

## General Terms Used In The Court

**Notice of Appeal:** (See **App R 3**, **App R 4** and **Forms**) The paper that is filed in the trial court that informs the court that someone is appealing.

**Appellant:** The party that files the Notice of Appeal.

**Appellee:** The party that will oppose and respond to the appellant.

**Docket Statement:** (See **Local R. 10**, **Local R. 12**, and **Forms**) The form that is required by this Court to be filed with the Notice of Appeal. There are two different forms, one for civil cases and one for criminal cases.

**Show Cause:** When the appellant fails to timely file the Docket Statement, this Court issues a Show Cause Order giving the appellant an additional seven days to file the Docket Statement or the appeal will be dismissed.

**Scheduling Order:** (See **Local R. 10** and **Forms**) Once this Court receives the Docket Statement and reviews it with the Notice of Appeal it issues a Scheduling Order. The Scheduling Order indicates whether the case is on the accelerated or regular calendar (the difference being length of briefs) and establishes the time frame within which the record and briefs are to be filed.

**Record:** (See **App R 9** and **App R 10**) The record is that which is reviewed by an appellate court. It consists of two parts: (1) the docket and journal from the trial court, which includes all the filings in the trial court as well as all the entries/orders of the trial court, and (2) a transcript of proceedings, which consists of a transcription of the testimony and evidentiary material that was presented to the trial court.

**Briefs:** (See **App R 16**, **App R 18**, **App R 19**, **Local R. 6** and **Local R. 11**) The brief of the appellant is the document filed in the Court wherein the appellant presents to the Court, in writing, the where and why he/she believes the trial court made its mistakes (errors). The brief of the appellee is the document wherein the appellee responds to the assignments of error of the appellant. These briefs must be filed within the time set forth in the Scheduling Order or a time extended. All briefs have restrictions as to page length depending whether it is on the accelerated (15 pages) or regular (35 pages) calendar and must comply with various rules relative to form.

**Motions:** (See **App R 15** and **Local R. 4** and **Forms**) This is the document that is filed with the Clerk by the parties or counsel asking the Court to take some sort of action such as: extend time, dismiss the appeal, stay the trial court's judgment, etc. The Court of Appeals responds to every motion that is filed by an entry or order.

**Entries/Orders:** (See **Forms**) This is the document of the Court whereby the Court answers any motion that is filed and advises the parties or counsels what the Court has decided. The original of all Entries, Orders or Judgment Entries will bear the signature of the Presiding or Acting Presiding Judge.