

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, 1 day shall be added. (Rule 1:7)

Page Limit: 25 pages (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. Citations of Virginia cases shall be to the Virginia Reports and the Southeastern Reporter and include the year.

*2. Statement of the Case and Questions Presented if the appellee disagrees with the statement or questions as presented by the appellant. If the appellee believes any questions presented by the appellant are unrelated to an assignment of error, he shall so state.

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

4. Argument relating to each question presented.

*5. Assignments of Cross-Error, if any followed by statement of questions presented with a clear and exact reference to the assignment of cross-error it relates, followed by the argument relating to each question presented

6. Conclusion

7. Certificate stating that Rule 5:26(d) has been complied with.

*These items are optional.

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