

INDEX

References are to Sections

ABATEMENT OR SURVIVAL OF ACTIONS

Death of party, § 8.16

ABBREVIATED SHORT FORM

Record on appeal, § 5.6

ABUSE OF DISCRETION

Standard and scope of review, § 3.8

ACQUITTAL MOTION

Perfecting appeal, § 2.12

ADMINISTRATIVE AGENCY DECISIONS

Contested or non-contested cases, §§ 14.2, 14.7

Exhaustion of administrative remedies, § 14.3

Injunction pending final review, § 14.5

Judicial review, generally, §§ 14.1-14.8

Non-contested cases, §§ 14.2, 14.7

Quasi-judicial decisions, § 14.2

Quasi-legislative functions, § 14.8

Record on appeal, §§ 5.7, 14.4

Standard and scope of review, § 14.6

ADMISSIBILITY OF EVIDENCE

Perfecting appeal, § 2.8

Standard and scope of review, § 3.10

AFFIRMATIVE DEFENSES

Perfecting appeal, § 2.4

Pleading, § 2.4

AMICUS CURIAE

Briefs, § 7.12

ARGUMENT

Briefs, § 7.9

Oral Argument, this index

ASSOCIATE DIVISION

Trial de novo, § 13.3

ATTORNEY FEES

Costs of appeal, § 10.8

ATTORNEYS

Ineffective assistance, post-conviction relief (PCR), § 15.2

BANKRUPTCY

Effect on appeal, § 8.17

INDEX

BENCH TRIAL

New trial motion, §§ 2.14, 2.15

BONDS

Stays and Supersedeas, this index

BOUNDARIES OF DISTRICTS

Court of appeals overview, § 1.1

BRIEFS

Generally, §§ 7.1-7.14
Amicus curiae, § 7.12
Appendix, § 7.10
Argument, § 7.9
Conclusion, § 7.10
Extraordinary writs, § 12.20
Facts, statement, § 7.7
Formal requirements, §§ 7.15, 7.4
Jurisdictional statement, § 7.6
Number, § 7.2
Opening brief on merits, overview, § 7.5
Points relied on, § 7.8
Practice hints, § 7.14
Reply brief, § 7.12
Respondent's brief, § 7.11
Statement of facts, § 7.7
Timeline for actions, § 7.3
Type, § 7.2
Writing styles, § 7.14

CALENDAR

Docketing, this index

CAPTIONS AND FORMAL PARTS

Extraordinary writs, pleadings, § 12.14

CERTIFICATES AND CERTIFICATION

Supreme Court transfers, § 11.6

CERTIORARI

Extraordinary writs, state court, §§ 12.9, 12.10
Supreme Court, U.S., § 11.13

CHILD SUPPORT AND CUSTODY

Stays and supersedeas, § 6.5

CIRCUIT COURTS

Appellate jurisdiction, §§ 13.1-13.7

COMPULSORY DNA TESTING

Post-conviction relief (PCR), § 15.5

CONTEMPT JUDGMENTS

Right of appeal, § 4.10

CONTINUANCES

Perfecting appeal, § 2.5

CORAM NOBIS

Extraordinary writs, § 12.11

CORAM VOBIS

Extraordinary writs, § 12.11

INDEX

COSTS OF APPEAL

Attorney fees, § 10.8
Court of appeals, § 10.7
Docketing fees, § 8.2

COUNTY MUNICIPAL COURT DIVISION

Circuit court appellate jurisdiction, § 13.6

COURT OF APPEALS

Costs of action, § 10.7
Disposition of case, § 10.1
Districts, court of appeal, § 1.1
Extraordinary writs issuance, procedure, §§ 12.13 et seq.
Judges, number, § 1.2
Jurisdiction
 Appellate jurisdiction, § 1.4
 Original jurisdiction, § 1.5
 Overview, § 1.1
Masters, § 12.19
Notice of appeal, form, § 4.26
Original jurisdiction, § 1.5
Post-opinion proceedings, § 11.9
Structure, §§ 1.1, 1.2
Supervisory jurisdiction, § 1.6
Supreme Court, U.S., reviewing, § 11.12
Transfer to supreme court, § 11.4

COURT SYSTEM

For particular courts, see specific index headings
Structure and organization, §§ 1.1, 1.2

CRIMINAL CASES

Acquittal motion, § 2.12
Circuit court appeals, § 13.4
Coram nobis and coram vobis, § 12.11
Habeas corpus, § 12.6
Post-conviction relief (PCR), §§ 15.1-15.6
Right of appeal, §§ 4.13-4.16
Standard and scope of review, §§ 3.6, 3.7
Stays and supersedeas, §§ 6.12-6.16

CUSTODY OF CHILDREN

Stays and supersedeas, § 6.5

DE NOVO REVIEW

Associate division cases, §§ 1.1, 13.3
Municipal and associate division cases, § 1.1; 3.3; 13.3
Standard and scope of review, § 3.3

DEATH

Party to action, § 8.16

DECEDENTS' ESTATES

Right of appeal, probate court, § 4.9

DECREES

Judgments, Orders, and Decrees, this index

DELIBERATIONS OF JURY

Perfecting appeal, § 2.10

DIRECTED VERDICT

Perfecting appeal, § 2.11

INDEX

DISCOVERY

Perfecting appeal, § 2.5

DISCRETION ABUSE

Standard and scope of review, § 3.8

DISMISSAL OF APPEAL

Motion practice, §§ 8.7-8.12

Perfecting appeal, § 2.13

DISSENTING JUDGE CERTIFICATION

Transfer to supreme court, § 11.6

DISTRICTS OF COURT OF APPEALS

Overview, § 1.1

DIVORCE

Child support and custody, stays and supersedeas, § 6.5

DNA TESTING

Post-conviction relief (PCR), § 15.5

DOCKETING

Conference, § 8.14

Costs of appeal, § 8.2

Right of appeal, § 4.12

ELECTIONS

Quo warranto, §§ 12.6, 12.7

EVIDENCE

Admissibility

Perfecting appeal, § 2.8

Standard and scope of review, admissibility, § 3.10

DNA tests, post-conviction relief (PCR), § 15.5

Exhibits, record on appeal, § 5.4

Perfecting Appeal, this index

Record on appeal, exhibits, § 5.4

Standard and scope of review, admissibility, § 3.10

EXHAUSTING POST-TRIAL MOTIONS

Right of appeal, § 4.19

EXHAUSTION OF ADMINISTRATIVE REMEDIES

Juridical review of agency decisions, § 14.3

EXTRAORDINARY WRITS

For particular writs, see specific index headings

Generally, §§ 12.1-12.27

Briefs, § 12.20

Further relief, § 12.21

Masters in appellate court, § 12.19

Oral argument, § 12.20

Parties to actions, § 12.15

Pleadings, §§ 12.14, 12.16

Process and service, §§ 12.17, 12.23

Record of proceedings, § 12.18

Service of process, §§ 12.18, 12.23

Summary, Form 16, § 12.22

FAMILY COURT

Child support and custody, stays and supersedeas, § 6.5

Right of appeal, § 4.8

INDEX

FINALITY RULE

Right of appeal, §§ 4.3, 4.7, 4.14, 4.18

FORENSIC EVIDENCE

Post-conviction relief (PCR), § 15.5

FORMS

Extraordinary writ summary, Form 16, § 12.22

Notice of appeal, §§ 4.25, 4.26

Post-conviction relief (PCR) form, § 15.6

Supreme Court transfer, § 11.14

FRIVOLOUS APPEALS

Sanctions, § 8.13

HABEAS CORPUS

Extraordinary writs, § 12.6

IN LIMINE MOTIONS

Perfecting appeal, § 2.6

INEFFECTIVE ASSISTANCE OF COUNSEL

Post-conviction relief (PCR), § 15.2

INJUNCTIONS

See also Stays and Supersedeas

Administrative agency decisions review, § 14.5

Stays and supersedeas, § 6.4

INSOLVENCY

Effect on appeal, § 8.17

INSTRUCTIONS TO JURY

Perfecting appeal, § 2.10

Standard and scope of review, § 3.11

INTERLOCUTORY APPEALS

Criminal cases, § 4.15

Partition cases, right to appeal, § 4.7

INTERMEDIATE APPELLATE COURTS

Court of Appeals, this index

JUDGES AND JUSTICES

Associate circuit judge judgment, § 13.2

Court of appeals overview, § 1.2

Supreme court overview, § 1.2

JUDGMENT NOTWITHSTANDING THE VERDICT

Perfecting appeal, § 2.11

JUDGMENTS, ORDERS, AND DECREES

Acquittal motion, § 2.12

Associate circuit judge judgment, § 13.2

Contempt judgments, right of appeal, § 4.10

Disposition on appeal or transfer, §§ 10.1-10.3, 11.11

Finality rule, §§ 3.18, 4.3, 4.7, 4.14

Mandate, this index

Partition, interlocutory judgments, § 4.6

Prohibition, preliminary order, § 12.27

Special orders after judgment, § 4.7

Stay or Supersedeas, this index

Supreme court transfer order, §§ 11.7, 11.11

INDEX

JURISDICTION

Circuit courts' appellate jurisdiction, §§ 13.1-13.7
Court of Appeals, this index
Finality rule, §§ 4.3, 4.7, 4.14, 4.18
Supreme Court, this index

JURISDICTIONAL STATEMENT

Briefs, § 7.6

JURY AND JURY TRIAL

For particular matters, See specific index headings

JUSTICIABILITY

Finality rule, §§ 4.3, 4.7, 4.14, 4.18

JUVENILE COURT

Right of appeal, § 4.8

LAW OF THE CASE

Mandate, § 10.4

LETTERS OF CREDIT

Stays and supersedeas, §§ 6.10, 6.11

MANDAMUS

Extraordinary writs, § 12.2
Statutory authority, § 12.3

MANDATE

Correcting opinion, § 10.5
Enforcing, § 10.4
Issuing, § 10.4
Law of the case, § 10.4
Recall and correction, § 10.5
Restitution, § 10.6

MAPS

Districts, court of appeal, § 1.1

MASTERS IN APPELLATE COURT

Extraordinary writs, § 12.19

MERITS OF CASE

Disposition on merits, § 10.3

MISDEMEANORS

Circuit court appeals, § 13.4

MOTION PRACTICE

For particular motions, see specific index headings
Generally, §§ 8.5, 8.6

MULTIPLE CLAIMS OR PARTIES

Right of appeal, § 4.4

MUNICIPAL DIVISIONS

Circuit court appellate jurisdiction, § 13.6

NEW TRIAL MOTIONS

Perfecting appeal, §§ 2.14, 2.15

NOTICE OF APPEAL

Court of Appeals, § 4.26
Forms, §§ 4.25, 4.26
Perfecting appeal, §§ 4.17, 4.21, 4.25, 4.26

INDEX

NOTICE OF APPEAL—Continued

Supreme Court, § 4.25
Unemployment compensation, § 4.28
Workers' compensation, § 4.27

OBJECTIONS AND EXCEPTIONS

Preserving error, § 2.3

OFFERS OF PROOF

Perfecting appeal, § 2.9

ORAL ARGUMENT

Generally, §§ 9.1-9.6
Extraordinary writs, § 12.20
Preparing, § 9.4
Presenting, § 9.5
Time limits, § 9.3
Waiver, §§ 9.2, 9.6

ORDERS

Judgments, Orders, and Decrees, this index

ORGANIZATION OF COURTS

Appellate court system, §§ 1.1, 1.2

ORIGINAL JURISDICTION

Court of Appeals, § 1.5

PARTIES TO ACTIONS

Aggrieved parties, standing to appeal, § 4.11
Death of party, § 8.16
Extraordinary writs, § 12.15
Right of appeal, multiparty cases, § 4.4

PARTITION

Interlocutory judgments, right to appeal, § 4.6

PERFECTING APPEAL

Generally, §§ 1.8; 2.1-2.16; 4.23
Acquittal motion, § 2.12
Admissibility, § 2.8
Affirmative defenses, § 2.4
Bench trial, new trial motion, §§ 2.14, 2.15
Continuances, § 2.5
Costs of action, § 10.7
Deliberations of jury, § 2.10
Directed verdict, § 2.11
Discovery before trial, § 2.5
Dismissal motions, § 2.13
Evidence
 Admissibility, § 2.8
 Offers of proof, § 2.6
 Suppression, § 2.6
 Suppression of evidence, §§ 2.6, 2.9
Instructions to jury, § 2.10
JNOV, § 2.11
Jury matters, §§ 2.10, 2.11, 2.14
Motions in limine, § 2.6
New trial motions, §§ 2.14, 2.15
Notice of appeal, §§ 4.17, 4.21, 4.25, 4.26
Offers of proof, § 2.6
Overview, § 1.8
Plain error doctrine, § 2.16

INDEX

PERFECTING APPEAL—Continued

Preserving error, generally, §§ 2.2, 2.3, 2.16
Pretrial proceedings, § 2.5
Record on appeal, §§ 5.1-5.8
Suppression of evidence, §§ 2.6, 2.9
Timeline, § 4.22
Trial proceedings, generally, §§ 2.3, 2.7
Verdict, §§ 2.10, 2.11

PLAIN ERROR DOCTRINE

Perfecting appeal, § 2.16

PLEADINGS

Generally, § 8.3 8.4
Extraordinary writs, § 12.14
Formal requirements, § 8.3
Perfecting appeal, § 2.4
Post-appeal proceedings, § 11.8
Standard and scope of review, § 3.9

POST-CONVICTION RELIEF (PCR)

Generally, §§ 15.1-15.6
DNA testing, compulsory forensic, § 15.5
Ineffective assistance of counsel, § 15.2
Motion, form, § 15.6
Procedure, generally, § 15.3
Right of appeal, § 15.4
Timeline, § 15.3
Venue, § 15.3

PRESERVING ERROR

Perfecting appeal, generally, §§ 2.2, 2.3, 2.16

PRETRIAL PROCEEDINGS

Perfecting appeal, § 2.5

PROBATE COURT

Right of appeal, § 4.9

PROCESS AND SERVICE

Extraordinary writs, §§ 12.17, 12.23
Pleadings, § 8.4

PROHIBITION

Generally, §§ 12.4, 12.5
Preliminary order, § 12.27

PUBLIC OFFICERS

Quo warranto, §§ 12.6, 12.7

QUASI-JUDICIAL DECISIONS

Administrative agency decision review, § 14.2

QUASI-LEGISLATIVE FUNCTIONS

Administrative agency decision review, § 14.8

QUESTIONS OF FACT OR LAW

Masters in appellate courts, § 12.19

QUO WARRANTO

Extraordinary writs, § 12.6
Stays and supersedeas, § 6.4

INDEX

RECORD ON APPEAL

Generally, §§ 5.1-5.8
Abbreviated short form, § 5.6
Administrative agency decisions, §§ 5.7, 14.4
Files and filing, §§ 5.2, 5.3
Incomplete transcript, § 5.8
Missing transcript, § 5.8
Short form, § 5.6
Transcript of proceedings, §§ 5.3, 5.8

REHEARING

Motions, § 11.2

RESTITUTION

Mandate, § 10.6

RIGHT OF APPEAL

Generally, §§ 4.1-4.28
Aggrieved parties, § 4.11
Civil cases, §§ 4.2-4.8
Contempt judgments, § 4.10
Criminal cases, §§ 4.13-4.16
Docket sheet entries, § 4.12
Family court, § 4.8
Final judgment rule, §§ 4.3, 4.7, 4.14
Forms, §§ 4.25-4.28
Interlocutory appeal, §§ 4.6, 4.15
Juvenile court, § 4.8
Multiple claims or parties, § 4.4
Notice of appeal, §§ 4.17, 4.21, 4.25, 4.26
Parties, §§ 4.4, 4.24
Partition, interlocutory judgments, § 4.6
Perfecting appeal, §§ 1.8; 2.1-2.16; 4.23
Post-conviction relief (PCR), § 15.4
Post-trial motions, exhausting, § 4.19
Probate court, § 4.9
Prosecution in criminal case, § 4.16
Special orders after judgment, § 4.7
Statutory authority, § 4.2
Timeline, § 4.22
Workers' compensation, § 4.27

SANCTIONS

Frivolous appeals, § 8.13

SERVICE OF PROCESS

Extraordinary writs, §§ 12.17, 12.23
Pleadings, § 8.4

SETTLEMENTS

Conference, § 8.14
Pendency of appeal, during, § 8.15

SHORT FORM

Record on appeal, § 5.6

SMALL CLAIMS DIVISION

Circuit court appeals, § 13.4

STANDARD AND SCOPE OF REVIEW

Generally, §§ 3.1-3.11
Abuse of discretion, § 3.8
Administrative agency decisions, § 14.6

INDEX

STANDARD AND SCOPE OF REVIEW—Continued

Bench trials, §§ 3.4, 3.6
Criminal cases, §§ 3.6, 3.7
De novo review, § 1.1; 3.3; 13.3
Jury trials, §§ 3.5, 3.7
Pleadings sufficiency, § 3.9
Post-conviction relief (PCR), § 15.4
Questions of law or fact, § 3.2

STAYS AND SUPERSEDEAS

Generally, §§ 6.1-6.16
Administrative agency decisions review, § 14.5
Bonds, generally, §§ 6.2, 6.3 et seq.
Child support and custody, § 6.5
Criminal cases, §§ 6.12-6.16
Enforcing bond, § 6.7
Injunction, stay, § 6.4
Letters of credit, §§ 6.10, 6.11
Quo warranto, § 6.4
Real estate judgments, § 6.9
Sureties, §§ 6.8, 6.13, 6.15

STRUCTURE OF COURTS

Appellate court system, §§ 1.1, 1.2

SUPERSEDEAS

Stays and Supersedeas, this index

SUPERVISORY JURISDICTION

Court of Appeals, § 1.6

SUPPRESSION OF EVIDENCE

Perfecting appeal, §§ 2.6, 2.9

SUPREME COURT

Appellate jurisdiction, § 1.4
Disposition of cases, § 10.2
Judges, number, § 1.2
Jurisdiction
 Appellate jurisdiction, § 1.4
 Overview, § 1.1
Notice of appeal, form, § 4.25
Overview, §§ 1.1, 1.2
Post-opinion proceedings, § 11.9
Rule-making power, § 1.7
Specialized proceedings, § 1.9
Transfer to Supreme Court, §§ 11.3-11.7

SUPREME COURT, U.S.

Certiorari procedure, § 11.13
Court of appeals, state, reviewing, § 11.12

SURETIES

Supersedeas bond, § 6.8

SURVIVAL OF ACTIONS

Death of party, § 8.16

TAKING APPEAL

Perfecting Appeal, this index

TRAFFIC COURT

Circuit court appellate jurisdiction, § 13.6

INDEX

TRANSCRIPT OF PROCEEDINGS

Record on appeal, §§ 5.3, 5.8

TRANSFER TO SUPREME COURT

Generally, §§ 11.3-11.7
Application, form, § 11.14
Certification, § 11.6
Court of Appeals, § 11.4
Disposition on transfer, § 11.11
Dissenting judge certification, § 11.6
Notice of application, § 11.15
Order of court, § 11.7
Overview, § 11.3
Standards governing, § 11.4

TRIAL COURT PROCEEDINGS

For particular aspects, see specific index headings

TRIAL DE NOVO

De Novo Review, this index

UNEMPLOYMENT COMPENSATION

Notice of appeal, § 4.28

VENUE

Post-conviction relief (PCR), § 15.3

VERDICT

Judgment notwithstanding the verdict, § 2.11
Perfecting appeal, §§ 2.10, 2.11

WILLS

Right of appeal, probate court, § 4.9

WORKERS' COMPENSATION

Notice of appeal, § 4.27