

Rule 2135. Length of Briefs.

(a) **[General rule.]** Unless otherwise **[prescribed]** **ordered** by an appellate court:

(1) **[a]A** principal brief shall not exceed 14,000 words **and a reply brief shall not exceed 7,000 words, except as stated in subparagraphs (a)(2)-(4). A party shall file a certificate of compliance with the word count limit if the principal brief is longer than 30 pages or the reply brief is longer than 15 pages when prepared on a word processor or typewriter.**

(2) In cross appeals under **[Rule] Pa.R.A.P. 2136 [(briefs in cases involving cross appeals)]**, the first brief of the deemed or designated appellee and the second brief of the deemed or designated appellant shall not exceed 16,500 words. **A party shall file a certificate of compliance if the brief is longer than 35 pages when produced on a word processor or typewriter.**

(3) **[a reply brief shall not exceed 7,000 words]** **In capital direct appeals, the principal brief shall not exceed 17,500 words and a reply brief shall not exceed 8,500 words. A party shall file a certificate of compliance if the principal brief is longer than 38 pages or the reply brief is longer than 19 pages when prepared on a word processor or typewriter.**

(4) In the first Capital Post-Conviction Relief Act appeal, the principal brief shall not exceed 22,500 words and a reply brief shall not exceed 11,250 words. A party shall file a certificate of compliance if the principal brief is longer than 49 pages or the reply brief is longer than 24 pages when prepared on a word processor or typewriter.

(b) *Supplementary matter.* **Supplementary matters, such as, t[T]he cover of the brief and pages containing the table of contents, tables of citations, proof of service and any addendum containing opinions, [etc.,] signature blocks** or any other similar supplementary matter provided for by these rules shall not count against the word count limitations set forth in **[subdivision] paragraph** (a) of this rule.

(c) *Size and physical characteristics.* Size and other physical characteristics of briefs shall comply with **[Rule] Pa.R.A.P. 124.**

(d) ***[Certificate of compliance.*** A principal brief that does not exceed 30 pages when produced by a word processor or typewriter shall be deemed to meet the limitations in paragraph (a)(1). The first brief of the deemed or designated appellee and the second brief of the deemed or designated appellant that does not exceed 35 pages shall be deemed to meet the limitations in paragraph (a)(2). A reply brief that does not exceed 15 pages when produced on a word processor

or typewriter shall be deemed to meet the limitation in paragraph (a)(3). In all other cases, the attorney or the unrepresented filing party shall include a certification that the brief complies with the word count limits. The certificate may be based on the word count of the word processing system used to prepare the brief.] **Certification of compliance. Any brief in excess of the stated page limits shall include a certification that the brief complies with the word count limits. The certificate may be based on the word count of the word processing system used to prepare the brief.**

Official Note

A principal brief is any party's initial brief and, in the case of a cross appeal, the appellant's second brief, which responds to the initial brief in the cross appeal. See the note to **[Rule] Pa.R.A.P. 2136 [(briefs in cases involving cross appeals)]**. Reply briefs permitted by **[Rule] Pa.R.A.P. 2113 [(reply brief)]** and any subsequent brief permitted by leave of court are subject to the word count limit or page limit set by this rule.

A party filing a certificate of compliance under this rule may rely on the word count of the word processing system used to prepare the brief

[The 2013 amendments changed the method by which the length of principal and reply briefs will be measured from a page count method to a word count method. A principal brief may not exceed 14,000 words and a reply brief may not exceed 7,000 words. More words are permitted in certain briefs in cross appeals. This rule includes a requirement that the attorney or unrepresented filing party include a certificate of compliance with briefs filed pursuant to the word count limitations. The rule makes an exception to the certification requirement when a principal brief does not exceed 30 pages, a reply brief does not exceed 15 pages or the first brief of the deemed or designated appellee and the second brief of the deemed or designated appellant do not exceed 35 pages; such briefs will be deemed to meet the word count requirement.]

It is important to note that each appellate court has the option of reducing the word count for a brief, either by general rule, see Chapter 33 (Business of the Supreme Court), Chapter 35 (Business of the Superior Court), and Chapter 37 (Business of the Commonwealth Court), or by order in a particular case.