

Supreme Court of Virginia

Rule 5:18 - Brief in Opposition

Time for Filing: Within 21 days after the Petition for Appeal is served on counsel. If the Petition was served by mail, three days can be added to the time for filing; if the Petition was served by fax, email, or commercial delivery service, one day shall be added. (Rule 1:7)

Page Limit: 25 pages or 4,375 words (excludes cover, table of contents, table of authorities, and certificate of service)

Color of Cover: White (the brief is not actually required to be bound with a cover - it can be stapled, and the color white is not mandated by rule, but preferred.)

Form and Content: 14 point type; only acceptable fonts are Courier, Arial and Verdana; double spaced (footnotes and quotations can be single spaced), one inch margins all around.

The brief shall contain:

1. Subject Index and Table of Citations with cases alphabetically arranged.

*2. Statement of the Case, if the appellee disagrees with the statement as presented by the appellant.

*3. Statement of the Facts, if necessary to correct or amplify the statement in the Petition for Appeal.

4. Argument and Standard of Review relating to each Assignment of Error.

*5. Assignments of Cross-Error, if any, with a reference to the record, transcript, etc. as to where the error was preserved; Argument and Standard of Review for each Assignment of Error.

6. Conclusion

7. Certificate of Service

*These items are optional.

Number of copies: 7 for court, one for each opposing party