



## **Amendments to MA Rules of Appellate Procedure Took Effect March 1**

The Massachusetts Supreme Judicial Court approved extensive amendments to the Massachusetts Rules of Appellate Procedure. Those amendments took effect on March 1, 2019. The following are a sample of certain key changes. Counsel should consult the revised Rules in order to become familiar with all changes.

- Rule 8, regarding the record on appeal, has been streamlined, and the appellant now must order a transcript (or certify that one is not needed or already on file) within 14 days of filing a notice of appeal.
- Under Rule 9, the clerk's office is now supposed to complete assembly of the record within 21 days of receipt of a transcript.
- Rule 10 extends the time for paying the Appeals Court docket fee from 10 to 14 days after receiving notice of assembly of the record. Rule 10 also clarifies that counsel must file a motion to withdraw if counsel does not intend to represent the client on appeal.
- Rule 15(a) now requires parties, if known, to state in a motion whether the motion is assented to or opposed.
- Rule 16 has been reorganized into a checklist of what components must be included in a brief. Among other changes, appellees now must include an addendum even if some of the materials were already included in the appellant's addendum. The addendum must contain, among other things, copies of all unpublished decisions cited in the brief. In addition, the statement of the case must contain citations to the record, and a standard of review must be included for each issue.
- Rule 18 has also been revised to provide a checklist for the appendix.
- Rule 20 has been modified to allow a party to file a brief using a proportionally spaced font, such as Times New Roman (size 14). If such a font is used, the length of the brief must be 11,000 words or less (as opposed to a page count), with 1 inch margins all the way around. For a cross appeal, the brief may be as long as 13,000 words (or 60 pages if using a monospaced font).
- Also under Rule 20, pagination must start on the cover page with page 1 and continue through the addendum. Multiple volume appendices should be separately paginated.

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