

Index

ADMINISTRATIVE APPEALS

- General discussion, **19:1-19:5**
- Exhaustion of administrative remedies, **19:3**
- Legal basis for administrative review, **19:2**
- Standard of review, **19:5**
- Workers compensation appeals, **19:4**

AMICUS CURIAE

- General discussion, **13:1-13:3**
- Amicus briefs addressing the merits of an appeal, **13:2**
- Amicus memorandum supporting or opposing discretionary review, **13:3**

APPEALABLE DECISIONS

- General discussion, **2:1-2:6**
- Collateral order doctrine, **2:5**
- Interlocutory orders, **2:4**
- Nature of final judgments, **2:3**
- Need for final determination, **2:2**
- Specific types of orders, **2:6**

APPEALABLE ISSUES

- General discussion, **3:1-3:6**
- Exceptions, **3:2**
- Harmless errors, **3:6**
- Objections, **3:5**
- Preservation of specific issues, **3:4**
- Review limited to errors shown in record, **3:3**

APPEALS FROM DISTRICT COURT

- General discussion, **18:1-18:8**
- Costs, **18:5**
- Notice of appeal, **18:2**
- Original actions in circuit court, **18:8**
- Reconsideration is by a Rule 59 motion, **18:6**
- Record on appeal, **18:3**

APPEALS FROM DISTRICT COURT—Cont'd

- Statement and counterstatement of appeal, **18:4**

APPENDIX

- Basic Appellate Practice Handbook, **App A**
- Rules of Civil Procedure, selected text, **App B**

BASIC APPELLATE PRACTICE HANDBOOK

- Text, **App A**

BRIEF FORMAT AND REQUIREMENTS

- General discussion, **12:1-12:12**
- Citations, **12:10**
- Content, **12:9**
- Covers, **12:5**
- Electronic Filing, **12:7**
- Format, **12:4**
- Length, **12:6**
- Number of copies, **12:8**
- Penalties for failure to comply, **12:12**
- Service Requirements, **12:3**
- Supplementation of Authority, **12:11**
- Time for Filing, **12:2**

BRIEFS

- Format and number of briefs, RAP 31, **App B**

CERTIFICATION OF QUESTION OF LAW

- General discussion, **20:1-20:4**
- Answering certified questions, **20:2**
- Certification in Kentucky criminal cases, **20:4**
- Certifying questions to other courts, **20:3**
- Kentucky criminal cases, certification in, **20:4**

CIRCUIT COURTS

Organization and operation of appellate courts, **1:4**

CITATIONS

Brief format and requirements, **12:10**

COMPUTATIONS

Time, **6:2**

CONCLUSIONS OF LAW

Scope of review, **4:3**

CONTENTS OF THE RECORD

Record on appeal, **9:2**

COURT OF APPEALS

Basic Practice Handbook, text, **App A**

Organization and operation of appellate courts, **1:3**

COVERS

Brief format and requirements, **12:5**

DAMAGES

Cope of review, **4:5**

DECISIONS, OPINIONS, AND ORDERS

Effective date of opinions, **16:5**

Effective date of orders, **16:6**

Publication of opinions, **16:7**

DECISIONS OPINIONS, AND ORDER

General discussion, **16:1-16:7**

Effective date of opinions, **16:5**

Form, **16:4**

How decisions are reached, **16:2**

Terminology, **16:1**

Writs, **16:3**

DISCRETIONARY REVIEW

Clearly erroneous factual determination, **4:4**

Scope of review, **4:4**

DISTRICT COURTS

Appeals from district court
reconsideration on decision on merits, **18:6**

Further appeal, **18:7**

ELECTRONIC FILING

Brief format and requirements, **12:7**

ENLARGEMENTS OF TIME

Time, **6:4**

EXHAUSTION OF ADMINISTRATIVE REMEDIES

General discussion, **19:3**

EXTENSIONS OF TIME

Time, **6:3**

FINAL DETERMINATION

Appealable decisions, Need for, **2:2**

FINAL JUDGMENTS

Appealable decisions, Nature of, **2:3**

FORMAT

Brief format and requirements, **12:4**

HARMLESS ERRORS

Appealable issues, **3:6**

INITIATION OF APPEAL

General discussion, **7:1-7:4**

Form of notice of appeal, **7:3**

Statutory and administrative appeals, **7:4**

Timing of notice of appeal, **7:2**

INTERLOCUTORY ORDERS

Appealable decisions, **2:4**

INTERRUPTING TIME

Time, **6:5**

INTERVENORS

Parties to Appeal, **5:4**

JURISDICTION

Original proceedings, **23:2**

MECHANICS

Original proceedings, **23:4**

MISAPPLICATION OF LAW

Discretionary determinations, **4.4**

MOTIONS

General discussion, **11:1-11:7**

Appeals from district courts, Rule 59 motion, **18:6**

INDEX

MOTIONS—Cont'd

- Interlocutory review of temporary injunction, **11:5**
- Intermediate relief from adverse judgment, **11:7**
- Motion for leave to file amicus curiae brief, **11:4**
- Motion to dismiss, **11:3**
- Nondispositive motions, **11:2**
- Review of final injunctive relief pending appeal, **11:6**

MOTIONS FOR DISCRETIONARY REVIEW

- General discussion, **10:1-10:5**
- Cross-motion for discretionary review, **10:5**
- Record on appeal, **10:3**
- Requirements and mechanics, **10:2**
- Response, **10:4**

OBJECTIONS

- Appealable issues, **3:5**

ORAL ARGUMENT

- General discussion, **15:1-15:8**
- Number of counsel, **15:5**
- Order of argument, **15:4**
- Preparing for argument, **15:6**
- Presenting oral argument, **15:7**
- Rebuttal argument, **15:6**
- When and where case will be heard, **15:3**
- When permitted, **15:2**

ORGANIZATION AND OPERATION OF APPELLATE COURTS

- General discussion, **1:1-1:4**
- Circuit courts, **1:4**
- Court of Appeals, **1:3**
- Supreme Court, **1:2**

ORIGINAL PROCEEDINGS

- General discussion, **21:1-21:5, 23:1-23:4**
- Generally, **23:1-23:4**
- Appellate review., **21:4**
- Introduction, **23:1**
- Jurisdiction, **21:2**
- Legal standards, **21:3**

ORIGINAL PROCEEDINGS—Cont'd

- Mechanics, **21:5, 23:4**
- Standard of review, **23:3**

PARTIES TO APPEAL

- General discussion, **5:1-5:5**
- Cross-appeals, **5:2**
- Intervenors, **5:4**
- Other parties to the appeal, **5:3**
- Substitution of parties, **5:5**
- Who may appeal, **5:1**

PENALTIES

- Brief format and requirements failure to comply, **12:12**

PERSUASION AND STYLE IN APPELLATE BRIEFS

- General discussion, **14:1-14:6**
- Argument, **14:5**
- Conclusion, **14:6**
- Introduction, **14:2**
- Statement of the Case, **14:3**
- Summary of Argument, **14:4**
- Writing persuasively, **14:1**

POST-DECISION REMEDIES

- General discussion, **17:1-17:3**
- Reconsideration, motion for, **17:3**
- Rehearing petition, **17:2**

PREHEARING STATEMENT AND CONFERENCE

- General discussion, **8:1-8:5**
- Failure to comply with prehearing procedures, **8:5**
- Prehearing conference, **8:4**
- Prehearing statement, **8:3**
- Tolling of time, **8:2**

PRE-TRIAL MOTIONS

- Scope of review, **4:6**

PUBLICATION

- Decisions, opinions, and orders, **16:7**

RECONSIDERATION

- Motion for, **17:3**
- Post-decision remedies, **17:3**

RECORD ON APPEAL

- General discussion, **9:1-9:6**
- Contents of the Record, **9:2**
- Correcting or modifying the record, **9:4**
- Motions for discretionary review, **10:3**
- Multiple related appeals, **9:6**
- When official recordings are unavailable, **9:3**
- Withdrawal of the record for brief preparation, **9:5**

REHEARING PETITION

- Post-decision remedies, **17:2**

RESPONSE

- Motions for discretionary review, **10:4**

RULES AND STATUTES

- Appeals from district court, RAP 48, **App B**

RULES OF CIVIL PROCEDURE

- Appeals, generally, CR 73, **App B**
- Appeals from district courts, CR 72, **App B**
- Class actions, CR 23.03, **App B**
- Commencement of action, costs and fees, CR 3.02, **App B**
- Court of Appeals, practice and procedure, CR 76, **App B**
- Economical litigation docket, special rules of circuit court, CR 98, **App B**
- Filing, CR 4, **App B**
- Findings of court, CR 52, **App B**
- General rules of pleading, CR 7, **App B**
- Master Commissioners of Circuit Courts, CR 53, **App B**
- Oral examination, depositions, **App B**
- Parties, CR 23, **App B**
- Pleadings and motions, CR 7, **App B**
- Process, CR 4, **App B**
- Protective orders, CR 26, **App B**
- Record on appeal, CR 75, **App B**
- Service and filing of pleadings and other papers, **App B**

RULES OF CIVIL PROCEDURE

—Cont'd

- Subpoena, CR 45, **App B**
- Substitution of parties, CR 25, **App B**
- Summons, issuance, by whom served, CR 4, **App B**
- Supreme Court, practice and procedure, CR 76, **App B**
- Time, additional time after service by mail, **App B**

SCOPE OF REVIEW

- General discussion, **4:1-4:9**
- Appellate review of a judge's refusal to recuse, **4:9**
- Appellate review of original actions, **4:8**
- Review and necessity of post-trial motions, **4:7**
- Review of conclusions of law, **4:3**
- Review of damages, **4:5**
- Review of discretionary determinations, **4:4**
- Review of factual determinations, **4:2**
- Review of pre-trial motions, **4:6**

STANDARD OF REVIEW

- Original proceedings, **23:3**

SUPERSEDEAS BONDS

- General discussion, **22:1-22:6**
- Bonding substantial damages, **22:3**
- Enforcement rights when judgment debtor fails to supersede, **22:5**
- Mandatory bonds, **22:6**
- Procedure, **22:2**
- Superseding part of a judgment, **22:4**

SUPREME COURT

- Effective date of opinions, **16:5**
- Organization and operation of appellate courts, **1:2**

TERMINOLOGY

- Decisions opinions, and order, **16:1**

TIME

- General discussion, **6:1-6:5**
- Computations, **6:2**
- Enlargements of time, **6:4**
- Extensions of time, **6:3**

INDEX

TIME—Cont'd

Interrupting time, **6:5**

TIME FOR FILING

Brief format and requirements, **12:2**

TOLLING OF TIME

Prehearing statement and conference,
8:2

UNPUBLISHED OPINIONS

Citation of, **16:7**

WEBSITES

Basic Appellate Practice Handbook,
App A

WORKERS COMPENSATION

APPEALS

General discussion, **19:4**