clerk.

(d) An electronically filed writ of error will be docketed upon the submission of the matter in accordance with Section 63-3 but will be rejected upon review by the appellate clerk if the plaintiff in error fails to comply with Section 60-7 or to submit an allowed and signed writ of error and the signed marshal's return on the same business day the matter is submitted in accordance with the provisions of Section 63-3. The writ of error may also be returned upon review by the appellate clerk for noncompliance with the Rules of Appellate Procedure. The appellate clerk shall ~~forthwith~~ give notice to all parties of the filing of the writ of error.

(e) If the writ of error is brought against a judge of the Superior Court to contest a summary decision of criminal contempt by that judge, the defendant in error shall be the Superior Court. In all other writs of error, the writ of error shall bear the caption of the underlying action in which the judgment or decision was rendered. All parties to the underlying action shall be served in accordance with Chapter 8 of these rules.

(f) Within ten days of filing a writ of error, the plaintiff in error shall file with the appellate clerk:

(1) A certificate stating that no transcript is deemed necessary or a transcript order confirmation from the official court reporter in compliance with Section 63-4 (a) (3). If any other party deems any other parts of the transcript necessary that were not ordered by the plaintiff in error, that party shall, within twenty days of the filing of the plaintiff in error's transcript papers, file a transcript order confirmation for an order placed in compliance with Section 63-8.

(2) A docketing statement in compliance with Section 63-4 (a) (4). If additional information is or becomes known to, or is reasonably ascertainable by the defendant in error, the defendant in error shall file a docketing statement supplementing the information required to be provided by the plaintiff in error.

~~(g) Within twenty days of filing a writ of error, the plaintiff in error shall file with the appellate clerk such documents as are necessary to present the claims of error made in the writ of error, including pertinent pleadings, memoranda of decision and judgment file, accompanied by a certification that a copy thereof has been served on each counsel of record in accordance with Section 62-7.~~

~~(h) Within ten days of the filing by the plaintiff in error of the documents referred to in subsection (g) of this rule, the defendant in error may file such additional documents as are necessary to defend the action, accompanied by a certification that a copy thereof has been served on each counsel of record in accordance with Section 62-7.~~

(i) Answers or other pleas shall not be filed in response to any writ of error. No amended writ of error may be filed without leave of the court having appellate jurisdiction.

(j) No clerk appendix is prepared for a writ of error. Except as provided in this subsection, Briefing is shall be in accordance with Section 67-1 et seq., in which the rules applicable to appellants shall apply to plaintiffs in error, and the rules applicable to appellees shall apply to defendants in error. The plaintiff in error is required to file a party appendix that includes the documents necessary to present the claims of error made in the writ of error, including pertinent pleadings and memoranda of decision. The defendant in error may file a party appendix that includes any additional documents as are necessary to defend the action.