

A Guide to Filing Pro Se with the Supreme Court of Pennsylvania

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Purpose of this Manual

The following manual is designed to help you understand the workings of the Supreme Court of Pennsylvania and to address some of the most common errors that cause delays in getting your pleadings before the Court. This manual is intended to provide procedural guidance only, and does not provide substantive legal advice.

As you will see noted throughout this manual, this manual is not a complete explanation of all pleadings that can be filed with the Office of the Prothonotary, but rather is an attempt to survey the most common filings and most common mistakes made by *pro se* litigants. You, and you alone, are fully responsible for understanding the Judicial Code, the Rules of Appellate Procedure, and the caselaw as they apply to your individual case.

How to Use this Manual

This manual is divided into five sections.

[Section One](#) is titled “Filing *Pro Se*.” Section One attempts to explain the rights that you have as a *pro pe* litigant and some of the restrictions or limitations that you may find, when you proceed *pro pe*.

[Section Two](#) is titled “The Supreme Court of Pennsylvania.” Section Two surveys the history of the Court and precisely what powers and responsibilities the Court has within the three branches of Pennsylvania’s Government.

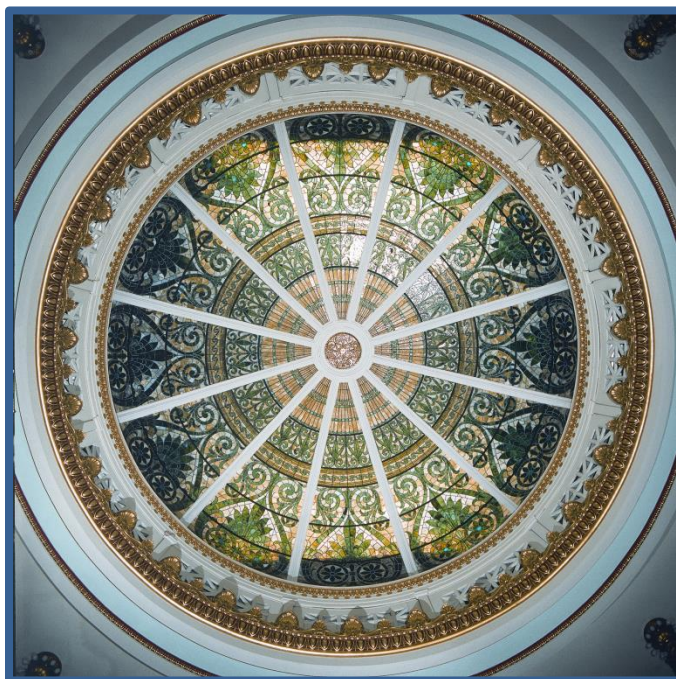
[Section Three](#) is titled “The Office of the Prothonotary.” You will not be dealing directly with the Justices of the Court. All filings and communications that you wish to make to the Court must be filed with the Office of the Prothonotary. Section Three attempts to explain the purpose of the Office of the Prothonotary and the powers and limitations of the Office as established by the Supreme Court of Pennsylvania and General Assembly.

[Section Four](#) is titled “Most-Common Filings.” In Section Four, this manual surveys the most-common filings made to the Office of the Prothonotary.

[Section Five](#) is titled “Formatting, Number of Copies, Fees and Deadlines for Filing.” Section Five is especially important, as that section attempts to provide guidance on the most-common errors that *pro se* litigants make in filing with the Office of the Prothonotary. While you should read each section of this manual before filing with the Court, you should pay particular attention to all the issues addressed in Section Five as those are the areas where problems may unnecessarily delay your case.

The Supreme Court of Pennsylvania embraces the idea that access to the Courts is a fundamental right of all Pennsylvanians. We hope you find this manual informative and easy to use. If you have any questions or issues, please do not hesitate to [contact us](#).

Section One: Filing Pro Se



Equal Justice Under the Law

Through its long history, the Supreme Court of Pennsylvania has been, and continues to be, committed to dispensing justice for all Pennsylvanians. Some litigants, for any number of reasons, may find it necessary to represent themselves pro se before the Court.

Pro Se, n. One who represents oneself in a court proceeding without the assistance of a lawyer - Black's Law Dictionary, 10th Edition

The purpose of this manual is to aid you, proceeding *pro se*, in preparing pleadings to file with the Supreme Court. The information in this manual attempts to explain the procedural steps for filing in the Supreme Court, in compliance with the Pennsylvania Rules of Appellate Procedure (or the Rules or Pa.R.A.P.). This manual does not replace the Rules and, as the Rules of Appellate Procedure are subject to change; it is your responsibility to review the Rules for any changes.

appellate, adj. Of, relating, to, or involving an appeal or appeals generally - Black's Law Dictionary, 10th Edition

The Rules can be found online at:

[Pennsylvania Code - Title 210 Appellate Procedure \(pacodeandbulletin.gov\)](http://pacodeandbulletin.gov) *



Nothing in this manual should be construed as legal advice and should not be cited as legal authority

**The Courts are not involved in maintaining the Pennsylvania Code website and cannot guarantee the accuracy of all the rules listed. The most-current rules are published by West twice a year in a book titled "Pennsylvania Rules of Court," and can be found in law libraries and many local libraries as well.*

Restrictions and Limitations to Proceeding *Pro Se*

Like most rights, access to the Courts is not without boundaries. For the purposes of this manual, the boundaries of filing in the Supreme Court of Pennsylvania are defined by the Pennsylvania Rules of Appellate Procedure, the Judicial Code, and evolving caselaw.

One such rule limits the filing rights of those who are currently represented by court-appointed counsel or private counsel.

Pa.R.A.P. 121(g) - Hybrid Representation - "Where there is counsel of record, a party may file only the following documents pro se: (i) a notice of appeal; (ii) a request to change or remove counsel; (iii) a response to a motion to withdraw that has been filed by counsel of record; (iv) a complaint that existing counsel has abandoned the party; or (v) an application to file a petition for allowance of appeal nunc pro tunc. Any other document that a party attempts to file pro se will be noted on the docket but not accepted for filing. This rule is not intended to provide an independent basis for jurisdiction where it does not otherwise exist."

If a filing deadline is approaching and you believe you have been abandoned by counsel or you have no further legal avenues, you may be allowed to file your pleading *pro se*. While the record and procedural history is different in every case, the Office of the Prothonotary and the Court reserve the right to administratively dispose of your pleading in compliance with Pa.R.A.P. 121(g) without reviewing the merits of your argument.

If you have court-appointed counsel and you desire to proceed *pro se*, it is often best to file a petition to proceed *pro se* in the court that appointed counsel for you, in compliance with that court's specific rules.

Another restriction is that non-attorneys are generally not allowed to file an appeal on behalf of another person or business, even if you have a "power of attorney," as this is considered the practice of law without a license.

The Court is charged with reviewing issues of law that affect all Pennsylvanians and the Court's decision becomes the law of the Commonwealth. Often times arguments are best framed and explored by an attorney admitted to the Pennsylvania bar and familiar with the area of Pennsylvania law from which your case arises. It is highly suggested that you have an attorney prepare your filing.

Pro se litigants are held to the same procedural standard as attorneys admitted to the bar of the Commonwealth of Pennsylvania. Filing *pro se* does not exempt you from understanding and following the Pennsylvania Rules of Appellate Procedure. If your filing complies with the Rules and any applicable statutes, the Court will review the merits of your case and decide if you are due relief.



Whether you have an attorney file on your behalf or decide to proceed *pro se*, the Court will review your pleading(s) and decide whether your arguments have merit.

Finding an Attorney

The local and state Bar Associations compile and maintain lists of attorneys offering *pro bono* services.

pro bono, adj. Uncompensated, esp. regarding free legal services performed for the indigent or for a public cause - *Black's Law Dictionary, 10th Edition*

The Pennsylvania Bar Association maintains a list of Referral Services online at: <http://www.pabar.org/site/Public/lrsblurb>



The Courts of Pennsylvania cannot recommend any attorney for you to contact and do not keep a list of attorneys offering their services without compensation.

Section Two: The Supreme Court of Pennsylvania



Supreme, adj. (Of a court, power, right, etc.) highest; superior to all others - Black's Law Dictionary, 10th Edition



From Upper Left: Supreme Court of Pennsylvania Courtrooms in Pittsburgh, Harrisburg, and Philadelphia

The Supreme Court of Pennsylvania is the longest continually serving court in the United States of America. While the Court has operated since 1684 it wasn't officially established by the General Assembly as an independent court until 1722. The Court has been an independent branch of Pennsylvania's government ever since.

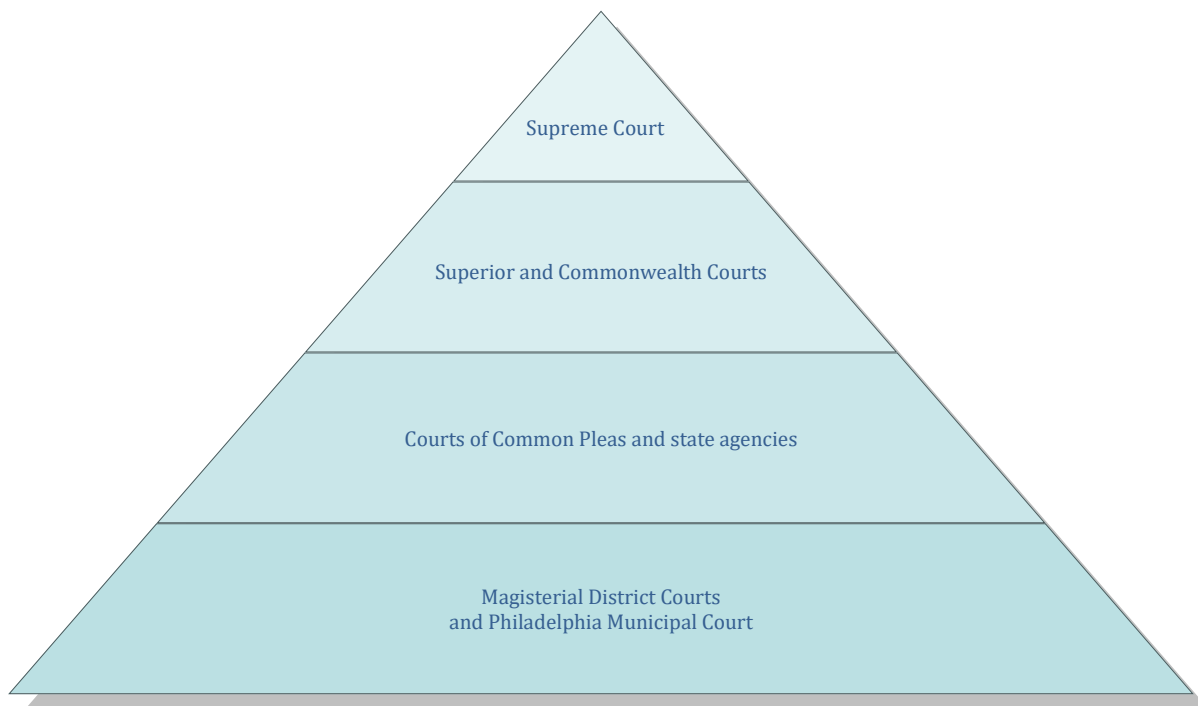
The Supreme Court of Pennsylvania consists of one Chief Justice and six associate Justices. The longest serving Justice becomes the Chief Justice when there is a vacancy. Each Justice is elected to the Supreme Court by the citizens of the Commonwealth of Pennsylvania for a ten-year term. Every ten years the Justice is held to a retention vote. In a retention vote a Justice does not have an opponent, rather the citizens of the Commonwealth have the choice to retain the Justice for another ten-year term or not.

Generally, the Court sits as a full body to decide each matter before it. The vast majority of cases before the Court are decided on the papers filed with the Court and rarely are cases physically argued before the Court. The instances where cases are argued are dealt with in other sections of this manual.

Administrative Powers

The Constitutional amendments of 1968 established a Unified Judicial System, which includes the Supreme Court, Superior Court, Commonwealth Court, Common Pleas Courts, Philadelphia Municipal Court, and Magisterial District Courts. The Supreme Court of Pennsylvania has the supervisory authority and responsibility of maintaining the Unified Judicial System.

As part of that supervisory authority, the Supreme Court of Pennsylvania issues administrative rules, known as the Rules of Court, to ensure that litigants that request access to any court in the Unified Judicial System receive consistent and fair service throughout the Commonwealth.



Pennsylvania's Unified Judicial System

Jurisdictional Powers

***Jurisdiction**, n. A court's power to decide a case or issue a decree - Black's Law Dictionary 10th Edition*

While the Judicial branch of government is a separate and independent governmental entity, there are checks and balances on the Court's power. The Court's internal organization comes partly from the administrative rules mentioned above and partly from legislative decree.

***Statute**, n. A law passed by a legislative body - Black's Law Dictionary 10th Edition*

Pennsylvania's legislature has issued a set of statutes, collectively known as the Judicial Code, governing the responsibility and power of the judicial branch to review and find solutions for problems facing the

citizens of the Commonwealth. The Judicial Code can be found in Title 42 of Pennsylvania's Consolidated Statutes.

There are generally four types of jurisdiction in the Supreme Court of Pennsylvania: original, appellate, exclusive, and extraordinary. Specific jurisdiction will be discussed later in this manual.

A review of this manual in conjunction with the Judicial Code and Rules of Court will help you to decide the appropriate course of action given your particular circumstances.

Limitation to the Supreme Court's Powers

Pennsylvania's Courts have powers specifically given to them by Pennsylvania's Constitution. Correspondingly, the Federal Government's Courts, including the United States Supreme Court, have powers specifically given to them by the Constitution of the United States of America.

At times, the Federal Courts will request, through a Certification of Question of Law, that Pennsylvania's Supreme Court provide them with an official interpretation of Pennsylvania statutes or caselaw to help them decide matters before their Court.

Caselaw, The law to be found in the collection of reported cases that form all or part of the body of law within a given jurisdiction.
- Black's Law Dictionary 10th Edition



While the distinction between the state and federal jurisdictions may seem unclear, one thing is certain - the Supreme Court of Pennsylvania cannot overrule an official judgment from a Federal Court in a particular case.

There may be additional review available to you, however, the jurisdiction of the federal courts is not within the purview of this manual - further research on your part is necessary.

The Supreme Court of Pennsylvania rarely gathers evidence or determine facts. In general, when you file an appeal with the Supreme Court, the Court decides the case based on evidence that is already part of the record.



Only in rare circumstances, such as when exclusive jurisdiction rests with the Supreme Court or when the Supreme Court takes extraordinary jurisdiction from another Court, will the Supreme Court of Pennsylvania act as a fact finder.

Section Three: The Office of the Prothonotary



Pennsylvania Judicial Center, Harrisburg – Home to many of the Supreme Court's committees and administrative offices including the Office of the Prothonotary, Middle District

Throughout its history, the Supreme Court has had a need for personnel to organize its dockets and oversee the distribution of papers to and from various parties.

In the earliest days of Pennsylvania, the position of Prothonotary was a coveted position for many of the state's officials, as the Prothonotary's salary was the Court fees levied on the litigants involved.

Today, the Prothonotary is appointed by administrative rule of the Supreme Court of Pennsylvania and the salary is not related to the fees collected by the Court. The Prothonotary, personally and through staff, is charged with maintaining order in the Court's filings and records, primarily by enforcing the Pennsylvania Rules of Appellate Procedure and interpreting caselaw relating to issues of access to the Courts.

Prothonotary, n. A chief clerk in certain courts of law. - Black's Law Dictionary 10th Edition



While the Prothonotaries of the Appellate Courts are appointed, most county Prothonotaries and Clerks of Courts are elected officials. As a result, the administrative power of the Unified Judicial System, with respect to county officials, may be limited.

Power and Responsibility of the Prothonotary

The responsibilities of the Prothonotary are described in Chapter 31 of the Pennsylvania Rules of Appellate Procedure. Some highlights include: maintaining dockets (Pa.R.A.P. 3113), maintaining original records when the matter is before the appellate court (Pa.R.A.P. 3114), and keeping track of inactive matters (Pa.R.A.P. 3115). Most of these matters are not handled by the Prothonotary personally, but rather are handled by duly authorized personnel in the Office of the Prothonotary (Pa.R.A.P. 3112).

On average, the Court each year reviews nearly 3,000 appeals in one form or another, as well as another 3,000 ancillary requests each year. In order for these requests to be processed and reviewed in an orderly and prompt manner the Court has given the Prothonotary the power to generate decrees in administrative matters, through official orders or correspondence.

Pa.R.A.P. 3305 - Administrative Motions - The Prothonotary, in the first instance, is authorized to dispose of motions relating to the preparation, printing and filing of appendix and briefs and those motions generally relating to calendar control, along with the authority to recommend the appropriate sanction for the violation of any applicable rule or order.

Further, in order to expeditiously move a case along, the Prothonotary has the discretion to modify or waive the Rules.

Pa.R.A.P. 105 (a) - Waiver and Modification of Rules - [...] In the interest of expediting decision, or for other good cause shown, an appellate court may, except as otherwise provided[...], disregard the requirements or provisions of any of these rules in a particular case[...]

Please keep in mind, all cases are different; a rule may be waived or enforced in a case similar to yours, but that does not mean that the rule will be waived or enforced in your case.



No official order is required for the Office of the Prothonotary to request that corrections be made to your pleadings or to administratively close your case for a fatal non-compliance with rules or statutes.

Another important function of the Prothonotary is to enforce standards of communication between parties and to act as a conduit between the Court and the parties. By rules governing judicial ethics, individual Justices are prevented from participating in *ex parte* communication.

ex parte communication, A communication between counsel and the court when opposing counsel is not present. Such communications are ordinarily prohibited - Black's Law Dictionary 10th Edition



Every pleading you wish the Court to see must be sent to the Office of the Prothonotary. Nothing should be mailed directly to the chambers of any Justice.

Limitations to the Prothonotary's Powers

The Prothonotary will not dismiss your case on the merits of your argument. However, the Prothonotary will conduct a preliminary review of your argument to determine if your pleading attempts to circumvent the Rules.

For example, if you seek to invoke the Court's original jurisdiction in order to appeal a final order, your pleading may be returned, unfiled, as this Court's original jurisdiction may not be used to circumvent the appellate process. If you file a pleading under a different name that attempts to reargue claims in your case that have already been reviewed by the Court, you may be advised that you are not allowed to proceed ("take another bite at the apple"). The examples above are not exclusive but are provided to give you some idea of filings that are unacceptable.

The Prothonotary continuously strives to provide the public with reasonable access to the Courts.



If your pleading is jurisdictionally sound and complies with the applicable Pennsylvania Rules of Appellate Procedure and statutes, your papers will be placed on the appropriate permanent docket and presented to the Supreme Court of Pennsylvania for a review of your arguments.

Please keep in mind, the Supreme Court of Pennsylvania does not have the resources to make a specialized legal staff available to the public. In other words, we are unable to provide you with advice on the legal arguments of your pleadings. However, if you have any procedural questions, please [contact](#) the Office of the Prothonotary.



Be aware, your case has a separate set of facts from every other case before the Court and while the Office of the Prothonotary can offer general procedural information to you, you are still ultimately responsible for researching your case and deciding if the information provided to you was applicable.

If you find that your issue is not addressed in this guide or if you are having trouble understanding the rules, please do not hesitate to [contact](#) the Office of Prothonotary. We always look forward to working with you.

Contacting Us and Where to File

The Prothonotary maintains three regional offices in Pennsylvania (Pa.R.A.P. 3301). When contacting our office, it is best to provide or have ready as much procedural information as possible.

Supreme Court of Pennsylvania Office of the Prothonotary, Eastern District
Room 468 City Hall
Philadelphia, PA 19107
(215) 560-6370

Responsible for: Philadelphia County and Capital Cases

Supreme Court of Pennsylvania Office of the Prothonotary, Middle District
Pennsylvania Judicial Center
601 Commonwealth Ave., Suite 4500
P.O. Box 62575
Harrisburg, PA 17106-2575
(717) 787-6181

Responsible for: Adams, Berks, Bradford, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Fulton, Franklin, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York Counties

Supreme Court of Pennsylvania Office of the Prothonotary, Western District
801 City-County Bldg.
Pittsburgh, PA 15219
(412) 565-2816

Responsible for: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Washington, Warren, and Westmoreland Counties



If you have been convicted of a crime and are incarcerated, please use the county in which the conviction arose, *not* the county in which you are imprisoned, to determine in what district you should file your papers.

Section Four: Most-Common Filings



The filings addressed in this section are meant to survey the most common pleadings filed with the Court. This list is not exhaustive; it is your responsibility to explore all avenues to determine if your pleading is appropriate.



All the requirements for filing the following pleadings are not listed in this section. You should review [Section Five](#) of this manual, in conjunction with the Rules, for information regarding fees, copies, and general formatting rules.

Petition for Allowance of Appeal

The Supreme Court has jurisdiction to review appeals taken by allowance under 42 Pa.C.S. §724(a) from any final order from the Commonwealth Court not appealable as of right, or from any final order of the Superior Court. A final order is generally defined as an order of the Commonwealth Court or the Superior Court that concludes an appeal, including an order that remands an appeal, in whole or in part, unless the Commonwealth Court or the Superior Court retains jurisdiction (Pa.R.A.P. 1112(b)). *See* Pa.R.A.P. 341 (Final Orders; Generally.)

A Petition for Allowance of Appeal, or an “allocatur,” is a concise statement of your case and matters on appeal. The Petition for Allowance of Appeal is to address the reasons that the Supreme Court should permit you to appeal.



Per Pa.R.A.P. 1115(d), the failure of a petitioner to be accurate, clear and concise is sufficient reason to deny a Petition for Allowance of Appeal.

Because the Court has discretion to decide which cases it will hear, the Court will look for special and important reasons to allow appeal as dictated in Pa.R.A.P. 1114 (see below).

Of the 3,000 initial pleadings filed in the Supreme Court in an average year, over two-thirds are allocaturs. Roughly 3% of those allocaturs are granted and placed on the appeal docket. An allocatur petition is not an appeal; it is a request for your case to be heard on appeal.

Pa.R.A.P. 1114 – Standards Governing Allowance of Appeal

(a) General Rule. - Except as prescribed in Pa.R.A.P. 1101 (appeals as of right from the Commonwealth Court), review of a final order of the Superior Court or the Commonwealth Court is not a matter of right, but of sound judicial discretion, and an appeal will be allowed only when there are special and important reasons therefor.

(b) Standards. A petition for allowance of appeal may be granted for any of the following reasons:

(1) the holding of the intermediate appellate court conflicts with another intermediate appellate court opinion;

(2) the holding of the intermediate appellate court conflicts with a holding of the Pennsylvania Supreme Court or the United States Supreme Court on the same legal question;

(3) the question presented is one of first impression;

(4) the question presented is one of such substantial public importance as to require prompt and definitive resolution by the Pennsylvania Supreme Court;

(5) the issue involves the constitutionality of a statute of the Commonwealth;

*(6) the intermediate appellate court has so far departed from accepted judicial practices or so abused its discretion as to call for the exercise of the Pennsylvania Supreme Court's supervisory authority;
or*

(7) the intermediate appellate court has erroneously entered an order quashing or dismissing an appeal.

Time for Filing a Petition for Allowance of Appeal

With the exception of an order involving the Pennsylvania Election Code or Local Government Unit Debt Act (10 days), you must file your Petition for Allowance of Appeal to the Supreme Court within thirty (30) days from the entry of a Commonwealth Court or Superior Court final order or order denying a timely filed reconsideration or reargument (Pa.R.A.P. 1113(a)).

Per Pa.R.A.P. 105(b), you may **not** file for an extension of time to file a Petition for Allowance of Appeal. Therefore, if your 30-day deadline is approaching it is important that you file your petition for allowance of appeal.



The time for filing a Petition for Allowance of Appeal does not run from the date you receive a final order, but rather from the date the intermediate appellate court files the order.

Other than the two exceptions listed below, your filing date is the date your Petition for Allowance of Appeal is received by the Office of the Prothonotary.

The first exception, is for incarcerated filers under the “Prisoner Mailbox Rule.” See Pa.R.A.P. 121(f) (“A *pro se* filing submitted by a person incarcerated in a correctional facility is deemed filed as of the date of the prison postmark or the date the filing was delivered to the prison authorities for purposes of mailing as documented by a properly executed prisoner cash slip or other reasonably verifiable evidence.”).

The second exception, is to provide a U.S. Postal Service Form 3817, which the Post Office will stamp with the date the pleading is mailed, or other similar U.S. Postal Service form from which the date of deposit can be verified. You should write the intermediate appellate court docket number on the Postal Form 3817. See Pa.R.A.P. 1112(c)(2).

If you are unable to file a timely Petition for Allowance of Appeal, your only recourse, if you still wish for the Court to review the merits of your case, would be to file for *nunc pro tunc* relief. In a Petition for Leave to File a Petition for Allowance of Appeal *Nunc Pro Tunc* you are only allowed to make legal arguments about why you were not able to timely file. If the Court grants you *nunc pro tunc* relief, you would then be able to make arguments about the merits of your case in the form of a Petition for Allowance of Appeal.

Nunc Pro Tunc, n. Having retroactive legal effect through a court's inherent power. - *Black's Law Dictionary 10th Edition*

Requirements of Petition for Allowance of Appeal (Checklist)

- Cover Page* (see Pa.R.A.P. 1115(b), 2172(a)), that includes:
 - Court and District
 - Caption (*should read, verbatim, that of the intermediate appellate court's caption except parties becomes Petitioner and Respondent*)
 - Type of filing
 - "Appeal From" Paragraph (*containing docket number, decision, and date of decision of intermediate court and lower court/agency*)
 - Filer information (*address and phone number, if available*)

- Table of Contents* (see Pa.R.A.P. 2174(a) - *list the page number of all sections in your allocatur*)

- Table of Citations* (see Pa.R.A.P. 2174(a) - *list, in alphabetical order, the short caption, citation and page number of all cases cited in your allocatur*)

- Reference to the Opinions Below (see Pa.R.A.P. 1115(a)(1))

- Text of the Order in Question (see Pa.R.A.P. 1115(a)(2) - *type, verbatim, the portion of the order sought to be reviewed and the date the order was entered*)

- Questions Presented for Review (see Pa.R.A.P. 1115(a)(3) - *list the questions you would like the Court to address. Generally, only questions set forth in your allocatur will be reviewed by the Court.*)

- A Statement of the Place of Raising or Preservation of the Issues (see Pa.R.A.P. 1115(a)(4) - *appearing immediately after the questions presented for review, the statement shall specify the stage of the proceedings at which, and manner in which, the questions sought to be reviewed were raised in each proceeding below, the method of raising those questions, and the way in which those questions were passed upon by each court below with citations to the record, as required by Pa.R.A.P. 2117(c).*)

- Concise Statement of the Case (see Pa.R.A.P. 1115(a)(5) - *state the facts of the case relevant to your argument. The purpose of this section is to give the Court a clear, concise picture of your case.*)

- Concise Statement of Reasons Relied Upon for Allowance of Appeal (see Pa.R.A.P. 1115(a)(6) - *this is the argument portion of the allocatur. With accuracy, brevity, and clarity, provide the court with whatever is essential to decide why the Court should allow appeal.*)

- Conclusion (*briefly summarize your argument, sign, and date*)

- Opinions and Orders (Pa.R.A.P. 1115 (a)(7) *Superior or Commonwealth Court Opinion/Order, Order denying Reconsideration, if reconsideration was requested, and Trial Court/Agency Order and/or Pa.R.A.P. 1925(a) Opinion*)

- Payment or In Forma Pauperis Papers*
- Proof of Service* (see Pa.R.A.P. 121 and 122)
- Less than 9,000 words (Opinions and Exhibits excluded)
- Certificate of Compliance with Word Count (requirement waived if fewer than 20 pgs.)
- Certificate of Compliance with the Public Access Policy*

* Please see the [Formatting](#) section of this manual for samples

Answering a Petition for Allowance of Appeal

Depending on the circumstances of your case, opposing parties will be allowed to file an answer to a Petition for Allowance of Appeal within fourteen or seventeen days from the date of service.

They are also allowed to file a letter stating they will not be filing an answer. The failure of an opposing party to file an answer will not be interpreted by the Court as agreement with your pleading (Pa.R.A.P. 1116(a)). The Office of the Prothonotary will not compel the respondent to file an answer addressing the issues raised in your allocatur.

After all answers are received, or the date for filing an answer has passed, your papers will be forwarded to the full Court for review (Pa.R.A.P. 1121). After your papers are forwarded to the Court, generally, you will not be able to file any further pleadings without leave of court.

Pa.R.A.P. 2501 – Post-submission Communications

(a) General rule. After the argument of a case has been concluded or the case has been submitted, no brief, memorandum or letter relating to the case shall be presented or submitted, either directly or indirectly, to the court or any judge thereof, except upon application or when expressly allowed at bar at the time of argument.

After your case is submitted you will be notified by first class mail of any order entered by the Court.



As the filer, it is your responsibility to alert the Prothonotary's Office to any changes of address.



While you may contact the Office of the Prothonotary to check if your case is still active, they cannot tell you when your case will be decided.

Petition for Allowance of Appeal Denied: Reconsideration

If the Supreme Court issues an order denying your Petition for Allowance of Appeal, the Prothonotary will send you a certified copy of the order via first class mail, at your address of record. After the denial of allocatur, the only pleading that you are allowed to file to challenge the denial order is an Application for Reconsideration. Please keep in mind that the Court has reviewed your papers and arguments, so there is no need to file, and the Court will not grant, a redundant argument in the form of an Application for Reconsideration.

Pa.R.A.P. 1123(b) - Denial of Appeal; Reconsideration.

[Text intentionally omitted]

(b) Reconsideration. Applications for reconsideration of denial of allowance of appeal are not favored and will be considered only in the most extraordinary circumstances.

[...]

(1) Briefly and distinctly state grounds which are confined to intervening circumstances of substantial or controlling effect.

[...]

No answer to an application for reconsideration will be received unless requested by the Supreme Court. Second or subsequent applications for reconsideration, and applications for reconsideration which are out of time



Generally, any question that is not presented for review in the allocatur is considered waived.

Petition for Allowance of Appeal Granted

If the Supreme Court issues an order granting your Petition for Allowance of Appeal, the Prothonotary will send you a certified copy of the order via first class mail at your address of record.

The Office of the Prothonotary will request the original record from the court that is currently holding it. After the original record is received, the Office of the Prothonotary will issue a briefing schedule, that will establish the due dates of the Appellant's Brief and notify all parties via first class mail. For help in filing briefs, please see the [Briefing the Issues](#) section.

Appeals of Right and Granted Petitions for Allowance of Appeal

Appeals of Right

Most commonly, the Supreme Court has exclusive jurisdiction of appeals from any final order entered in any matter which was originally commenced in the Commonwealth Court and was not an appeal of an order or decision from another court, an agency that has an internal appeal unit (42 Pa.C.S. §723(a)), or magisterial district judge. A final order is generally defined as an order that disposes of all claims and of all parties (Pa.R.A.P. 341).



Generally, if your appeal originated from a Court of Common Pleas order or an agency that has its own appeal board of review, the appropriate filing is a [Petition for Allowance of Appeal](#).

If you have determined that your case falls under the statutory requirements of an appeal as of right, you must file your Notice of Appeal and Jurisdictional Statement with the Commonwealth Court or in the court in which the order being appealed was filed. Failure to file your Notice of Appeal in the appropriate Court may result in unnecessary delay.

The form of the Notice of Appeal is described in Pa.R.A.P. 904(a), and has been altered below for this Court's specific needs:

COMMONWEALTH COURT OF PENNSYLVANIA

John Doe, Appellant [Note: The order of parties in the caption
 v. should be the same as the order in the
 Commonwealth Court Pa.R.A.P. 904(b)]
C.D., Appellee
Commonwealth Ct. Docket No.: _____

Notice of Appeal

Notice is hereby given that John Doe, Appellant above named, hereby appeals to the Supreme Court of Pennsylvania from the order entered in this matter on the ____ day of _____, 20___. This order has been entered in the docket as evidenced by the attached copy of the docket entry.

[Please attach a copy of the Commonwealth Court’s docket entries to the notice of appeal]

John Doe
SCI Huntingdon - #FM-XXXX
1120 Pike St.
P.O. Box 999
Huntingdon, PA 16652

In addition to your Notice of Appeal you must file a Jurisdictional Statement (Pa.R.A.P. 909), in which you make a legal argument as to why the Supreme Court of Pennsylvania has exclusive jurisdiction of the appeal.

Pa.R.A.P. 910 - Jurisdictional Statement. Content. Form.

(a) General rule. The jurisdictional statement required by Pa.R.A.P. 909 shall contain the following in the order set forth:

(1) A reference to the official and unofficial reports of the opinions delivered in the courts below, if any, and if reported, the citation thereto. Any unreported opinions shall be appended to the jurisdictional statement;

(2) A statement of the basis, either by Act of Assembly or general rule, for the jurisdiction of the Supreme Court or the cases believed to sustain that jurisdiction;

(3) The text of the order in question, or the portions thereof sought to be reviewed, and the date of its entry in the court. The order may be appended to the statement;

(4) A concise statement of the procedural history of the case; and

(5) The questions presented for review, expressed in the terms and the circumstances of the case but without unnecessary detail. The statement of questions presented will be deemed to include every subsidiary question fairly comprised therein. Only the questions set forth in the statement, or fairly comprised therein will ordinarily be considered by the Court.

(b) Matters of form. The jurisdictional statement need not be set forth in numbered paragraphs in the manner of a pleading. It shall be as short as possible and shall not exceed 1000 words, excluding the appendix.

[Remaining text intentionally omitted]



Generally, any question that is not presented for review in the Jurisdictional Statement is considered waived at the briefing stage.

The Jurisdictional Statement is a brief statement of the issues in question and the procedural history of the case. Only if the Court were to note probable jurisdiction and issue a briefing schedule would you be able to make full and complete legal arguments as to the merits of the questions you presented for review in the jurisdictional statement.

As stated above, after the Court issues an order noting probable jurisdiction, the Prothonotary's office will request the original record from the Court that possesses the record. After the Prothonotary's office receives and docketed the original record, a briefing schedule will be sent to your address of record. The briefing schedule will set the due date for the Appellant's brief – the due dates for all remaining briefs will be determined by the date and method of service.

Briefing the Issues

After a briefing schedule is issued, you will have a chance to fully brief the issues that you feel are legally appropriate.

If you will be filing a Reproduced Record in your case, you must file a Designation of Contents of Reproduced Record 30 days **before** the Appellant's brief is due (Pa.R.A.P. 2154). Your Reproduced Record should be filed in accordance with Pa.R.A.P. 2152 and Pa.R.A.P. 2153.

If you are proceeding *in forma pauperis* or are otherwise exempt from filing a Reproduced Record you may instead immediately focus on filing your brief.



If the Court has reviewed the issues set forth in previous filings and limited the issues you should address in your briefs, please limit your argument to those issues.

Requirements of Appellant's Brief (Page 1 of 2)

- Cover Page* (see Pa.R.A.P. 2172(a)), that includes:
 - Court and District
 - Caption (*should read, verbatim, that of the intermediate appellate court's caption with parties becoming Appellant and Appellee*)
 - Type of filing (*Appellant's Brief*)
 - "Appeal From" Paragraph (*containing docket number, decision, and date of decision of intermediate court and lower court/agency*)
 - Filer information (*address and phone number, if available*)

- Table of Contents* (see Pa.R.A.P. 2174(a) - *list the page number of all sections in your brief*)

- Table of Citations* (see Pa.R.A.P. 2174(b) - *list, in alphabetical order, the short caption, citation and page number of all cases cited in your brief*)

- Statement of jurisdiction (*for more see Pa.R.A.P. 2114 - using statutory provision, general rule, or caselaw precisely explain why the Court has jurisdiction*)

- Order or other determination in question (*for more see Pa.R.A.P. 2115 - type, verbatim, the portion of the order sought to be reviewed and the date the order was entered*)

- Statement of both the scope of review and the standard of review (*for more see Pa.R.A.P. 2111 -using statutory citation or caselaw explain what issues the Court has the power to review and why*)

- Statement of the questions involved (*for more see Pa.R.A.P. 2116 - as succinctly as possible, state the questions being reviewed and the holdings of the lower courts. All subsidiary questions will be deemed included; questions not presented will be considered waived*)

- Statement of the case (*for more see Pa.R.A.P. 2117 - chronologically, state as concisely as possible the procedural history of this matter as well as any pertinent facts needed to understand the case - no arguments should be made in this section. If waiver is an issue please put the manner and date in which the issue was preserved for appeal*)

- Summary of argument (*for more see Pa.R.A.P. 2118 - reduce your argument to its core issues and concentrate your argument to a few paragraphs and no more than two pages*)

- Statement of the reasons to allow an appeal to challenge the discretionary aspects of a sentence, if applicable (*see Pa.R.A.P. 2111(a)(7)*)

* Please see the [Formatting](#) section of this manual for samples
(continued on next page)

Requirements of Appellant's Brief (Page 2 of 2)

- Argument (*for more see Pa.R.A.P. 2119 - thoroughly examine the issues in your case with as much statutory citation and caselaw as necessary. Each question should have its own argument section and all authorities should be properly cited*)
- Conclusion (*briefly summarize your argument, sign, and date*)
- Opinions and Orders (*Pa.R.A.P. 2111(b) Superior or Commonwealth Court Opinion/Order, Order denying Reconsideration, and Trial Court/Agency Order and/or Pa.R.A.P. 1925(a) Opinion*)
- Pleadings – (*Pa.R.A.P. 2111(c) – if you are not required to file a Reproduced Record, please attach copies of pleadings that have already been entered into the record and are necessary to make an educated decision about your case*)
- Proof of Service* (*see Pa.R.A.P. 121 & 122*)
- Less than 14,000 words (*Opinions and Exhibits excluded*)
- Certificate of Compliance with Word Count (*requirement waived if fewer than 35 pgs.*)
- Formatting in compliance with Pa.R.A.P. 124*
- Certificate of Compliance with the Public Access Policy*
- Correct number of copies*

* Please see the [Formatting](#) section of this manual for samples

Requirements of Appellee's Brief

- Cover Page* (see Pa.R.A.P. 2172(a)), that includes:
 - Court and District
 - Caption (*should read, verbatim, that of the intermediate appellate court's caption except parties becomes Appellant and Appellee*)
 - Type of filing (*Appellee's Brief*)
 - "Appeal From" Paragraph (*containing docket number, decision, and date of decision of intermediate court and lower court/agency*)
 - Filer information (*address and phone number, if available*)

- Table of Contents* (*see Pa.R.A.P. 2174(a) - list the page number of all sections in your brief*)

- Table of Citations* (*see Pa.R.A.P. 2174(b) - list, in alphabetical order, the short caption, citation and page number of all cases cited in your brief*)

- Counter-statement of the questions involved, if desired (*for more see Pa.R.A.P. 2116 - it will be assumed that failure to provide a counter-statement means that Appellant's statement was sufficient and will remain unchallenged*)

- Counter-statement of the case, if desired (*for more see Pa.R.A.P. 2117 - it will be assumed that failure to provide a counter-statement means that Appellant's statement was sufficient and will remain unchallenged*)

- Summary of argument (*for more see Pa.R.A.P. 2118 - reduce your argument to its core issues and concentrate your argument to a few paragraphs and no more than two pages*)

- Argument (*for more see Pa.R.A.P. 2119 - thoroughly examine the issues in this matter with as much statutory citation and case law as necessary. Each question should have its own argument section and all authorities should be properly cited*)

- Proof of Service* (*see Pa.R.A.P. 121 & 122*)
- Less than 14,000 words (Opinions and Exhibits excluded)
- Certificate of Compliance with Word Count (requirement waived if fewer than 35 pgs.)
- Certificate of Compliance with the Public Access Policy*
- Formatting in compliance with Pa.R.A.P. 124*
- Correct number of copies*

* Please see the [Formatting](#) section of this manual for samples

Requirements of Appellant's Reply Brief

- Cover Page* (see Pa.R.A.P. 2172(a)), that includes:
 - Court and District
 - Caption (*should read, verbatim, that of the intermediate appellate court's caption except parties becomes Appellant and Appellee*)
 - Type of filing (*Appellant's Reply Brief*)
 - "Appeal From" Paragraph (*containing docket number, decision, and date of decision of intermediate court and lower court/agency*)
 - Filer information (*address and phone number, if available*)

- Table of Contents* (*see Pa.R.A.P. 2174(a) - list the page number of all sections in your brief*)

- Table of Citations* (*see Pa.R.A.P. 2174(b) - list, in alphabetical order, the short caption, citation and page number of all cases cited in your brief*)

- Summary of argument (*for more see Pa.R.A.P. 2118 - reduce your argument to its core issues and concentrate your argument to a few paragraphs and no more than two pages*)

- Argument (*for more see Pa.R.A.P. 2119 - Appellant may address issues that were raised by the Appellee or Amicus Curiae that were not previously addressed by the Appellant's principal brief. Reiterating points that were made in your principal brief is unnecessary.*)

- Proof of Service* (see Pa.R.A.P. 121 & 122)
- Less than 7,000 words (Opinions and Exhibits excluded)
- Certificate of Compliance with Word Count (requirement waived if fewer than 15 pgs.)
- Certificate of Compliance with the Public Access Policy*
- Formatting in compliance with Pa.R.A.P. 124*
- Correct number of copies*

* Please see the [Formatting](#) section of this manual for samples

Deciding the Case and Reargument

After all of the briefs have been filed and, depending on the procedural nature and complexity of the issues, the Court may direct that the case should be listed for oral argument or may determine that it will decide the matter based on the submitted briefs. However, argument is not automatic in appeals of right, and if you believe oral argument is necessary you should file a formal request for argument explaining why your case should be argued.

While you may have argued before an intermediate appellate court, it is extremely rare that *pro se* litigants are allowed to argue before the Supreme Court. You should make every effort to clearly explain your case and legal argument in your briefs.

After the Court issues a decision, if you feel the Court overlooked or misapprehended facts or law, you may file an Application for Reargument in compliance with Chapter 25 of the Rules. As with a denied Petition for Allowance of Appeal, Reargument is a matter of judicial discretion, so there is no need to file, and the Court will not grant, a redundant argument in the form of an Application for Reargument.



Generally, any question that is not presented for review during the briefing stage is considered waived.

Applications for Relief, Ancillary Motions, and Invoking this Court's Original and Extraordinary Jurisdiction



No filings in this section should be used to circumvent the appellate process or address issues that are better addressed by a more-specific filing.

Applications for Relief and Ancillary Motions

There are a number of petitions, applications, and motions that are recognized by the Rules that you can file with the Supreme Court. The methods for filing and the form that the papers are to take are specifically explained in the rules that deal with your specific filing. However, if you believe that your pleading is not addressed by the Rules you should consult Chapter 1 of the Pennsylvania Rules of Appellate Procedure and file a motion under Pa.R.A.P. 123, Application for Relief.

An Application for Relief has the following characteristics:

Cover Page

Table of Contents, if necessary

Table of Citations, if necessary

Statement of Jurisdiction – explain why the Court has the right to grant you relief

Argument – this may be in numbered paragraphs and should clearly and concisely provide the procedural history, all pertinent facts, and all legal argument necessary to make an informed decision

Conclusion – with clarity and specificity state the relief that you are requesting (failure to do so will constitute waiver thereof); sign and date

Exhibits – append any documents, pleadings, orders, and opinions that are necessary for the Court to make an informed decision

Proof of Service – serve all involved parties and provide this office with proof of service in compliance with Pa.R.A.P. 121 & 122

Certificate of Compliance with the Public Access Policy

Original Jurisdiction: Mandamus, Prohibition, and Habeas Corpus

The Supreme Court of Pennsylvania has original jurisdiction (not exclusive jurisdiction) to issue writs of mandamus, prohibition, and habeas corpus (42 Pa.C.S. §721). This means you may seek a writ of mandamus, writ of prohibition, or a writ of habeas corpus directly from the Supreme Court of Pennsylvania.

If you are filing for a writ of mandamus, writ of prohibition, or writ of habeas corpus in the Court's original jurisdiction, the writs cannot be ancillary to matters within the appellate jurisdiction of the Supreme Court (Pa.R.A.P. 3307).

Generally, mandamus may be used only to compel official action. Mandamus is appropriate relief only when you have a clear legal right, your opposing party has a corresponding duty, and you have no other appropriate and adequate remedy. All three conditions must be present before mandamus is the appropriate relief. Mandamus differs from the remedy of prohibition in that prohibition seeks to prohibit an inferior judicial tribunal from exercising jurisdiction over matters that the inferior tribunal does not legally have jurisdiction.

This means if you request a writ of mandamus, the relief you should be seeking is to have the Supreme Court of Pennsylvania compel official action. If you request a writ of prohibition you should be seeking to restrain or prevent official action. Both pleadings require the caption to reflect the exact party or parties against whom you are seeking relief.

In its broadest sense, habeas corpus is a writ whose function is to compel the body of a person to be produced before the court for whatever may be essential to the proper disposition of a case. A writ of habeas corpus is applicable as a means to remedy an unlawful restraint upon a person's liberty. A writ of habeas corpus is appropriate when you are requesting that the Supreme Court examine the legality of imprisonment imposed by an inferior court.

While you may wish to file a grievance with the Court regarding the manner in which your case is being handled by attempting to invoke this Court's original jurisdiction, you must make a thorough legal argument that would compel the Court to issue a writ.

In many instances, relief sought by invoking the Court's original jurisdiction is best sought by filing another pleading at another stage in your case's procedural timeline. Seeking a writ when not appropriate may result in considerable delay.

As with everything in this manual, the burden is with you to research and determine your best course of action.



All Petitions for Writs must be accompanied by a separate Application for Leave to File an Original Process (Pa.R.A.P. 3307).



You must reference the lower court docket number from the case in which you are asking this Court to intervene on the cover page of your Petition for Writ.

Extraordinary Jurisdiction

The Supreme Court of Pennsylvania also has extraordinary jurisdiction. The Supreme Court, on its own motion or upon petition of any party, may assume plenary jurisdiction in any matter pending before any court of the Commonwealth of Pennsylvania involving an issue of immediate public importance. The Court may then enter a final order or otherwise cause right and justice to be done (42 Pa.C.S. §726). This means the Supreme Court of Pennsylvania may assume jurisdiction of a case involving an issue of immediate public importance.



If you cannot demonstrate your matter is actively pending before an inferior jurisdiction or that it is an issue involving immediate public importance, you may not invoke the Court's Extraordinary Jurisdiction.



If, after review, your Petition for Extraordinary Relief has been determined to contain a request that should be made by invoking the Court's Original Jurisdiction, you may be asked to file a separate Application for Leave to File an Original Process (Pa.R.A.P. 3307) or amend your initial filing.



You must reference the lower court docket number, from the case in which you are asking this Court to intervene on the cover page of your Petition for Extraordinary Relief.

Section Five: Formatting, Number of Copies, Fees and Deadlines for Filing



The information in this section is current and accurate as of the date listed on the cover page of this manual. As always, it is your responsibility to find the most currently available information.

General Formatting Rules and Samples

Formatting Rules

One of the principal tenets of the Rules of Appellate Procedure is that all requests for relief must be formal in nature. In other words, the Court cannot review a request written in a letter - a serious attempt must be made by the filer to generate a formal pleading in compliance with the Rules. While a failure to comply with the Rules explored in this section is not necessarily fatal, violation may cause a delay in relief and an avoidable financial burden on the filers.

***Fatal**, adj. Providing grounds for legal or logical invalidity - Black's Law Dictionary 10th Edition*

Size and Quality of Paper:

Pa.R.A.P. 124 - Form of Documents. Number of Copies to be Filed. (a) Size and other physical characteristics. All documents filed in an appellate court shall be on 8½ inch by 11 inch pages and shall comply with the following requirements:

- (1) The documents shall be prepared on white background.*
- (2) The first page shall contain a three-inch space from the top of the document for all court stampings, filing notices, etc.*

Font and Spacing

(3) Text must be double spaced, but quotations more than two lines long may be indented and single spaced. Footnotes may be single spaced. Except as provided in paragraph (a)(2), margins must be at least one inch on all four sides.

(4) Lettering shall be clear and legible and no smaller than 14 point in the text and 12 point in footnotes. Lettering shall be on only one side of a page, except that exhibits and similar supporting documents, briefs and reproduced records may be lettered on both sides of a page.

Note - Those without computer access may handwrite pleadings and copies or use a typewriter that has font different from subsection (4), as long as that writing is legible and the content is identical in each copy.

Binding

(5) Any metal fasteners or staples must be covered. Originals must be unbound. Copies must be firmly bound.

Note - All filings, with the exception of those filings that are only a few pages and the original copy of your pleading, must be bound down the left-hand side, so as to open like a book.

(6) No backers shall be necessary.

Cover Page

With the exception of letters stating that no answer will be filed, all filings in this Court must have a cover page, not to be confused with a cover letter. See the sample cover page, on the next page, for help in generating your cover page. Generally, the cover page consists of the following information:

Court and District (Pa.R.A.P. 2172(a)(1))

Centered, at the top of the cover page, the name of the Court and [District](#) in which you are filing should be noted. Additionally, if this Court has assigned a docket number to your case that should also be listed near the top of the cover page. Pa.R.A.P. 2172(2).

Caption (Pa.R.A.P. 2172(a)(3))

The purpose of the caption is to give the Court a listing of the parties involved.

When invoking the Court's appellate or extraordinary jurisdiction the caption should be the same as in the lower courts.

When invoking the Court's original or exclusive jurisdiction all parties against whom you are seeking relief should be listed and served.

Type of Filing (Pa.R.A.P. 2172(a)(4))

The exact title of the filing should be spelled out on the cover page

Appeal From Paragraph (Pa.R.A.P. 2172(a)(5))

The Appeal From Paragraph gives a brief synopsis of the procedural history of the case being appealed. Generally, the Appeal From Paragraph is only necessary when you are attempting to invoke the appellate jurisdiction of the Court. Please see the sample cover page for a sample of the information contained in the Appeal From Paragraph.

Filer Information (Pa.R.A.P. 2172(a)(6))

Please include your full name and mailing address. Do not include the mailing address of opposing parties.

**In the Supreme Court of Pennsylvania
Middle District**

Commonwealth of Pennsylvania,
Respondent

v.

John Doe,
Petitioner

PETITION FOR ALLOWANCE OF APPEAL

Appeal from the Order of the Superior Court at XXX MDA 20XX, dated
January 9, 2011, affirming the Order of the Court of Common Pleas, York
County, at CP-XX-CR-XXXXXXX-2008, dated March 11, 2010.

**Sample
Cover Page -
Yours Will be
Different**

John Doe
SCI Huntingdon - #FM-XXXX
1120 Pike St.
P.O. Box 999
Huntingdon, PA 16652

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Reasons Relied Upon for Allowance of Appeal.....6

Conclusion.....7

Opinion of the Superior Court.....Appendix A

Opinion of Court of Common Pleas.....Appendix B

**Sample Table of Contents -
Yours Will be Different**

Table of Citations

! If your pleading cites legal authority or statute, you must have a table of citations.

Table of Citations

Cases:

A. Corporation v. Anytown PA, 554 Pa. 234 (1992).....9

Commonwealth v. Doe, 600 Pa. 200, 821 A.2d 334 (2004).....3

Doe v. Doe, 830 A.2d 1110 (Pa. 2006).....4

Z. Corporation v. Nowhereville PA, 845 A.2d 595
(Pa.Super.2007).....7

[Notice that all cases are in alphabetical order]

**Sample Table of Citations -
Yours Will be Different**

Filing Fees, In Forma Pauperis Forms, and Number of Copies

The omission of the filing fee in a particular matter is the number one cause of delay in *pro se*-filed cases each year. It is important that you understand your financial obligation for filing in the Court.

Below you will see a list of the filing fees and required number of copies for everything in this manual.

If you are unable to find your particular pleading below please contact the Office of the Prothonotary.

For a list of all current fees, please see: [Copy and Fee Requirements | Supreme Court | Courts | Unified Judicial System of Pennsylvania \(pacourts.us\)](#)



If you are unable to provide the filing fees listed please see the forms and information regarding proceeding *In Forma Pauperis*, below.

In Forma Pauperis, In the manner of an indigent who is permitted to disregard filing fees and court costs - Black's Law Dictionary 10th Edition

Due to internal changes, the Prothonotary's Offices have reduced the number of required copies for certain pleadings, and the answers thereto, being filed with the Supreme Court (Pa.R.A.P. 105). With the exception of pleadings being treated as emergencies, the numbers of required copies listed on this notice supersede the Rules of Appellate Procedure.

Note: All originals should be unbound any additional copies should be bound, per Pa.R.A.P. 124

Appellate Jurisdiction:

Petitions for Allowance of Appeal

Petition or Cross-Petition for Allowance of Appeal	original + 1	\$90.25
Petition or Cross-Petition for Allowance of Appeal from a Unemployment Compensation Board of Review (filed by an individual)	original + 1	-----
Answer/No Answer Letter	original + 1	-----
Application for Bail	original + 1	-----
Application for Stay	original + 1	-----
Application for Supersedeas	original + 1	-----
Application for Discontinuance	original + 1	-----
Motion for Remand of Record	original + 1	-----
Application for Reconsideration	original + 1	\$15.00
Petition for Leave to File a Petition for Allowance of Appeal Nunc Pro Tunc	original + 1	\$70.25

Direct Appeals or Granted Petition for Allowance of Appeals

Notice of Appeal	original	-----
Jurisdictional Statement	original	\$90.25
Designation of Contents of Reproduced Record	original + 1	-----
Praeipce for Appearance	original + 1	-----
Motion to Withdraw as Counsel	original + 1	-----
Praeipce to Discontinue	original + 1	-----
1 st Application for extension of time to file Briefs	original + 1	-----
2 nd Application for extension of time to file Briefs	original + 1	\$10.00
3 rd + Application for extension of time to file Briefs	original + 1	\$25.00
Briefs (regardless of party type)	original + 15	-----
Reproduced Record	10	-----
Reproduced Record (<i>In Forma Pauperis</i>)	-----	-----

Application for Oral Argument	original + 1	-----
Application for Continuance	original + 1	-----
Motion to Discontinue	original + 1	-----
Application for Reconsideration	original + 1	\$15.00

Original Jurisdiction:

Application for Leave to File an Original Process	original + 1	-----
Petition for Writ of Mandamus	original + 1	\$70.25
Petition for Writ of Habeas Corpus	original + 1	\$70.25
Petition for Writ of Prohibition	original + 1	\$70.25
Extraordinary Jurisdiction/King's Bench	original + 1	\$70.25

In Forma Pauperis Status

If you proceeded *In Forma Pauperis* in the Court below you should file a Verified Statement in Support of Continued *In Forma Pauperis* Status.

Pa.R.A.P. 551 - Continuation of In Forma Pauperis Status for Purposes of Appeal.

(a) General rule.—A party who has been granted leave by a trial court to proceed in forma pauperis may proceed in forma pauperis in an appellate court upon filing with the clerk of the trial court two copies of a verified statement stating:

(1) The date on which the trial court entered the order granting leave to proceed in forma pauperis.

(2) That there has been no substantial change in the financial condition of the party since such date.

(3) That the party is unable to pay the fees and costs on appeal.

If you have not proceeded below *In Forma Pauperis* and your financial condition has changed, you were denied *In Forma Pauperis* status below and wish for the Court to review your financial conditions, or you are invoking this Court's original jurisdiction you should file papers in compliance with Pa.R.A.P. 553 and Pa.R.A.P. 561 (see below).

In the Supreme Court of Pennsylvania
Eastern/Middle/Western District [Clearly Circle]

_____, Petitioner/Appellant

v.

Respondent(s)/Appellee(s)

Application for Leave to Proceed In Forma Pauperis

Pursuant to Pa.R.A.P. 553, Petitioner/Appellant requests this Honorable Court for leave to proceed in forma pauperis.

As certified in the accompanying Verified Statement [Pa.R.A.P. 561],
Petitioner/Appellant is unable to retain counsel or to pay the costs of this proceeding.

(Original Signature of Petitioner/Appellant)

Date: _____

_____, Pro Se

In the Supreme Court of Pennsylvania
Eastern/Middle/Western District [Clearly Circle]

_____, Petitioner/Appellant

v.

_____,
Respondent(s)/Appellee(s)

IFP VERIFIED STATEMENT

_____, Petitioner/Appellant in the above-captioned matter,
(Name)

states under the penalties provided by 18 Pa.C.S. §4904 (unsworn falsification to authorities) that:

1. I am the petitioner/appellant in the above action and because of my financial condition I am incapable to pay the following fees and costs:

*(ie... appellate filing fees, costs of reproducing records/briefs or filing of
supersedeas security if irreparable harm would result if not waived)*

2. My responses to the questions below relating to my ability to pay the fees and costs of prosecuting an appeal are true and correct.

a. Are you presently employed? Yes No

(1) If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

Salary and wages per month \$ _____

Address of employer _____

(2) If the answer is no, state the date of your last employment and the amount of the salary and wages per month which you received.

Date of your Last employment _____

Salary and wages per month \$ _____

- b. Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, pension, annuities, Social Security benefits, support payments or other source? Yes No

If the answer is yes, describe each source of income, and state the amount received from each during the past twelve months.

Source of Income	Amount Received (in dollars)
_____	_____
_____	_____
_____	_____

- c. Do you own any cash or checking or savings account? Yes No

If the answer is yes, state the total amount of items owned

- d. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?

Yes No

If the answer is yes, describe the property and state its approximate value and the amount of any encumbrances.

Property	Approximate Value (in dollars)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(e) List the persons, if any, who are dependent upon you for support and state your relationship to those persons.

(f) List all your debts and obligations.

3. I understand that a false statement or answer to any question in this verified statement will subject me to the penalties provided by law (misdemeanor of the second degree).

(Original Signature of Petitioner/Appellant)

Date: _____

Proof of Service



Everything you file with the Office of the Prothonotary should be accompanied by a Proof of Service.



Under 18 Pa.C.S. §4904 a knowingly false proof of service constitutes a misdemeanor of the second degree.

Proof of Service

I hereby certify that I am this day serving the foregoing document upon the persons and in the manner indicated below, which service satisfies the requirements of Pa.R.A.P. 121:

Name: _____
Representing: _____

Address: _____

Date Served: _____

Method of Service:

- First Class Mail/Commercial Carrier
 Hand Deliver
 E-Mail/Fax*

E-Mail (if applicable): _____

Fax (if applicable): _____

Name: _____
Representing: _____

Address: _____

Date Served: _____

Method of Service:

- First Class Mail/Commercial Carrier
 Hand Deliver
 E-Mail/Fax*

E-Mail (if applicable): _____

Fax (if applicable): _____

Name: _____
Representing: _____

Address: _____

Date Served: _____

Method of Service:

- First Class Mail/Commercial Carrier
 Hand Deliver
 E-Mail/Fax*

E-Mail (if applicable): _____

Fax (if applicable): _____

Date: _____

(Original Signature of Filer)

Filer Information -

Address: _____

E-Mail (if applicable): _____

Fax (if applicable): _____

Phone (if applicable): _____

**Note: By selecting E-Mail or Fax as a method of service, you are verifying that you and the opposing party have an agreement that E-Mail or Fax is an acceptable method of service.*

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: _____
(E.g., Appellant, Appellee, Petitioner, Respondent)

Signature: _____

Name: _____

Attorney No. (if applicable): _____

Deadlines for Filing and Preserving Your Filing Date

While all the obligations to the Court, as addressed in the Rules and in this manual are important, your most important obligation to ensuring an organized and efficient appellate review is to file in a timely manner.

In order to preserve the filing date as the date of mailing, a Petition for Allowance of Appeal or Application for Reconsideration you must obtain a U.S. Postal Form 3817 or other similar U.S. Postal Service form from which the date of deposit can be verified. All other pleadings filed with the Office of the Prothonotary can be preserved with an official U.S. Postmark. Inmate Postmarks or Inmate Cash Slips can also be used to preserve the date for any filing, as well.



Using a commercial carrier or a commercial postage machine will not preserve your filing date.

On the next page, you will find a table that addresses the filing deadlines for pleadings and responses addressed in Sections [Two](#), [Three](#), and [Four](#) of this manual. Also, per Pa.R.A.P. 105, the Office of the Prothonotary may alter the response date for any matter filed.



When filing an emergency petition, you must make clear in your pleading the exact date and consequences of failure of the Court to act upon your pleading. While the Court reserves the right to treat your pleading as an emergency, any pleading filed without an exact date and sufficient reason for that date will not be treated as an emergency.

Pleading	Days to File* (Personal Service/US Mail)
Petition for Allowance of Appeal	30**
Answer to Petition for Allowance of Appeal	14/17
Answer to Petition for Allowance of Appeal (Children’s Fast Track)	10/13
Application for Reconsideration from denial of Petition for Allowance of Appeal	14
Application for Reconsideration from denial of Petition for Allowance of Appeal (Children’s Fast Track)	7
Notice of Appeal and Jurisdictional Statement	30**
Notice of Appeal and Jurisdictional Statement (from an order changing venue or venire, an order arising from the Pennsylvania Election Code, or an order arising from the Local Government Unit Debt Act – or similar statute.)	10**
Answer to Jurisdictional Statement	14/17
Designation of Contents of Reproduced Record	30 (before the date of Appellant’s Briefs)
Designation of Contents of Reproduced Record (Children’s Fast Track)	23 (before the date of Appellant’s Briefs)
Appellant’s Brief	Determined by Prothonotary’s Office
Appellee’s Briefs	30/33
Appellee’s Briefs (Children’s Fast Track)	21/24
Appellant’s Reply Brief(s)	14/17
Appellant’s Reply Brief(s) (Children’s Fast Track)	7/10
Application for Reargument	14
Application for Reargument (Children’s Fast Track)	7
Answer to Application for Reargument	14/17
Answer to Application for Reargument (Children’s Fast Track)	7/10
Applications for Relief, Ancillary Motions, and Pleadings Invoking this Court’s Original or Extraordinary Jurisdiction	-----
Answers	14/17
Answers (Children’s Fast Track)	10/13

****All filing times are calculated by the date the Court Order was exited or the date you were served by the opposing party – not the date you received the order or pleading. You are only afforded an extra three days from the date of service if a party serves you by first class mail; manner of service from a court does not affect the filing deadline.***

*****The deadline for filing a Petition for Allowance of Appeal can only be extended by the filing of a timely Application for Reconsideration in the intermediate court – an Application for Reconsideration must be filed within fourteen days (seven on a Children’s Fast Track). The timely filing of an Application for Reconsideration will NOT extend the time for filing a Notice of Appeal and Jurisdictional Statement.***