



COURT OF APPEAL, SECOND CIRCUIT STATE OF LOUISIANA PRO SE MANUAL

This pamphlet is intended primarily to assist non-attorneys with the basic procedural steps which must be followed when filing an appeal or a supervisory writ application with the Second Circuit Court of Appeal. This pamphlet is not legal advice and should not be cited as legal authority. The information in this pamphlet is not intended to replace the Uniform Rules - Courts of Appeal, or the internal rules of the Second Circuit Court of Appeal, but should be used in conjunction with the rules.

This pamphlet reflects the Uniform Rules - Courts of Appeal in effect as of January 1, 2019. The rules are always subject to change without notice. Therefore, you should consult the Uniform Rules for any changes. You or your lawyer, if you are represented by one, may call the Second Circuit Clerk of Court's office at 318 227-3700 if you have a specific procedural question about how to file your papers with the Court. Although our staff will try to help answer your procedural questions, you must remember *employees of the Clerk of Court's Office of the Second Circuit Court of Appeal are not lawyers and are not permitted to give legal advice or make specific recommendations to you on how you should pursue your claims on appeal, or by writ application.*

The Uniform Rules of the Courts of Appeal and the local rules of the Second Circuit are also located on this Court's website @ www.la2nd.org.

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Glossary of Terms

Trial Court. The court of original jurisdiction, the first court to consider the case. For instance, the city court, juvenile court, district court or worker's compensation court.

Appeal. A review by this court of what happened in the trial court to determine whether any mistakes occurred, and, if so, whether the party who filed an appeal is entitled to have the decision of the trial court reversed or modified (changed).

Appellant. A party who takes an appeal from the trial court's decision (judgment).

Appellee. A party against whom an appeal is taken and who may respond (file a brief in response) to the appeal.

Brief. A written statement that explains the facts of the case and arguments of a party to an appeal stating why the trial court ruled incorrectly (appellant's brief) or correctly (appellee's brief).

Interlocutory order. An order that addresses preliminary or intermediate matters that is issued before the trial court's final decision.

Jurisdiction. Authority of the Court to hear a matter or case.

Appellate Jurisdiction refers to this Court's authority to review and revise the trial court's final decision.

Supervisory Jurisdiction refers to this Court's authority to hear and decide an interlocutory matter prior to the trial court's final decision.

Original Jurisdiction refers to this Court's authority to hear and decide a matter before any other court has reviewed it.

Motion. A written application requesting the court to cause some action by making a specific ruling or order.

Oral Argument. An in-court oral presentation by the appellant and the appellee stating the reasons the Court of Appeal should affirm, reverse or change the trial court's judgment. The amount of time to present oral argument is limited by the Uniform Rules. Appeals in all cases shall be submitted to the court for decision **without** oral argument, **unless a written request** in the form of a motion or letter for permission to argue orally is filed in the clerk's office by a party within thirty (30) days after the filing of the record in the court, and permission to orally argue is granted. A request made within a party's brief will NOT suffice. (See Uniform Rules of the Courts of Appeal 2-11.4.)

Pro se. A person who does not retain a lawyer and appears on their own behalf before the Court.

