2026

Georgia Court of Appeals

RULES

Effective March 26, 2026

RULES
COURT OF APPEALS OF GEORGIA

These rules are not intended to reiterate all applicable laws. The word "counsel" throughout these rules also applies to pro se parties. The latest version of these rules can be found at the Court website: www.gaappeals.gov

This publication contains the rules and all amendments thereto effective March 26, 2026

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I. GENERAL

Rule 1. Clerk's Office Hours and Location.

The Clerk's office shall be open Monday through Friday from 8:30 a.m. to 4:30 p.m. EST/EDT. The office is closed on all Georgia State holidays and during severe inclement weather. The address is: Clerk, Court of Appeals of Georgia, Nathan Deal Judicial Center, 330 Capitol Ave., S.E., 1st Floor, Suite 1601, Atlanta, Georgia 30334. The Court's website is: www.gaappeals.gov. The telephone number is (404) 656-3450.

Rule 2. Documents; Communications; General.

(a) Requirement for Written and Signed Documents.

All filings, including, but not limited to, documents, motions, briefs, requests, applications, and communications relating to appeals shall be in writing and legible; shall be filed with the Clerk's office; shall be signed, as further specified in subsections (1) and (2), by an attorney of record, an attorney granted courtesy appearance, or pro se party; shall include the mailing address, telephone number, and e-mail address, if any, of the attorney or the pro se party signing the document; shall include the State Bar of Georgia membership number of all submitting attorneys; and shall show that copies have been served upon opposing counsel in accordance with Rule 6, Copies and Certificate of Service. If, pursuant to Rule 9 (h), a Registered Law Student or Registered Law School Graduate co-authors a filing or pleading, the filing shall disclose such status and be co-signed by the supervising attorney (as specified in Rule 9 (h)). Filings or communications with the Court by corporate entities, including all classes of corporations and partnerships, professional associations, and limited liability companies, must be signed by an attorney authorized to practice before the Court.

(1) Paper Filings.

Signatures on pro se paper filings must be handwritten by the submitting individual. Paper documents with conformed or stamped signatures shall not be accepted.

(2) Electronic Filings.

(i) All electronic filings must be submitted in a searchable portable document format (PDF) only.

(ii) Signatures must be electronic or a conformed signature of the counsel or pro se party filing the document, which means that counsel's or the pro se party's

typed name is preceded by "/s/" and is underlined. Counsel's or the pro se party's typed name must also appear below the underline. If there are signatures of multiple attorneys on the document, use of the filing attorney's login and password and the conformed signatures of the others will be presumed to mean that the filing attorney has the agreement of the other signatories to what is filed.

(iii) Attorney filings must be in accordance with Rule 46, Electronic Filing of Documents.

(b) Communications with the Court.

There shall be no communications relating to pending cases to any judge or member of the judge's staff.

(c) Documents.

(1) Paper.

All documents filed with the Court shall be on letter size (8 $^{1}/_{2}$" x 11") white paper or in a searchable portable document format (PDF). All documents filed on paper (i.e., filings not electronically filed) shall be typed or printed on non-transparent white paper.

(2) Double Spacing.

All documents filed with the Court shall have no less than double spacing between the lines, excluding block quotations, headings, captions, and footnotes.

(3) Fonts.

Computer-generated documents must use a serif, proportionally spaced typeface of 14-point or larger. (Examples of compliant typefaces include Times New Roman and Century Schoolbook.) Sans-serif fonts may be used in headings and captions. A monospaced typeface (e.g., Courier) must not be used in computer-generated documents. Text must be set in plain, Roman style, although italics or boldface may be used for emphasis. Case names may be italicized or underlined. For documents prepared with a typewriter, the font size shall be no smaller than 10 characters per inch.

(4) Noncompliance.

Any documents that do not comply with the Court rules may be returned to counsel with notice of the defect of the pleading, and/or counsel may be ordered to redact and recast them.

(d) Counsel.

All reference to counsel in these rules shall include pro se parties and any Registered Law Students and Registered Law School Graduates and their supervising attorneys pursuant to Rule 9 (h).

(e) Facsimile Filing.

The Court does not accept facsimile filings.

(f) Stamped "Filed" Copy.

A party desiring to obtain a return copy of a paper document stamped as "filed" must provide an extra copy of the document and a pre-addressed stamped envelope with sufficient postage.

(g) Filing Under Seal.

The filing of documents under seal is very rare in the Court of Appeals and shall only be permitted by court order. Parties seeking to file documents under seal shall file a motion for permission to do so, which motion shall contain authority for why the documents should be filed under seal. Parties granted permission to file documents under seal should contact the Clerk's office before submitting such documents through the electronic filing system since documents submitted through the electronic filing system are ordinarily posted publicly.

Rule 3. Due Date.

When a filing deadline falls on a Saturday, Sunday, an official state or national holiday, or a time when the Clerk's office is closed for an emergency (such as inclement weather), the deadline is extended to the next business day. This rule also applies to motions for reconsideration. See Rule 37, Motions for Reconsideration.

Rule 4. Court Filings and Determination of Filing Date.

(a) Physical Delivery Paper Filing.

This section applies to pro se parties and counsel exempt from the electronic filing requirements. Except as otherwise provided in this rule, a paper filing will be deemed filed in the Court of Appeals on the date and time it is physically received in the office of the Clerk of the Court of Appeals with sufficient costs, if applicable, a proper certificate of service, stamped "filed," and otherwise in conformity with these rules.

(b) Filing by Mail or Commercial Delivery.

This section applies to pro se parties and counsel exempt from the electronic filing requirements. A document transmitted to the office of the Clerk by United States Postal Service priority, express, or first-class mail (including certified or registered mail) or by a commercial carrier for overnight delivery shall be deemed filed on the date shown by the official postmark affixed by the United States Postal Service (not a private or commercial postage meter) or the date shown on the commercial carrier's transmittal form on the envelope or package containing the document, if the envelope or package is properly addressed, postage prepaid, and the postmark or transmittal date is legible. Otherwise, the document will be deemed filed on the date the document was physically received in the office of the Clerk. Note: This rule does not apply to motions for reconsideration. See Rule 37 (b).

(c) Filings by Pro Se Prisoners.

(1) In the absence of an official United States Postal Service postmark showing a date on or before the filing deadline, a document submitted by a prisoner who is not represented by an attorney shall be deemed filed on the date the prisoner delivers the document to prison officials for forwarding to the Clerk of the Court of Appeals. This delivery shall be shown by the date on the certificate of service or on an affidavit submitted by the prisoner with the document stating the date on which the prisoner gave the document to prison officials with sufficient prepaid postage for first-class mail and the name of the prison official to whom the document was delivered. The certificate or affidavit will give rise to a presumption that the date of filing reflected in the affidavit is accurate, but the State may rebut the presumption with evidence that the document was given to prison officials after the filing deadline or with insufficient postage. If the institution has a system designed for legal mail the prisoner must use it to rely upon the provisions of this paragraph. Note: This rule does not apply to motions for reconsideration. See Rule 37 (b).

(2) Discretionary and interlocutory applications filed by a pro se prisoner pursuant to OCGA § 5-6-34 (Interlocutory Application) and OCGA § 5-6-35 (Discretionary Application) shall be governed by Rule 4 (c) (1). However, the docket date, for purposes of the Court's processing and adherence to statutory deadlines, shall be the date the application was physically received in the Clerk's Office.

(d) Electronic Filing/Motions for Reconsideration.

Efiled documents shall be deemed submitted on the date they are filed, up to 11:59 p.m., as long as they comply with this Court's rules, with the exception of motions for reconsideration, which must be filed by 4:30 p.m. See Rule 37 (b), Motions for Reconsideration, and Rule 46, Electronic Filing of Documents.

Rule 5. Filing Fees/Affidavit of Indigence.

(a) Fees.

Filing fees are:

(1) $80 in all criminal cases (this includes appeals from probation revocation and juvenile delinquency cases); and

(2) $300 in all civil cases.

Filing fees accrue upon the docketing of a direct appeal or an application for discretionary or interlocutory appeal. The fees shall be paid by the applicant or appellant or their counsel no later than the filing of the application or, in the case of direct appeals, at the time of the filing of the original brief of the appellant.

(b) Exceptions to Payment of Fees.

Filing fees shall not be required when:

(1) The applicant/appellant is pro se (not represented by counsel) and is incarcerated at the time of the filing;

(2) Counsel for the applicant/appellant was appointed because of indigency and, at the time costs would be due, counsel files a statement that he or she was appointed or the record contains a notice of the appointment of an attorney from the Georgia Public Defender Council; or

(3) The applicant/appellant or counsel for the applicant/appellant files an affidavit of indigency that includes an original signature and a proper jurat on the form provided by the Court (forms may be obtained from the Clerk's office or from the Court's website) and the affidavit is approved by the Court. Each case filed in this Court requires a separate affidavit.

The Clerk shall not receive an application or original brief of the appellant unless filing fees have been paid or one of the exceptions to this rule has been met. Applications or original briefs accompanied by an affidavit of indigency are accepted by the Clerk on a conditional basis until the affidavit of indigency is approved by the Court. If an affidavit is rejected by the Court, filing fees shall be paid within 5 days of the date the affidavit is denied or the application or original brief of appellant will be deemed rejected for filing.

(c) Special Fee Exception.

If the Court grants an interlocutory or discretionary application, additional filing fees are not required to file an appellant's original brief in the direct appeal.

(d) Payment Methods.

All required fees may be paid by credit card with any electronic filing or by check or money order if a paper filing is made. Counsel may pre-pay filing fees by submitting a check prior to the electronic submission. The Clerk is not responsible for any cash accompanying a filing.

Rule 6. Copies and Certificate of Service.

(a) Original Document Only.

Paper applications for interlocutory appeals, applications for discretionary appeals, briefs, and all other documents filed with the Clerk in paper form shall include only an original.

(b) Service of Process.

(1) Notices of Appeal.

The notice of appeal filed in the trial court shall show that copies have been served upon opposing counsel or parties by one of three methods, which must be identified: United States Postal Service, personal service, or electronic service. Service shall be shown by a written acknowledgment, a certificate of service, or the server's affidavit, attached to the notice, and must include the name and complete mailing address of all opposing counsel or parties, the signature of the counsel or party submitting the document, and the signature of the filer.

(2) Filings in Court of Appeals.

A party may serve filings upon opposing counsel or parties by one of three methods, which must be identified: United States Postal Service, personal service, or electronic service. Parties serving via email shall strictly adhere to the following process: A party may serve a document via email if the filer certifies that, based upon a prior agreement with the recipient party, service of a PDF copy of the document via email will be deemed sufficient service. The certification shall state, in substance: "*I certify that there is a prior agreement with (insert party or law firm name) to allow documents in a PDF format sent via email to suffice for service.*" The filer shall also,

in the accompanying certificate of service, list all recipients served electronically by full name, email address, telephone number, and complete physical mailing address.

(c) Timing of Service.

All forms of service shall be made contemporaneously with or before filing. Filing of any document with the Court's eFast system shall not constitute sufficient service under this rule.

(d) Failure to Comply with Rule.

Any document without a certificate of service or otherwise not in compliance with this rule shall not be accepted for filing.

Rule 7. Contempt.

(a) Inherent Power.

Nothing contained in these rules shall be construed to deny or limit the Court of Appeals' inherent power to maintain control over proceedings conducted before it or to deny the Court those powers derived from statute, rules of procedure, or rules of court.

(b) Attorney Misconduct.

When alleged attorney misconduct is brought to the attention of the Court, a lawyer admitted to practice before the Court, an officer or employee of the Court, or otherwise, the Court may dispose of the matter through the use of its inherent, statutory, or other powers, or refer the matter to an appropriate state agency for investigation or disposition. These provisions are not mutually exclusive.

(c) Breach of Rules.

Breach of any rule of the Court of Appeals may result in a Court order requiring compliance. Failure to comply with a Court order may subject the offending party and/or attorney to a finding of contempt and may cause the appeal to be dismissed or the party's brief to be stricken.

(d) Repeated Violations.

Repeated violations of this Court's rules or orders may result in the revocation of the violator's admission to practice before the Court of Appeals.

(e) No Prosecution, Frivolous Appeals, and Penalties.

(1) Failure to Appear and File Brief.

On the call of the case for argument, if the appellant does not appear and has not filed a brief, the Court may dismiss the appeal for want of prosecution.

(2) Penalty.

The panel of the Court ruling on a case, with or without motion, may by majority vote to impose a penalty not to exceed $10,000 against any party and/or a party's counsel in any civil case in which there is a direct appeal, application for discretionary appeal, application for interlocutory appeal, or motion that is determined to be frivolous.

(3) Money Judgment.

The imposition of this penalty shall constitute a money judgment in favor of appellee against appellant or appellant's counsel or in favor of appellant against appellee or appellee's counsel, as the Court directs. Upon filing of the remittitur in the trial court, the penalty may be collected as are other money judgments.

Rule 8. Notice of Cause for Disqualification or Recusal.

Cause for disqualification or recusal of a judge of this Court shall be brought to the attention of the Clerk as soon as practicable. See Rule 44, Disqualifications and Recusals.

II. ATTORNEYS

Rule 9. Attorneys, Registered Law Students, and Registered Law School Graduates.

(a) Application and Oath.

Any member of the State Bar of Georgia may be admitted to practice in this Court upon written application, and the certificate of at least two attorneys of this Court, that the member is of good private and professional character. The oath may be administered by the Court Clerk, Court Administrator, Chief Deputy Clerk, or a

Deputy Clerk. It may be taken in open court, before a judge in chambers, in the Clerk's office, or at another location in the discretion of a Court Judge or the Court Clerk. Georgia attorneys requiring immediate admission to the Court may contact the Clerk's office to obtain special admission without personally appearing to be sworn in. The Court's website has specific directions. The special admission fee is $200 in addition to the regular admission fee, payable to the Clerk of the Court of Appeals. The attorney must submit the written application with the certificate of at least two attorneys of this Court that the attorney is of good private and professional character. The form may be submitted in a PDF format to the Clerk's office. The Clerk will arrange to telephonically administer the oath. Thereafter, the attorney will provisionally be admitted pending receipt of the fee. The oath is as follows:

> *I do solemnly swear (or affirm) that I will conduct myself as an attorney or counselor of this Court truly and honestly, justly and uprightly, and according to law; and that I will support the Constitution of the State of Georgia and the Constitution of the United States. So help me God.*

(b) Fee.

The fee for admission is $30, payable to the Clerk of the Court of Appeals of Georgia, who shall issue a license under the seal of the Court as evidence of the applicant's authority to practice.

(c) Appearance Pro Hac Vice/Courtesy Appearance.

An out-of-state attorney desiring to appear in this Court in a single case shall file an application for admission pro hac vice before making an appearance.

(1) Application Contents.

The application, which shall be served on all parties, shall contain the following information:

(i) a current certificate of good standing from the highest court of the out-of-state lawyer's jurisdiction;

(ii) the applicant's business address, email address, and telephone number; and

(iii) the name of the party or parties sought to be represented.

(2) Requestor.

The application may be made by the attorney requesting pro hac vice appearance or a member of the Bar of this Court on behalf of the out-of-state attorney.

(3) Payment.

Each time an application for admission pro hac vice is submitted under this Rule, the applicant must send a check for $200 payable to "IOLTA/Georgia Bar Foundation." The check must be mailed directly to "The Georgia Bar Foundation, 104 Marietta Street, Suite 610, Atlanta, GA 30303." The applicant must include a certification with the application stating, "I have submitted a check for $200 to the Georgia Bar Foundation."

(4) Fee Waiver.

Persons seeking to represent an indigent party may qualify for a waiver of the fee, if counsel files a statement with the application that counsel is representing the client pro bono due to indigency.

(5) Electronic Registration.

The Court will provide electronic filing access to attorneys granted pro hac vice admission. Attorneys granted this status are required to register in the Court's eFast system and to comply with all eFast rules and requirements.

(d) Substitution or Withdrawal of Counsel.

(1) Substitution of Counsel.

If a new attorney is substituting for an existing attorney, the new attorney must file a notice of substitution. The notice must be served on the former attorney and on opposing counsel (or opposing party if unrepresented), be signed by the new attorney, and include the new attorney's physical mailing address, email address, phone number, and Bar number. The former attorney need take no further action to withdraw as counsel of record for the party. The substitution may not delay the appeal of the case.

(2) Withdrawal of Counsel.

If an attorney seeks to withdraw and leave the client unrepresented, the attorney must give written notice to the client 10 days before moving the Court for permission to withdraw. The motion must be served on the client and any opposing counsel (or

opposing party if unrepresented), and must contain the client's physical mailing address. If the withdrawing attorney does not know the client's current address, the motion must contain a statement to that effect and the client's last known physical address and telephone number. The motion shall state that the attorney has given written notice to the affected client setting forth the attorney's intent to withdraw, that 10 days have expired since notice, and the client's objection, consent, or failure to respond. The request to withdraw will be granted unless in the Court's discretion to do so would delay the appeal, interrupt the orderly operation of the Court, or be manifestly unfair to the client.

(e) Change of Address, Telephone Number, or Email Address.

Any change of address, telephone number, or email address must be made by the attorney in the Court's eFast system. Attorneys are personally responsible for ensuring that their eFast profile information is up to date. The Court will not make these changes. Attorneys are encouraged to register an additional "CC" email address for their administrative assistant or another point of contact. See Rule 46, Electronic Filing of Documents.

If a paper filer (non-efiler) for either party has a change of address or telephone number during the pendency of any appeal or application, counsel shall file a notification of change of address, telephone number, or email address with the Court, notifying the Court of counsel's correct address, telephone number, or email address, and the effective date of the change.

The notification of change of address, telephone number, or email address shall be filed as a separate document with service made to opposing counsel.

Upon receipt of the notification of change of address, telephone number, or email address from a paper filer, the Clerk will enter the change of address, telephone number, or email address on the Court's docket, and all further notices generated from the Court shall be to counsel's new address.

Failure of a party to properly notify the Court of any change of address, telephone number, or email address, which may result in a party not receiving notification of Court action, shall not be grounds to reinstate or reconsider any matter adverse to the party.

(f) Leave of Absence.

The Court of Appeals does not recognize or grant leaves of court or leaves of absence.

(g) Past-due Fees.

An attorney's admission to practice before the Court of Appeals may be revoked if, after notice and an opportunity to be heard, past-due fees remain unpaid for 30 days.

(h) Appearance and Argument before the Court of Appeals of Georgia by Registered Law Students and Registered Law School Graduates.

Law students registered and authorized to practice provisionally under the Supreme Court of Georgia's Student Practice Rules 91-96 ("Registered Law Students") and law school graduates registered and provisionally authorized to practice under the Supreme Court of Georgia's Law School Graduate Rules 97-103 ("Registered Law School Graduates") or any applicable Supreme Court of Georgia Order may co-author and sign pleadings filed in this Court, so long as such Registered Law Students or Registered Law School Graduates indicate their status on the signature line and their supervising attorney co-signs the pleadings. The supervising attorney must be admitted to practice in this Court and must comply with the Supreme Court of Georgia's applicable Registered Law Students and Registered Law School Graduates supervision rules (including those required by applicable orders of the Supreme Court of Georgia).

Upon leave of Court, Registered Law Students and Registered Law School Graduates may be authorized to present oral arguments, provided that their supervising attorney signs or co-signs the oral argument motion and includes within that motion, in addition to the requirements of Rule 28, the following:

- The name of the Registered Law Student or Registered Law School Graduate seeking to argue
- The extent of attorney supervision in preparing the Registered Law Student or Registered Law School Graduate for argument, and
- A statement that the supervising attorney will be physically present with the Registered Law Student or Registered Law School Graduate (whether both will appear in person or, with permission, appear remotely) during oral argument and prepared to assume or supplement any oral argument made by the Registered Law Student or Registered Law School Graduate.

The Court must give specific approval for the Registered Law Student's or Registered Law School Graduate's participation in oral argument, which shall be sought by oral argument request or separate motion.

Rule 10. Personal Remarks; Opposing Counsel or Judge.

Personal remarks that are discourteous or disparaging to any judge, opposing counsel, or any court, whether oral or written, are strictly forbidden.

III. DOCKETS AND CALENDARS

Rule 11. Appeals, How Entered.

(a) Docketing.

No appeal shall be docketed until the notice of appeal, a record, and transcripts, if requested, are filed in the Clerk's office. Each notice of appeal will be docketed as a separate case.

(b) Transfer of Cases.

When an appeal or application filed in this Court is within the jurisdiction of another court, it shall be transferred by order to that court.

(c) Transferred Cases.

Appeals or applications transferred to this Court from another court shall be docketed as soon as practicable.

(d) Premature Docketing.

Any case docketed before the entire record is delivered to the Court may be remanded to the trial court until such time as the entire record is prepared and delivered to the Court.

Rule 12. Terms of Court.

The Court has three terms of court per year. Cases are docketed to a term as required by the Constitution of the State of Georgia and as otherwise required by law. The docket will specify the specific term to which a case is docketed. Cases docketed to a specific term must be decided before the expiration of the following term.

The Court's terms (including any motion for reconsideration period) are as follows:

(1) the December term begins the first Monday in December and ends March 31 the following year;

(2) the April term begins the first Monday in April and ends July 17;

(3) the August term begins the first Monday in August and ends November 18.

Rule 13. Notice of Docketing.

Upon the docketing of every appeal and application for appeal, the Clerk shall deliver via email or the United States Postal Service notice of the docketing date and schedule for briefing to all counsel. The notice of docketing a direct appeal shall include a statement that failure to file the enumeration of errors and appellant's brief within the time required may result in the dismissal of the appeal and/or appropriate sanctions. The notice shall also state that failure to timely file responsive briefs may result in their non-consideration and/or appropriate sanctions. Failure of counsel to receive the docketing notice shall not relieve counsel of the responsibility to file briefs timely. See Rule 23, Briefs.

Rule 14. Calendar; Conflicts.

(a) Calendars to be Mailed.

The Clerk shall mail (via email or United States Postal Service, depending upon the status of the filer) the calendar to counsel in each appeal to be orally argued at least 14 days before the date set for oral argument at the addresses shown on the notice of appeal, unless the Court is otherwise advised of a change of address under Rule 9 (e), Attorneys.

(b) Non-Receipt of Calendar.

Counsel not receiving a calendar at least 10 days before the tentative oral argument dates should check the Court's website. If there is any confusion, counsel should contact the Clerk's office to inquire about oral argument dates.

(c) Conflicts - State and Federal Court.

(1) Counsel shall not be deemed to have a conflict unless he or she:

(i) is lead counsel in two or more of the actions affected; and

(ii) certifies that the matters cannot be adequately handled by other counsel.

(2) When there is an apparent conflict:

(i) Appellate arguments prevail over trials, hearings and conferences.

(ii) The action first filed takes precedence.

(iii) Felony actions prevail over civil actions.

(iv) Misdemeanors stand on equal footing with civil actions.

(v) The courts are assigned the following priorities:

Supreme Court of the United States.

Supreme Court of Georgia.

United States Courts of Appeal and State Courts of Appeal.

United States District Courts and Superior Courts of Georgia.

State Courts of Georgia.

Probate, Juvenile, and Magistrate Courts of Georgia.

(3) The Clerk shall resolve conflicts so as to accommodate all parties insofar as possible.

(4) Using the above criteria, the only time a conflict exists is when the actions are in courts of equal priority, are of the same type, and were filed on the same day. When such a conflict exists, counsel shall give prompt written notice of the conflict to opposing counsel and to the clerk of each court.

(5) When it is evident that counsel's presence is required in more than one court on the same day and no conflict actually exists under the above criteria, counsel shall nevertheless inform all courts concerned, giving the style of the case and the date of filing.

Rule 15. Reserved.

IV. EXTENSION OF TIME FOR FILING

Rule 16. Extension of Time for Filing.

(a) Notices of Appeal.

Pursuant to OCGA § 5-6-39, a request for extension of time to file a notice of appeal may be filed in this Court. The motion must be made before the expiration of the period for filing as originally prescribed. See OCGA § 5-6-39 (d). The grant of an

extension of time is discretionary. Only one extension of time is permitted, and the extension cannot exceed the time otherwise allowed for the filing of the notice of appeal. OCGA § 5-6-39 (c). The party making the request must show that a bona fide effort has been made to obtain the extension from the trial court and set forth the reason it could not be obtained. Requests for extensions of time must be in writing and received by the Court before the expiration of the filing deadline. The request shall be made in accordance with Rule 40 (b), which requires an explanation of why the order is needed and a stamped "filed" copy of the order being appealed. The motion shall be accompanied by a filing fee in the appropriate amount in accordance with Rule 5 (a), Filing Fees.

(b) Briefs.

Motions for an extension of time to file a brief are subject to the Court's discretion. All extensions shall be by written order and no oral extension shall be recognized. Failure to request an extension of time to file a brief before its due date may result in the dismissal of the appeal or non-consideration of the brief if untimely filed.

(c) Discretionary Applications.

Requests for extensions of time to file discretionary applications must be directed to this Court and should be filed pursuant to Rule 40 (b), Emergency Motions. The request for an extension must be made prior to the expiration of the period for filing as originally prescribed. The grant of an extension of time is discretionary. Only one extension of time will be granted, and the extension will not exceed the time otherwise allowed for the filing of an application. See OCGA § 5-6-39 (c). All extensions shall be by written order, and no oral extension shall be recognized. No extension of time may be granted for filing a response to a discretionary application. See Rule 31 (i).

(d) Interlocutory Applications.

No extension of time shall be granted to file an interlocutory application or a response thereto.

V. RECORDS AND TRANSCRIPTS

Rule 17. Duty of Trial Court Clerks.

The clerk of the trial court shall certify and transmit to the Clerk of this Court a copy of the original transcript (whether printed or on compact disc) and copies of all records as required within the time prescribed by statute. Trial court orders included in the record must contain the signature of the trial court judge. Conformed signatures, stamped signatures, and signatures with permission shall not be permitted, except for those courts in which the official practice is for the judge to electronically sign or stamp his or her signature. Transmittal shall be made by the clerk or deputy clerk personally, electronically, or by first class United States Postal Service, express mail, or commercial courier or delivery service, charges prepaid. Transmittal by a party or attorney is prohibited. The appellant, court reporters, and the trial court clerk shall cooperate to ensure that the record is complete.

Rule 18. Preparation and Arrangement of Records and Transcripts.

(a) Paper and Format.

Records and transcripts, including depositions, shall be printed on one side of letter-size, white paper of good quality, or an equivalent electronic format, with ample spacing (at least double spaced) and margins so that they may be easily read. The margin at the top shall be of sufficient space that the transcript may be read when folded over at the top. Type size shall not be smaller than 10 characters per inch. Notwithstanding the 10 characters per inch requirement, the Court shall accept in lieu thereof Times New Roman Regular, 14 point. The record shall include an index. The pages of the record shall be numbered consecutively on the bottom of the page. The trial court clerk shall certify each volume of the record.

(b) Recordings.

When the notice of appeal directs that transcripts of a trial or a hearing be included in the record, copies of all video or audio recordings that were introduced into evidence shall be transmitted to this Court along with the trial or hearing transcript. It shall be the responsibility of the party tendering the recordings at a trial or a hearing to ensure that a copy of the recording is included in the trial court record; however, it is the burden of the appealing party to ensure that a complete record is transmitted to this Court on appeal, including the transmission of video or audio recordings. If a transcript of a trial or a hearing is designated as part of the appellate record, the clerk of the trial court shall then include the copy of the recording in the appellate record transmitted to this Court. If a copy of a recording played at a trial or a hearing is not included with the transcript designated to be transmitted in the appellate record, this

Court may take whatever action is necessary in order to ensure completion of the record, including, but not limited to, issuing a show-cause order requiring an explanation of its absence. The appellant's failure to complete the record may also result in this Court declining to consider enumerations of error related to the missing evidence.

(c) Proprietary Software.

Copies of any video or audio recordings of evidence shall be submitted to this Court on DVD or on video or audio compact disc, and shall include any proprietary software necessary to play the recordings.

(d) Sealed Records.

(1) Any records or transcripts delivered to this Court as sealed by the trial court, with an order of the trial court attached to the record, shall remain sealed until this Court orders otherwise. Unless otherwise ordered by this Court, access to sealed documents will be restricted to authorized Court personnel only.

(2) Any party may move this Court for an order to unseal any appellate record or portion thereof. A motion to unseal must include authority for why this Court should unseal the requested records. When such a motion is filed for the purpose of providing a party or counsel access to the sealed material, the motion shall identify which individuals, including counsel or support staff, are seeking access to the sealed material.

(3) Any party may move this Court for an order to seal any appellate record or portion thereof. A motion to seal shall include authority for why this Court should seal the requested records.

(e) Transcripts on Compact Disc.

In lieu of a printed transcript, the trial court may certify and transmit the transcript on a compact disc, so long as the other requirements for transcripts have been satisfied. Any transcript submitted on a compact disc shall be in a searchable PDF format.

Rule 19. Transmission of Transcript.

The copy of the original transcript shall be a separate document or compact disc and not attached to the record. It shall show the style of the case, contain an index, and the pages shall be numbered consecutively on the bottom. Voluminous printed transcripts may be bound in separate parts. The court reporter and the trial court clerk shall certify each part.

Rule 20. Objections to Records or Transcripts; Waiver.

Appellee shall be deemed to have waived any failure of the appellant to comply with the provisions of the Appellate Practice Act relating to the filing of the transcript of the evidence and proceedings or transmittal of the record to this Court, unless objection thereto was made and ruled upon in the trial court before transmittal and the trial court's order is appealed as provided by law.

Rule 21. Original Evidence.

(a) Do Not Send Original Evidence.

No original evidence or original exhibits shall be transmitted to the Court with the appellate record initially. A party may file a motion asking this Court to issue an order directing the trial court clerk to transmit original evidence or original exhibits for inclusion in the appellate record. The motion shall specify the particular evidence or exhibits that the party seeks to transmit, describe its general size and weight, and explain why the original evidence or exhibits are necessary for the determination of the appeal. The Court may grant the motion or issue an order on its own if it determines that the original evidence or exhibits would assist the Court in deciding the appeal.

(b) Action after Remittitur Issued.

After the remittitur has been issued by this Court to the trial court, all original evidence or exhibits shall be returned to the trial court clerk.

VI. RESERVED

Rule 22. Reserved.

VII. BRIEFS

Rule 23. Time of Filing; Contempt; Dismissal.

(a) Appellant's Brief.

Appellant's brief shall be filed within 20 days after the appeal is docketed. Failure to file within that time, unless extended upon motion for good cause shown, may result in the dismissal of the appeal, and may subject the offending party and/or counsel to sanctions, including contempt. See Rule 7, Contempt, and Rule 13, Notice of Docketing.

Pursuant to Rule 16 (b), appellant's motion for an extension of time to file a brief and enumeration of errors must be filed before the date the documents are due or the Court may dismiss the appeal. If two or more appeals are consolidated, a brief is still required to be filed in each appeal. Parties may adopt, and are encouraged to adopt, all or a portion of another brief in the same case or from another case pending in this Court. The party adopting language from another brief shall specify precisely what portion of the other brief the party is adopting and list the case number, if different.

(b) Appellee's Brief.

To be considered, appellee's brief should be filed within 40 days after the appeal is docketed or 20 days after the appellant's brief is filed, whichever is later. Appellees are encouraged but, other than the State in a criminal case, are not required to file a brief. A brief shall be filed by the State when it is the appellee in the appeal of a criminal case. The State's representative may be subject to sanctions, including contempt, for failing to file a timely responsive brief.

(c) Reply Brief.

Appellant may file a reply brief within 20 days from the date the appellee's brief is filed. Appellee has no right to respond to appellant's reply brief except as permitted under Rule 27, Supplemental Briefs.

(d) Other Parties.

Parties listed on the Court's docket as "Other Parties" may file a single brief, no later than the due date of the appellee's brief, and must comply with the requirements of an initial brief per Rule 24.

Rule 24. Preparation.

(a) Limitations.

The parties to the appeal are entitled as of right to file an initial appellant's brief, a responding appellee's brief, and an appellant's reply brief. Appellants are entitled to file only a single reply brief. Amended briefs, supplemental briefs, and corrected briefs are not permitted except upon the filing of a motion and the Court's permission in accordance with Rule 27. Parties may file a motion for additional words or for an extension of time to file a brief. See Rule 24 (f) (1) and Rule 16 (b). Amicus curiae briefs conforming to Rule 26 will also be accepted. Responses to amicus briefs are only accepted pursuant to the Court's grant of a motion under Rule 27. All counsel are required to efile in accordance with Rule 46, Electronic Filing of Documents. Paper filers need only file the original brief for each docketed appeal.

(b) Signatures, Paper, Spacing, and Certificates of Service.

Briefs shall be filed in conformity with Rule 2 (a) and (c), Requirement for Written and Signed Documents, and Rule 6, Copies and Certificate of Service.

(c) Margins.

Writing shall be on only one side of each sheet, with a margin of not less than one inch at the top, sides, and bottom of each page.

(d) Citations to Authority.

All citations to cases shall be by name of the case as well as by volume, page, and year of the Official Report. Cases not yet reported shall be cited by the Court of Appeals or Supreme Court case number and the date of decision.

(e) Pages to be Numbered.

The pages of each brief shall be sequentially numbered with an Arabic numeral at the bottom of each page.

(f) Limitation as to Length.

(1) Electronic Filers.

Except upon written motion filed with the Clerk and approved by the Court, briefs and responsive briefs shall be limited to 8,400 words in civil cases or 14,000 words in criminal cases. Supplemental briefs, emergency motions, motions for reconsideration, appellant's reply briefs, and responses to motions for reconsideration shall be limited to 4,200 words. Each submission must contain the following certification just above the signature block of the submitting attorney: "This submission does not exceed the word count limit imposed by Rule 24." The person signing the certificate may rely on the word count of the word-processing system used to prepare the brief.

(2) Pro Se Submissions or Attorneys Allowed to File Paper Copies.

Except upon written motion filed with the Clerk and approved by the Court, briefs and responsive briefs are limited to 30 pages in civil cases or 50 pages in criminal cases if prepared with a typewriter or hand-written. Supplemental briefs, motions for reconsideration, and appellant's reply briefs shall be limited to 15 pages if prepared with a typewriter or hand-written.

(3) Items Not Considered in Length Limitation.

Tables of contents, tables of citations, cover sheets and certificates of service and of compliance with the word count limit shall not be counted toward the applicable page or word count limit.

(g) Attachments and Exhibits.

Do not attach documents or exhibits to appellate briefs or motions for reconsideration.

(h) Address of Defendant.

Counsel for defendant shall include the address of the defendant in a criminal case on the face of the brief and shall notify the Court of any change of address. Efilers shall submit this information in the eFast system under the filing category "Other" and the filing type "Information."

Rule 25. Structure and Content.

(a) Appellant's Brief.

An appellant's brief will usually be most helpful to the Court if it includes the items listed below, under appropriate headings and in the order indicated. At a minimum, the appellant's brief must include items (3), (4), (5), and (7).

(1) For briefs of significant length or complexity, a table of contents and a table of cited authorities, each with page references.

(2) A concise introduction setting out the key issues and arguments on appeal.

(3) A concise jurisdictional statement, which must identify:

(i) The basis for this Court's appellate jurisdiction. See, e.g., OCGA §§ 5-6-34 and 5-6-35.

(ii) The basis for this Court having jurisdiction instead of the Supreme Court. See, e.g., Ga. Cont. Art. VI, Sec. VI, Pars. II, III: OCGA § 15-3-3.1.

(iii) The filing dates establishing that the appeal is timely. See, e.g., OCGA §§ 5-6-38 and 5-6-39.

(4) The enumeration of errors, which must identify separately and concisely each allegedly erroneous ruling the appellant relies on as a basis for reversal of the judgment on appeal. See OCGA § 5-6-40.

(5) A statement of the case that sets out the material facts relevant to the appeal, describes the relevant proceedings below, and identifies how each enumerated error was preserved for review, with appropriate citations to the record.

(6) For briefs of significant length or complexity, a summary of argument that presents, plainly and concisely, each argument in the order presented in the body of the brief. An effective summary will not merely repeat the argument headings.

(7) The argument, which must cite the authorities relied on and include a concise statement of the applicable standard(s) of review, and which should generally follow the order of the enumeration of errors. Point headings that identify and organize arguments are encouraged.

(b) Appellee's Brief.

An appellee's brief will usually be most helpful to the Court if it follows the arrangement set out in Rule 25 (a) except for item (4). Items (3) and (5) may be omitted if the appellee is satisfied with their presentation by the appellant. If an appellee disagrees with the appellant's statement of the case in whole or in part, the appellee must identify any points of disagreements with supporting citations to the record.

(c) Reply Brief.

If the appellant chooses to file a reply brief, the brief need only include item (7) listed above. For reply briefs of significant length or complexity, including items (1) and (2) is encouraged.

(d) General Provisions.

(1) Unsupported Claim of Error; References to Record and Transcripts.

Any enumeration of error that is not supported in the brief by citation of authority or argument may be deemed abandoned.

(i) Each enumerated error shall be supported in the brief by specific reference to the record or transcript. In the absence of a specific reference, the Court will not search for and may not consider that enumeration.

(ii) A contention that certain matters are not supported by the record may be answered by reference to particular volume and pages where the matters appear.

(2) Citations to the record.

Reference to an electronic record should be indicated by the volume number of the electronic record and the PDF page number within that volume (Vol. Number – PDF Page Number; for example, V2-46).

If the case has previously been up on appeal in this Court, then contact the Clerk's Office for access to the record in that previous appeal. With a subsequent appeal, the appellate record might contain only filings docketed after the previous appeal was remitted. A party seeking to rely on a record from a previous appeal must file notice of that intent in accordance with Rule 42 (c).

Citations to audio and video recordings should identify the recording itself according to its location in the record and specify the relevant portion of the recording by indicating the time range during which the cited material is found.

Rule 26. Amicus Curiae Briefs.

(a) Without Leave of Court.

(1) Briefs and Petitions.

Amicus curiae briefs in support of any party may be filed without leave of Court within 10 days after that party's initial brief or petition is due. Amicus curiae briefs that address the issue(s) on appeal but do not support any party may be filed without leave of Court within 10 days after the response brief is due.

(2) Applications for Interlocutory and Discretionary Appeals.

Amicus curiae briefs in support of any party may be filed without leave of Court within five days after that party's application or response is due. Amicus curiae briefs that address the issue(s) on appeal but do not support any party may be filed without leave of Court within five days after the response is due. In light of the statutory deadlines for decisions on applications, amicus curiae briefs should be filed as soon as possible so the Court can review them.

(3) Motions for Reconsideration.

Amici may not file motions for reconsideration, but an amicus curiae brief may be submitted in support of a party's motion for reconsideration. Although these briefs may be filed without leave of Court, they must be filed as soon as possible so the Court can review them.

(b) With Leave of Court.

Amicus curiae briefs may be filed after the time periods set out in Rule 26 (a) only with leave of Court. A request for leave to file an amicus curiae brief must be filed in the form of a motion with the proposed brief attached as Exhibit 1. Motions for leave to file amicus curiae briefs related to applications are not favored and will be granted only in extraordinary circumstances.

(c) Disclosure.

Amicus curiae briefs must disclose the identity of the persons on whose behalf the brief is filed. The Court may deny leave to file an amicus curiae brief that would result in the disqualification of a judge.

Rule 27. Supplemental, Amended, and Corrected Briefs.

(a) Guidelines.

Briefs of the parties shall be limited to an appellant's brief, an appellee's brief, and an appellant's reply brief. Supplemental, amended, or corrected briefs may be filed only by leave of the Court. Counsel must file a motion for permission to file supplemental, amended, or corrected briefs, explaining why the supplement, amendment, or correction is necessary, identifying the changes being made, and attaching a copy of the proposed brief as an exhibit. If the motion is granted, any such briefs must comply with the limitation on length in Rule 24 (f). If paper filing, only the original must be filed. A certificate of service must be attached to the supplemental brief, and service must be made upon opposing counsel.

(b) Letter Briefs and Communication with the Court.

Parties are not permitted to file letter briefs. Any communication with the Court regarding recent authority which comes to the attention of a party subsequent to the filing of the party's brief or after oral argument, but before decision, must be filed in compliance with Rule 27 (a) above as a supplemental brief. Any response shall be made promptly and in accordance with this rule.

VIII. ARGUMENT

Rule 28. Oral Argument.

(a) Request, Time, and Remote Participation.

(1) Unless expressly ordered by the Court, oral argument is never mandatory and argument may be submitted by briefs only. A case may be placed on the calendar for oral argument only if the Court grants the request of either party. Oral argument is not permitted for applications or motions.

(2) A request for oral argument shall be filed as a motion within 20 days from the date the case is docketed in this Court. An extension of time to file brief and enumeration of errors does not extend the time to request oral argument.

(3) The request for oral argument must be a separate document, filed with the Clerk, certifying that opposing counsel has been notified of the request and that opposing counsel desires, or does not desire, to argue orally. The request shall identify the counsel who would argue. If any such counsel is a Registered Law Student or Registered Law School Graduate, the request shall identify them accordingly and their supervising attorney and follow the requirements of Rule 9 (h). Any change of counsel shall be communicated to the Clerk as soon as practicable. (Also see Rule 28 (a) (5).)

(4) A request shall contain a brief statement describing with particularity how the decisional process will be significantly aided by oral argument. Conclusory assertions do not comply with this rule. The request should be self-contained and should convey the specific reason or reasons oral argument would be beneficial to the Court. These reasons may include, but are not limited to, that oral argument would simplify an unusually complex case or that the appeal presents an important question of first impression for the Court. The Court will also take into account a statement that the grant of oral argument would further the development of a newer attorney. Counsel should not assume the brief or the record will be considered in ruling on the request for oral argument.

(5) Oral argument will be in person unless the Court directs that it shall be conducted remotely or in a hybrid format. A party may file a request for remote appearance by filing a separate filing ("Request for Remote Appearance"). The request for remote appearance shall specify a reason for the request. Acceptable reasons include, but are not limited to, health concerns, budgetary constraints, and time constraints. The party requesting remote appearance shall contact the opposing party, inquire whether that party also desires to argue remotely, and report on the response in the request. Requests shall not exceed five pages and should be filed no later than seven days before the argument. Requests filed after that date shall state a reason for the delay.

(b) Waiver.

After either side has been granted oral argument, either side may waive argument, but waiver by either party does not remove the case from the oral argument calendar. If either counsel decides to waive oral argument after it has been granted, waiving counsel must notify opposing counsel and the Court of that fact.

Argument shall not be allowed on behalf of any party whose brief has not been timely filed, unless permission is granted by the Court. Counsel who have been granted an extension of time to file a brief after the term to which the case was docketed have waived oral argument.

Oral argument is waived if counsel is not inside the courtroom (whether appearing in person or remotely) when the case is formally called in its order for argument.

(c) Time of Oral Argument.

Postponements of oral argument are not favored, and no postponement shall be granted under any circumstances that would allow oral argument to take place during a term of the Court subsequent to the term to which the case was docketed.

(d) Length.

Argument is limited to 30 minutes for each case, 15 minutes on each side, unless by special leave an enlargement of time is granted.

No additional time shall be granted for argument except on motion made in writing at least five days before the date set for argument. If additional time is granted, the case shall be placed at the end of the calendar unless otherwise ordered by the Court. Appeals, cross-appeals, companion cases, and related cases shall be considered to be one case for purpose of oral argument. In the discretion of the Court, a companion case may be treated as a separate case for oral argument if counsel so requests by written motion at least five days before the date set for oral argument and the motion

is granted by the Court. When there are third parties or additional parties with divergent interests, additional time may be requested and granted as set out above.

(e) Number of Counsel Arguing.

Ordinarily, when both sides of an appeal are argued, only two counsel on each side shall be heard. When only one side of an appeal is argued, or when arguments are made on behalf of more than two parties, no more than one counsel per party shall be heard. For exceptions, see Rule 28 (j), Procedural Questions.

(f) Opening and Concluding.

Appellant has the right to open and conclude the arguments.

(g) Courtroom Decorum.

(1) Counsel appearing for oral argument shall check in with the Clerk in the courtroom (whether appearing in person or remotely) 30 minutes before the time scheduled for oral argument, shall specify who shall argue, and shall disclose if counsel is a Registered Law Student, Registered Law School Graduate, or supervising attorney for the foregoing pursuant to Rule 9 (h).

(2) Those present in the courtroom (whether appearing in person or remotely) shall maintain silence (when not presenting) and decorum, and avoid distracting behaviors. (The lawyers' lounge is available for those needing to talk or engage in potentially distracting activities.)

(3) All counsel appearing before the Court must be properly attired.

(4) Only counsel for the parties may be seated at counsel table.

(h) Recording.

Oral arguments may be recorded. Copies of recordings, if available, may be purchased for $30.

(i) Oral Argument Open to the Public.

Counsel may move the Court to exclude the public during argument for a good cause shown no later than 24 hours before oral argument. News media may be granted permission to photograph or videotape oral argument in accordance with the Court's standing order regarding media in the courtroom.

(j) Procedural Questions.

The Presiding Judge shall decide all questions or issues arising at oral argument.

Rule 29. Hearing by Quorum.

Whenever a Division of the Court is on the bench for the purpose of hearing oral argument, and a quorum (two judges) is present, the Division shall proceed with the call of the docket.

IX. APPLICATIONS FOR INTERLOCUTORY APPEAL

Rule 30. Interlocutory Applications.

(a) Filing Deadline.

An application for interlocutory appeal shall be filed in this Court within 10 days of the entry of the trial court's order granting the certificate for immediate review. The trial court's order is entered on the date it is filed with the trial court clerk.

(b) Burden of Proof.

The applicant bears the burden of persuading the Court that the application should be granted. An application for leave to appeal an interlocutory order will be granted only when it appears from the documents submitted that:

(1) The issue to be decided appears to be dispositive of the case; or

(2) The order appears erroneous and will probably cause a substantial error at trial or will adversely affect the rights of the appealing party until entry of final judgment, in which case the appeal will be expedited; or

(3) The establishment of precedent is desirable.

(c) Jurisdictional Statement, Certificate of Immediate Review and Signatures.

Applications for interlocutory appeal shall contain a jurisdictional statement and have attached a stamped "filed" copy of the trial court's order to be appealed and a stamped "filed" copy of the certificate of immediate review. The trial court's order and certificate of immediate review must contain the signature of the trial court judge. Neither conformed signatures nor stamped signatures shall be accepted except for those courts in which the official practice is for the judge to electronically sign or

stamp his or her signature. The Court shall return any application not containing a stamped "filed" copy of the trial court order or judgment from which the appeal is based or any application not containing a stamped "filed" copy of the certificate of immediate review.

(d) Filing Fee.

The Clerk shall not receive an application unless filing fees have been paid or one or more of the exceptions set out in Rule 5 have been met. See OCGA § 5-6-4. The filing fee shall be in the amount set out in Rule 5. The filing date is the date the application is received in conformity with all court rules and all applicable fees are paid.

(e) Required Attachments.

The applicant shall include with the application a copy of any petition or motion that led directly to the order or judgment being appealed and a copy of any responses to the petition or motion.

(f) Sufficient Materials.

Applications for interlocutory appeal pursuant to OCGA § 5-6-34 (b) must include sufficient material to apprise the Court of the appellate issues, in context, and support the arguments advanced. Failure to submit sufficient material to apprise the Court of the issues and support the argument shall result in denial of the application.

(g) Format.

(1) Efiled Applications.

Applicants who are represented by counsel must efile applications pursuant to Rule 46, Electronic Filing of Documents, and in compliance with this Court's efiling instructions. Pro se parties may either efile or file paper documents.

(i) Application briefs shall follow the requirements of Rule 24, Preparation of Briefs, including the length limitations for computer-generated documents in Rule 24 (f), and shall also follow the general format of Rule 2 (c), Documents.

(ii) Only documents that are directly relevant to the arguments raised should be uploaded as application exhibits.

(iii) Documents and attachments or exhibits to documents filed below shall be uploaded as separate, independent exhibits without cover pages.

(iv) Each uploaded exhibit shall be titled to inform the Court of the nature of the exhibit and shall correspond with the application index and citations in the application brief.

(v) The application index, which shall be uploaded immediately following – and separately from – the application brief, shall identify the exhibits in the order they are uploaded.

(vi) Efiled exhibits shall not exceed a total of 100 pages collectively, exclusive of the application brief, application index, trial court order, certificate of immediate review, and motion with supporting documents leading to the trial court order, any responses and supporting documents, and any transcripts. If the page limit is exceeded, the attorney submitting the application shall include, as a separate document, a signed certificate of good faith stating:

> "*I, the undersigned attorney of record in the above-styled case, certify that all of the documents that have been uploaded as exhibits are directly relevant to the arguments raised in the application, are necessary to apprise the Court of the appellate issues, and support the arguments advanced in the application.*"

If the application materials are nevertheless found to include unnecessary or duplicative exhibits, a sanction of up to $10,000 may be imposed upon the attorney filing the application. See Rule 7 (e) (2), Contempt Penalty.

(vii) Failure to comply with this rule and with the Court's efiling instructions may subject the application to dismissal or return for preparation according to the Court's rules.

(2) Paper-filed applications.

(i) Applications and responses to applications are limited to 30 pages in civil cases and 50 pages in criminal cases, exclusive of attached exhibits and parts of the record, and shall follow the general format of Rule 2 (c), Documents, and Rule 24, Preparation of Briefs.

(ii) Paper-filed applications shall include copies of all supporting materials from the record, indexed and tabbed with a blank sheet between each indexed item.

(iii) Paper-filed applications shall be securely bound at the top with staples or fasteners (round head or ACCO). If not prepared properly, the application is subject to dismissal or return for preparation according to the Court's rules.

Tables of content, tables of citations, cover sheets, and certificates of service are not counted toward the page limit.

(h) No Extension of Time.

No extension of time shall be granted to file interlocutory applications or responses to interlocutory applications.

(i) Response Time.

Responses are due within 10 days of docketing. No response is required, unless ordered by the Court.

(j) Deadline to File Notice of Appeal.

If the interlocutory application is granted, the appellant must file a notice of appeal in the trial court within 10 days of the date of the order granting the application.

(k) Late Filings.

No pleadings will be accepted on an application for interlocutory appeal which are filed more than 30 days after the date of the order granting, denying, or dismissing the application or the motion for reconsideration.

X. APPLICATIONS FOR DISCRETIONARY APPEAL

Rule 31. Discretionary Applications.

(a) Filing Deadline.

An application for discretionary appeal must generally be filed in this Court within 30 days of the date of the entry of the trial court's order being appealed, although pursuant to OCGA § 44-7-56, a discretionary application involving a dispossessory action must be filed within seven days of the entry of the trial court's order. The trial court's order is entered on the date it is filed with the trial court clerk.

(b) Burden of Proof.

The applicant bears the burden of persuading the Court that the application should be granted. An application for leave to appeal a final judgment in cases subject to discretionary appeal under OCGA § 5-6-35 will be granted only when:

(1) Reversible error appears to exist;

(2) The establishment of a precedent is desirable;

(3) Further development of the common law, particularly in divorce cases, is desirable; or

(4) The application is for leave to appeal a judgment and decree of divorce that is final under OCGA § 5-6-34 (a) (1), timely under OCGA § 5-6-35 (d), and is determined to have possible merit.

An application filed by an attorney seeking to rely on the standard set forth in Rule 31 (b) (3) or (b) (4) must be accompanied by a certificate of good faith stating as follows:

> "*I, the undersigned attorney of record in this case, am a member of the State Bar of Georgia in good standing and make this certificate of good faith as required by Rule 31 of the Court of Appeals of Georgia. I hereby certify that I am familiar with the trial court record in this case and based on the record and my understanding of the applicable law, I have a good faith belief that this application has merit and that it is not filed for the purpose of delay, harassment, or embarrassment. I further certify that I have been authorized by my client, the applicant, to file this application.*
>
> *This the _____day of_____, 20__.*"

If the application is nevertheless found to be frivolous, a sanction of up to $10,000 may be imposed upon the attorney filing it. See Rule 7 (e) (2), Contempt Penalty.

(c) Required Items.

Discretionary applications must contain a stamped "filed" copy of the trial court's order or judgment from which the appeal is sought. The stamped "filed" copy of the trial court's order or judgment must contain the signature of the trial court judge. Neither conformed signatures nor stamped signatures are permitted except for those courts in which the official practice is for the judge to electronically sign or stamp his or her signature. The Court will return any application not containing a stamped "filed" copy of the trial court order or judgment on which the application is based.

(d) Filing Fee.

The Clerk shall not receive an application unless filing fees have been paid or an exception set out in Rule 5 has been met. See OCGA § 5-6-4. The filing fee shall be in the amount set out in Rule 5. The filing date is the date the application is received in conformity with all court rules and all applicable fees are paid.

(e) Required Attachments.

The applicant shall include with the application a copy of any petition or motion that led directly to the order or judgment being appealed and a copy of any responses to the petition or motion.

(f) Sufficient Material.

Applications for discretionary appeal pursuant to OCGA § 5-6-35 must include sufficient material to apprise the Court of the appellate issues, in context, and to support the arguments advanced. Failure to submit sufficient material to apprise the Court of the issues and support the argument shall result in denial of the application.

(g) Format.

(1) Efiled applications.

Applicants who are represented by counsel must efile applications pursuant to Court of Appeals Rule 46, Electronic Filing of Documents, and in compliance with this Court's efiling instructions. Pro se parties may either efile or file paper documents.

(i) Application briefs shall follow the requirements of Rule 24, Preparation of Briefs, including the length limitations for computer-generated documents in Rule 24 (f), and shall also follow the general format of Rule 2 (c), Documents.

(ii) Only documents directly relevant to the arguments raised should be uploaded as application exhibits.

(iii) Documents and attachments or exhibits to documents filed below shall be uploaded as separate, independent exhibits without cover pages.

(iv) Each uploaded exhibit must be titled to inform the Court of the nature of the exhibit and to correspond with the application index and citations in the application brief.

(v) The application index, which must be uploaded immediately following – and separately from – the application brief, must identify the exhibits in the order they are uploaded.

(vi) Efiled exhibits may not exceed a total of 100 pages collectively, exclusive of the application brief, application index, trial court order, and motion, with supporting documents leading to the trial court order, and any responses and supporting documents, and any transcripts. If the page limit is exceeded, the attorney submitting the application shall include, as a separate document, a signed certificate of good faith stating:

> "*I, the undersigned attorney of record in the above-styled case, certify that all of the documents that have been uploaded as exhibits are directly relevant to the arguments raised in the application, are necessary to apprise the Court of the appellate issues, and support the arguments advanced in the application.*"

If the application materials are nevertheless found to include unnecessary or duplicative exhibits, a sanction of up to $10,000 may be imposed on the attorney filing the application. See Rule 7 (e) (2), Contempt Penalty.

(vii) Failure to comply with this rule and with the Court's efiling instructions may subject the application to dismissal or return for preparation according to the Court's rules.

(2) Paper-filed applications.

(i) Applications and responses to applications are limited to 30 pages in civil cases and 50 pages in criminal cases, exclusive of attached exhibits and parts of the

record, and shall follow the general format of Rule 2 (c), Documents, and Rule 24, Preparation of Briefs.

(ii) Paper-filed applications shall include copies of all supporting materials from the record, indexed and tabbed with a blank sheet between each indexed item.

(iii) Paper-filed applications shall be securely bound at the top with staples or fasteners (round head or ACCO). If not prepared properly, the application is subject to dismissal or return for preparation according to the Court's rules. Tables of content, tables of citations, cover sheets, and certificates of service are not counted toward the page limit.

(h) No Extension of Time.

No extensions of time will be granted to file a discretionary application unless a motion for extension is filed on or before the application due date. The motion for an extension of time shall be submitted pursuant to Rule 40 (b), Emergency Motions. The filing fee for the Rule 40 (b) motion is separate from the discretionary application fee. No extension of time will be granted to file a response to a discretionary application.

(i) Response Time.

Responses are due within 10 days of docketing. No response is required, unless ordered by the Court.

(j) Deadline to File Notice of Appeal.

If the discretionary application is granted, the appellant must file a notice of appeal in the trial court within 10 days of the date of the order granting the application.

(k) Late Filings.

No pleadings will be accepted on an application for discretionary appeal which are filed more than 30 days after the date of the order granting, denying, or dismissing the application or denying or dismissing the motion for reconsideration.

XI. TRANSFER OF APPLICATIONS

Rule 32. Transfer of Applications.

Applications to appeal interlocutory or discretionary orders of which the Supreme Court has jurisdiction shall be transferred to that Court.

XII. DECISIONS AND JUDGMENTS

Rule 33. Judgment Lines.

The judgment line of a decision shall show the vote of each participating judge. If a case is decided by the Court sitting en banc, the judgment line shall also indicate which judges, if any, did not participate.

Rule 33.1. Number of Judges.

A case will be heard and determined by a single division of the Court, except when the case is approved to receive en banc consideration by all nondisqualified judges of the Court. See OCGA § 15-3-1 (c) (2) (authorizing the Court of Appeals to provide by rule for certain cases to be heard and determined by more than a single division).

Rule 33.2. Judgment as Precedent.

(a) Effective Dates.

(1) Effective August 1, 2020: If an appeal is decided by a division of this Court or by the Court sitting en banc, a published opinion in which a majority of the judges fully concur in the rationale and judgment of the decision is binding precedent.

(2) Prior to August 1, 2020: If an appeal was decided by a division of this Court, a published opinion in which all three panel judges fully concur is binding precedent. An opinion is physical precedent only (citable as persuasive, but not binding, authority), however, with respect to any portion of the published opinion in which any of the panel judges concur in the judgment only, concur specially without a statement of agreement with all that is said in the majority opinion, or dissent.

(3) Prior to August 1, 2020: If an appeal was decided by this Court sitting en banc, an opinion, or portion of an opinion, in which a majority of participating judges fully concur is binding precedent. An opinion is physical precedent only (citable as persuasive, but not binding, authority), however, with respect to any portion of the published opinion in which concurrences in the judgment only, special concurrences without a statement of agreement with all that is said, or dissents result in a full concurrence by fewer than a majority of the participating judges in that portion of the opinion.

The opinion of a case that is physical precedent shall be marked as such when it is cited.

(b) Unreported Decision.

A decision that is not officially reported is neither physical nor binding precedent, but shall be binding in all subsequent proceedings in that case as provided by OCGA § 9-11-60 (h).

(c) Per Curiam Decision.

Deleted May 16, 2018.

Rule 33.3. Cases Overruling Precedent.

Prior decisions of the Court may be overruled by a single division of the Court after consultation with the other nondisqualified judges on the Court, provided the decision of the division is unanimous. Otherwise, prior decisions of the Court may be overruled after en banc consideration of all nondisqualified judges of the Court by a majority of the participating judges. See OCGA § 15-3-1 (d) (authorizing the Court of Appeals to provide by rule the manner in which prior decisions of the Court may be overruled).

Rule 34. Reporting of Opinions.

Opinions are reported except as otherwise designated by the Court. The Official Reports shall list the cases in which opinions were written but not officially reported and shall indicate the authors of and participants in the opinions.

Rule 35. Copies of Opinions.

As soon as practicable after judgment, the Clerk shall furnish, without charge, a copy of the opinion to counsel for each party and to the trial judge. Additional copies cost $1.50 per page.

Rule 36. Affirmance without Opinion, When Rendered.

Cases may be affirmed without opinion if:

(1) The evidence supports the judgment;

(2) No reversible error of law appears and an opinion would have no precedential value;

(3) The judgment of the court below adequately explains the decision; or

(4) The issues are controlled adversely to the appellant for the reasons and authority given in the appellee's brief.

Rule 36 cases have no precedential value.

XIII. RECONSIDERATION

Rule 37. Motions for Reconsideration.

(a) Physical Preparation.

Motions for reconsideration shall be prepared in accordance with Rule 24, Preparation of Briefs. Motions for reconsideration and responses to motions for reconsideration shall be limited to 4,200 words. Each submission must contain the following certification just above the signature block of the submitting attorney. "This submission does not exceed the word count limit imposed by Rule 24." The person signing the certificate may rely on the word count of the word-processing system used to prepare the brief.

(b) Time of Filing.

Subject to Rule 3, Due Date, and Rule 4 (d), Electronic Filing/Motions for Reconsideration, or as otherwise ordered by the Court, motions for reconsideration must be filed within 10 days from the rendition of the judgment or dismissal. To be timely, motions for reconsideration must be received via efiling or paper copy by 4:30 p.m. Motions for reconsideration received via efiling or by paper copy after close of business (4:30 p.m.) will be deemed received on the next business day. No extension of time shall be granted except for providential cause on written motion made before the expiration of 10 days. No response to a motion for reconsideration is required, but any party wishing to respond must do so expeditiously.

(c) Time May Be Limited.

The Court may by special order in any case direct that the remittitur be transmitted to the clerk of the trial court immediately after the decision and judgment are rendered, or at any other time, without awaiting the expiration of 10 days, and may by special order limit the time within which a motion for reconsideration may be filed to any period less than 10 days.

(d) Second Motion.

No party shall file a second motion for reconsideration unless permitted by order of the Court. If not permitted by the Court, the Clerk will return the filing. The filing of a motion for permission to file a second motion for reconsideration does not toll the

10 days for filing a notice of intent to apply for certiorari with the Supreme Court of Georgia.

(e) Basis for Granting.

A reconsideration shall be granted on motion only when it appears that the Court overlooked a material fact in the record, a statute, or a decision which is controlling as authority and which would require a different judgment from that rendered, or has erroneously construed or misapplied a provision of law or a controlling authority.

(f) Opinion May Be Revised without Grant of Motion.

Upon the consideration of a motion for reconsideration, the Court may determine that its judgment is correct but that revision is appropriate, and may therefore revise the opinion without granting the motion for reconsideration.

(g) Voting on Motions, Effect.

A motion for reconsideration shall be voted on only by the judges who voted on the original decision, except where the Court deems a case appropriate for en banc consideration during the reconsideration period or in other circumstances as deemed appropriate by the Court.

(h) No Oral Argument.

Oral argument is not permitted on a motion for reconsideration.

XIV. CERTIORARI

Rule 38. Petition for Writ of Certiorari.

(a) Supreme Court of Georgia.

(1) Notice of the intention to petition for a writ of certiorari must be filed with the Clerk of this Court within 10 days after the judgment or, if a motion for reconsideration is filed, within 10 days after the order ruling on that motion. See Rule 39 (a), Remittitur. Filing a motion for reconsideration is not a prerequisite for petitioning for a writ of certiorari.

(2) A petition for writ of certiorari to the Supreme Court of Georgia is governed by the rules of that Court. Notice of filing a petition for writ of certiorari shall be filed in this Court on the same day the petition is filed in the Supreme Court.

(b) Supreme Court of the United States.

(1) Notice of the intention to petition for writ of certiorari to the Supreme Court of the United States shall be filed with the Clerk of this Court within 20 days after the Supreme Court of Georgia denies a petition for a writ of certiorari to that court.

(2) A petition for writ of certiorari to the Supreme Court of the United States is governed by the rules of that Court. Notice of filing a petition for a writ of certiorari shall be filed in this Court on the same day as the petition is filed in the Supreme Court of the United States.

XV. REMITTITUR

Rule 39. Transmittal.

(a) Remittiturs will be transmitted to the clerk of the trial court as soon as practicable after the expiration of 10 days from the date of the judgment, unless otherwise ordered or unless a motion for reconsideration or notice of intention to apply to the Supreme Court of Georgia for writ of certiorari has been filed.

(b) Notice of the intention to apply to the Supreme Court of the United States for writ of certiorari generally will not stay the remittitur.

XVI. SUPERSEDEAS AND EMERGENCY MOTIONS

Rule 40. Supersedeas and Emergency Motions.

(a) Supersedeas in Civil Cases.

The notice of appeal filed as provided in OCGA §§ 5-6-34 (a), 5-6-37, and 5-6-38 shall serve as supersedeas upon payment of all costs in the trial court by the appellant. See OCGA § 5-6-46. Upon motion by the appellee, made in the trial court before or after the appeal is docketed in the appellate court, the trial court may require a supersedeas bond to be given with such surety and in such amount as the trial court may require. The filing of an application for discretionary appeal shall act as a supersedeas to the same extent as a notice of appeal. See OCGA § 5-6-35 (h).

(b) Emergency Motions.

In the exercise of its inherent power, this Court may issue such orders or give such direction to the trial court as may be necessary to preserve jurisdiction of an appeal or to prevent the contested issue from becoming moot. This power shall be exercised sparingly. Generally, no order shall be made or direction given in an appeal until it has been docketed in this Court.

A Rule 40 (b) motion shall:

(1) Contain an explanation why an order of this Court is necessary and why the action requested is time-sensitive;

(2) Contain a stamped "filed" copy of the order being appealed;

(3) Contain a stamped "filed" copy of the notice of appeal, if one has been filed in the trial court;

(4) Show that service was perfected upon the opposing party contemporaneously with or before filing the motion with the Court; and

(5) Be accompanied by the filing fee or evidence that one or more of the fee waiver provisions of Rule 5 apply, unless the motion is filed in a pending case already docketed with the Court. The filing fee shall be in the amount set out in Rule 5, Filing Fees.

(c) Original Petitions.

In the exercise of its power under Ga. Const. Art. VI, Sec. I, Par. IV this Court may issue process in the nature of mandamus to the trial court as may be necessary in aid

of its jurisdiction or to protect or effectuate its judgments. This Court's original mandamus jurisdiction is narrow and will be exercised sparingly.

An original petition seeking mandamus shall contain the following:

(1) An explanation why an order of this Court is necessary and why mandamus jurisdiction lies in this Court rather than a superior court. This Court has original mandamus jurisdiction in order to effectuate its judgments, generally in situations when it has issued a judgment and opinion that the trial court later refuses to follow in the same case. In any other circumstance, an original mandamus petition filed in this Court must show why this Court has jurisdiction;

(2) The prior judgment of this Court, where applicable, that would be effectuated by an exercise of original mandamus jurisdiction;

(3) Sufficient material to apprise the Court of the issues, in context, and to support the arguments advanced; and

(4) Proof that service was perfected upon the opposing party and upon the officer whose compelled performance is required contemporaneously with or before filing the mandamus petition with the Court.

Failure to submit sufficient material to apprise the Court of the issues and support the argument may result in the dismissal or denial of the mandamus petition.

XVII. MOTIONS AND RESPONSES

Rule 41. Preparation and Filing.

(a) Filing.

Paper-filed motions and responses to motions shall be filed as set out in Rule 6, Copies and Certificate of Service. Efiled motions and responses shall be filed in accordance with Rule 46, Electronic Filing of Documents. Motions, not letters, shall be filed whenever counsel wish the Court to take any action.

(b) Form and Physical Preparation.

All motions and responses to motions shall be filed as separate documents, and not as joint, compound, or alternative motions. No motions or responses to motions shall be filed in the body of briefs, applications, or responses to applications. Motions and responses shall be prepared in accordance with Rule 24, Preparation of Briefs, and if efiled, limited to 4,200 words as certified by the filer. Paper filers are limited to 15 pages. Parties may cite to the record, but shall not attach any document to the motion or response. This prohibition does not apply to Rule 27 (a) motions to file supplemental briefs that may include as an exhibit a copy of the brief, Rule 40 (b) emergency motions that may contain attachments, or Rule 44 motions to recuse or disqualify that must include affidavits.

(c) Motion to Supplement the Record.

In a motion to supplement the record, counsel shall specifically describe the material to be supplemented and include the date the material was filed in the trial court, but shall not attach the supplemental materials to the motion unless directed to do so by the Court. The movant must assist the trial court clerk in locating the material when necessary. If the motion is granted, the Clerk of this Court will obtain the supplemental record from the trial court clerk.

(d) Motion to Dismiss.

Notice of a motion to dismiss and the grounds thereof shall be given in writing to counsel for the appellant by service made and shown as required in Rule 6, Copies and Certificate of Service. If notice cannot be given, the motion shall be entertained and the Court in its discretion shall give direction as it deems proper. If the Court determines that it has no jurisdiction over a pending appeal, the appeal shall be dismissed or transferred to the Supreme Court.

(e) Response Time to Motions.

Responses to motions should be made as soon as possible. There is no 10-day rule for time to respond to motions.

(f) Motion to Reconsider.

See Rule 37, Motions for Reconsideration.

(g) Motion to Withdraw Appeal.

(1) An appellant who decides not to pursue an appeal shall promptly file a motion for permission to withdraw it.

(2) In a criminal case, unless the State is the appellant, the motion shall include an affidavit from the defendant agreeing to the withdrawal of the appeal. Should the defendant refuse to provide an affidavit, counsel shall advise the Court of that fact and state in the motion the grounds for withdrawing the appeal.

XVIII. DOCUMENT RETENTION

Rule 42. Access to and Retention of Office Papers.

(a) One Year Retention Unless Party Requests Longer Period.

The Court will maintain the record of an appeal for one year after the remittitur date unless a party asks the Court in writing to maintain the record for an additional six months, and explains why. The requesting party must send an additional request fourteen days before the expiration of each six-month period to avoid the record being destroyed. The Court will not provide any notice that the record is being destroyed other than that contained in the notice of remittitur. Pursuant to Rule 46 (a), counsel are required to file these requests via the Court's eFast system. Pro se parties must submit their requests in writing.

(b) Anticipated Appeal or Return to Court of Appeals.

If the parties anticipate that the case will return to the Court or be appealed to the Supreme Court of the United States, the parties must notify the Clerk, in writing, to hold the record in accordance with the requirements in Rule 42 (a).

(c) Notification of Prior Record.

After an appeal is docketed in this Court, an appellant who intends to rely on the record in a prior appeal of the same case, and who has previously notified the Clerk to hold the record in accordance with Rule 42 (a) and (b), shall promptly notify the Court of that intention. This notice should be filed as "Information" on the Court docket and should be served on opposing counsel or parties.

XIX. PARTIES

Rule 43. Changing, Substituting Parties.

(a) Notice of Death of Party.

Either party in a pending appeal may provide notice to the Court of the death of a party to the appeal. This notice should be filed as "Information" on the Court docket and should be served on opposing counsel or parties.

(b) Legal Representative May Volunteer.

The legal representative of a deceased party may voluntarily become a party to the appeal at any time.

(c) Temporary Administrator.

A temporary administrator is regarded as a competent party to substitute for the deceased.

(d) Substituted Party.

When a party seeks to be substituted in a case, the party shall file a motion in this Court and serve opposing counsel.

XX. DISQUALIFICATIONS AND RECUSALS

Rule 44. Disqualifications and Recusals.

(a) Motion Content.

Any motion to recuse or disqualify a judge in a particular case shall be filed in writing, and shall contain evidence and affidavits that fully assert the facts upon which the

motion is founded. The motion must be filed within 20 days of docketing unless good cause is shown for failure to meet the time requirement.

(b) Affidavit Requirement.

The supporting affidavit shall clearly state the facts and reasons for the belief that bias or prejudice exists, being definite and specific as to time, place, persons, and circumstances that demonstrate either bias or prejudice in favor of or against either party, or demonstrate a systematic pattern of prejudicial conduct. Affidavits containing conclusions and opinions are not legally sufficient to support the motion or to warrant further proceedings.

(c) Base for Determination.

The determination of the recusal motion shall be made upon the written record, and no hearing or oral argument will be permitted.

(d) Decision by Three Judges; Criteria.

A motion to disqualify or recuse a judge shall be decided by the remaining two judges on the Division and the presiding judge of the next Division. A judge may, however, voluntarily disqualify himself or herself before the matter is decided by the other judges. The criteria for disqualification are set forth in statutory law, case law, and the Code of Judicial Conduct.

(e) Process for Disagreement.

If the three judges designated to determine a motion to disqualify or recuse a judge do not agree on the decision, the matter shall be decided by a majority of the other judges on the Court not named in the motion to disqualify or recuse.

(f) Other.

Any motion for disqualification or recusal of multiple judges in which the above process will be unsuitable will be dealt with by the Court on a case-by-case basis.

XXI. EXPEDITED APPEALS UNDER THE PARENTAL NOTIFICATION ACT

Rule 45. Parental Notification Act.

(a) Authority.

This rule is adopted under the authority of the Georgia Constitution, Article VI, § I, Para. IV (1983) and OCGA §§ 15-1-5 and 15-11-684 (e) to provide for the expedited consideration of appeals under the "Parental Notification Act." (OCGA § 15-11-680 et seq.)

(b) Eligibility to File and Computing Time.

Any minor to whom a juvenile court has denied a waiver of notice under OCGA § 15-11-684 (c) may obtain an expedited appeal to this Court. For the purpose of this rule, in computing time, Saturdays, Sundays and holidays shall be included. Rule 3, Due Date, shall govern in the event a final due date falls on one of those days.

(c) Process.

A minor seeking an expedited appeal shall file a notice of appeal and a certified copy of the order denying waiver of notice with the Clerk of this Court. A copy of the notice of appeal shall also be filed with the juvenile court. The name, address and telephone number of the Guardian Ad Litem and any counsel of record shall be included with the notice of appeal. Upon receipt of the notice of appeal, this Court shall issue an order to the juvenile court directing that the record and transcript of the hearing be transmitted to and received by this Court within 5 days from the date of filing the notice of appeal with this Court. An enumeration of errors shall be filed within the time period for the filing of the record. If a brief is desired, it shall also be filed within the time period for the filing of the record. No filing fee is required.

(d) Trial Court Record.

The record of the juvenile court shall be certified by the clerk of the juvenile court and transmitted to this Court under seal.

(e) Case Assignment.

The Clerk shall assign the appeal to a Division of this Court, which shall take the matter under consideration and shall issue its decision within 5 days of receipt of the record.

(f) Motion for Reconsideration.

In order to expedite further appellate review, a motion for reconsideration shall not be required. However, if the decision of this Court affirms the judgment of the juvenile court, the minor may file a motion for reconsideration and the same shall be governed by Rule 37, except that such a motion shall be filed within 5 days from the date of the decision of this Court and may be filed out of term. Any motion for reconsideration shall be decided by the Court within 5 days of filing thereof.

(g) Remittitur.

If the decision of this Court reverses the judgment of the juvenile court, the remittitur shall be forwarded to the clerk of the juvenile court immediately after the rendition of the decision. If the decision of this Court affirms the judgment of the juvenile court, the remittitur shall be transmitted to the clerk of the juvenile court as soon as practicable after the expiration of 5 days from the date of the judgment unless otherwise ordered or unless a motion for reconsideration or notice of intention to apply to the Supreme Court of Georgia for writ of certiorari has been filed.

(h) Expediting Case.

Upon good cause shown, the Court shall enter such orders as shall further expedite the processing of these cases.

(i) Filing Notice of Appeal.

In order to invoke the foregoing special procedures, the notice of appeal must be filed within 5 days of receipt by the minor of the juvenile court's order.

(j) Sealing Record.

All pleadings, briefs, orders, transcripts, exhibits and any other written or recorded material that are part of the record shall be considered and treated by the Court as confidential. Upon conclusion of the appellate proceedings, the record shall be sealed, and the contents of the record shall not be disclosed, except upon order of this Court or the Supreme Court of Georgia.

XXII. ELECTRONIC FILING OF DOCUMENTS

Rule 46. Electronic Filing of Documents.

(a) Counsel Required to File Via the Court's eFast System.

Counsel are required to use the Court's electronic filing system, eFast, and to follow the policies and procedures governing electronic filing as set forth in the Court's instructions at http://www.gaappeals.us/eFile2/.

For example, the following must be filed electronically: all briefs, motions (including motions for reconsideration and emergency motions), applications for interlocutory and discretionary appeals, notices of intent to petition for certiorari, and notices of filing a petition for writ of certiorari. The filing date and time of documents filed electronically is determined in accordance with the efiling instructions. Note that filings that fail to comply with Court rules will be rejected and the filing date will be the date the item is submitted in compliance with Court rules. Motions for reconsideration that are received after 4:30 p.m. are considered to be filed the next business day. The Clerk of Court may grant a request for exemption from mandatory electronic filing for good cause shown. An adverse decision by the Clerk of Court may be appealed by motion via a paper filing.

(b) Consequence of Failure to Register With Court's eFast System.

Attorneys who fail to register with the Court's eFast system will receive no further communication from the Court (i.e., court orders, opinions, etc.) through the United States Postal Service other than the original docketing notice.

(c) Counsel's Personal Responsibility to Update eFast System.

Any change of physical address, telephone number, or email address must be made by the attorney in the Court's eFast system. Attorneys are personally responsible for ensuring that their eFast profile information is up to date. The Court will not make these changes. Attorneys are encouraged to register an additional "CC" email address for their administrative assistant or another point of contact.

The attorney who uploads a document into the Court's eFast system from that attorney's eFast account will be listed as the attorney of record.