

Guidelines for Informal Briefs

(a) **Applicability.** In cases designated by the Court of Special Appeals's July 28, 2020 Administrative Order, an appellant may file an informal brief in lieu of a brief and record extract conforming to Maryland Rules 8-501 through 8-504. The appellant may, but is not required to, file an informal reply brief. If an appellant chooses to file an informal brief, an appellee may choose to file an informal brief or a brief complying with Rules 8-502 through 8-504.

(b) **Style and Form of an Informal Brief.**

- (1) Informal opening and response briefs shall comply substantially with the informal brief format provided by the Clerk with the briefing notice. There is no particular form required for an informal reply brief.
- (2) In the informal brief, the appellant must identify issues that explain why the trial court erred or made a mistake in deciding the case and why the decision should be reversed or modified. The issues presented in the informal brief should be stated concisely with a description of the facts surrounding the issue and an argument supporting the resolution of the issue.
- (3) Any issue not raised specifically in an informal brief may not be considered by the Court. Although space is provided to identify 3 issues, you do not need to have that many issues. If you have more than 3 issues, attach additional pages containing those issues. However, the length of the informal brief itself shall not exceed 15 pages. The 15-page limit does not include any parts of the record (such as exhibits, transcripts, pleadings, orders, decisions, etc.) that are

attached to the brief. The length of an informal reply brief shall not exceed 5 pages in length.

- (4) Fill out the informal brief by responding to each question.
- (5) The pages of the informal brief must be numbered consecutively.
- (6) An informal brief may be typewritten or handwritten as long as the writing is legible.
- (7) While the parties may cite authorities (case law, statutes, regulations, etc.) in support of their arguments, they are not required to do so.
- (8) A party filing an informal brief may attach and refer to relevant documents that are contained in the record, such as exhibits, transcripts, pleadings, orders, decisions, etc.

(c) **Time for Filing.** The appellant's informal brief is due 40 days after the Clerk sends notice of the receipt of the record. Rule 8-412(c). The due date for the appellant's brief will be stated in the notice. The appellee's brief is due 30 days after the filing of the appellant's brief. A request for extension of time must be filed at least five days before the due date to permit the Court to have time to decide whether to grant the extension.

(d) **Copies and Service.** Two copies of an informal brief must be filed with the Clerk by the due date. The Clerk's address is:

Clerk, Court of Special Appeals
361 Rowe Blvd.
Annapolis, MD 21401

A copy must also be served on all opposing parties or their attorneys (if any) and the brief must contain the certificate of service required by Rule 1-323 showing the name and address of the party or attorney you are serving and the date and manner of service. For appeals arising out of criminal cases, one copy of the brief should be mailed to the Attorney General at:

Attorney General of Maryland
Criminal Appeals Division
200 St. Paul Place
Baltimore, MD 21202-2021

Inmates in a correctional facility must complete the certification on page 6 of the informal brief or to have the benefit of Rule 1-322(d) (the “prison mailbox rule”).

July 29, 2020