

U.S. BANKRUPTCY APPELLATE PANEL FOR THE EIGHTH CIRCUIT

BRIEFING CHECKLIST

BEFORE FILING A BRIEF IN THIS COURT, please note the provisions of Fed.R.Bankr.P. 8008, 8009(a) & 8010, as well as L.R.BAP 8th Cir. 8010A:

- 1. Timeliness:** Although a briefing schedule has been issued, those dates may be advanced or extended by court order or a party's early or late filing of a brief. Appellant's brief is due fifteen days from the transcript due date (or, in cases without a transcript, fifteen days from the date the case is opened); appellee's brief is due fifteen days from the date of service of appellant's brief; the reply brief is due ten days from the date of service of appellee's brief.
- 2. Page limitations:** Main briefs 6500 words; reply briefs 3900 words.
- 3. Cross-appeals:** Appellant 6500 words; appellee/cross-appellant 6500 words; reply/cross-appellee 3900 words; reply cross-appellant 3900 words.
- 4. Number of copies:** Original and five copies.
- 5. Footnotes:** Same size and type as text of brief.
- 6. Diskette:** A 3½ inch diskette containing the full text of the brief in one document must be filed, along with a certificate stating that the diskette has been scanned for viruses and that it is virus free. The certificate must also include the name and version of the word processing software used to prepare the brief, as well as the number of words contained in the body of the brief.

Fed.R.Bankr.P. 8010(a)(1) lists the order of the contents of **appellant's opening briefs** as:

- 1. Table of contents and authorities cited.** Fed.R.Bankr.P. 8010(a)(1)(A)
- 2. Statement of appellate jurisdiction.** Fed.R.Bankr.P. 8010(a)(1)(B)
- 3. Statement of issues and applicable standard of review.** Fed.R.Bankr.P. 8010(a)(1)(C)
- 4. Statement of the case/statement of facts.** Fed.R.Bankr.P. 8010(a)(1)(D)
- 5. Argument.** Fed.R.Bankr.P. 8010(a)(1)(E)
- 6. Conclusion.** Fed.R.Bankr.P. 8010(a)(1)(F)
- 7. Certificate of service.** Fed.R.Bankr.P. 8008(d)

The **brief of appellee** shall conform to the above requirements, except that a statement of appellate jurisdiction, statement of issues or statement of the case need not be made unless the appellee is dissatisfied with the statement of the appellant.

The clerk's office screens all briefs for compliance with the rules. We will reject untimely or over length briefs. Your cooperation in meeting the specified requirements is appreciated.