

CHECKLIST FOR BRIEFS

COVER OF BRIEF:

Fed. R. App. P. 32(a)(2)

Correct Color

Appellant - blue; Appellee - red; Intervenor or Amicus - green; Reply - gray

Cross-Appeal: First - blue; Second - red; Third - yellow; Fourth - gray

First Circuit case number

Heading: "United States Court of Appeals for the First Circuit"

Title of Case (Does title match court's caption, and if not, has motion to amend caption been filed?)

Nature of proceeding (e.g., Appeal, Petition for Review) and name of court, agency or board below

Title of the brief (e.g., Brief of Appellant John Doe)

Name(s), address(s), and telephone numbers of counsel representing the party for whom the brief is filed

CONTENTS:

Fed. R. App. P. 28, 1st Cir. R. 28.0

Refer to Fed. R. App. P. 28(b) and (c) for optional sections of appellee's brief and reply brief.

Corporate disclosure statement, if required by Fed. R. App. P. 26.1

Table of contents, with page references

Table of cases (alphabetically arranged), statutes, and other authorities

Statement in support of/against oral argument (optional, 1st Cir. R. 34.0(a))

Page limitation, word or line count begins here, Fed. R. App. P. 32(a)(7)(B)(iii)

Jurisdictional statement

Statement of the issues

Statement of the case

Statement of the facts, with appropriate references to the record and appendix

Summary of the argument

Argument,

- with citations to the authorities, statutes and with appropriate references to the record and joint appendix, and
- applicable standard of review for each issue, may appear in the discussion of each issue or under separate heading place before the discussion of the issues

Conclusion

Page limitation, word or line count ends here, Fed. R. App. P. 32(a)(7)(B)(iii)

Signature (Appearance form for every attorney appearing on brief filed?)

Certificate of compliance as required by Fed. R. App. P. 32(a)(7)

Certificate of service, indicating date, manner, and address

Addendum, containing copy of each judgment, decision, ruling or order appealed from, including supporting explanation (e.g., a written or transcript opinion), and in addition, where the district court or agency whose decision is under review was itself reviewing or acting upon the decision of a lower-level decision maker, that lower-level decision as well (e.g., a recommended decision by a magistrate judge or an initial decision by an administrative law judge). If the decision appealed from is a text-only entry on a docket report, a copy of the relevant entry or page of the docket report should be provided. Parties are encouraged, but not required, to also include other items or short excerpts from the record that are either the subject of an issue on appeal or necessary for understanding the specific issues on appeal, up to 25 pages total.

(Have sealed or confidential documents been segregated and filed as a separate volume clearly marked "SEALED"?)

FORM OF BRIEFS

Fed. R. App. P. 32, 1st Cir. R. 31.0, 32.0

Typeface, Fed. R. App. P. 32(a)(5)

- 14 point proportionally space font, with serifs (ex. CG Times, Times New Roman), or
 - 12 point monospaced font (ex. Courier New)
-

Length, Fed. R. App. P. 32(a)(7)

- Page Limitation: Principal briefs 30 pages, Reply brief 15 pages, or
- Type-volume Limitation. Principal brief no more than 14,000 words with either proportional typeface or monospaced typeface; or no more than 1,300 lines of text for monospaced typeface.

Headings, footnotes, and quotations count toward the word and line limitations.

Reply brief contains no more than half of the type-volume of principal briefs.

Footnotes, must be same-sized text as used in the body of the brief

Consecutive pagination

Secure binding on left hand side that does not obscure the text and permits the brief to lie reasonably flat when open. (DO NOT use three ring binders) (Spiral binding preferred)

Paper size, 8 ½ by 11 inches

Double-spaced, except quotations longer than two lines may be indented and single-spaced. Headings and footnotes may be single-spaced

Margins, at least one inch on all four sides

One copy of brief, cover to cover, in a single electronic file on a disk in Portable Document Format (PDF)
