

## **NEW CHILDREN'S FAST TRACK RULES AT A GLANCE**

*Summary of Rule Changes Applicable to Appeals in the Superior Court  
(effective March 16, 2009)*

### **Categories of Children's Fast Track cases:**

Appeals from orders involving dependency, termination of parental rights, adoptions, custody and paternity are designated as Children's Fast Track appeals. ***Pa.R.A.P. 102.***

### **Notice of appeal:**

The notice of appeal shall include a statement that the appeal is a children's fast track appeal. ***Pa.R.A.P. 904(f).***

The clerk must stamp the notice of appeal with "Children's Fast Track" designation in red ink. ***Pa.R.A.P. 905(b).***

The concise statement of errors complained of on appeal must be filed with the notice of appeal and served pursuant to Pa.R.A.P. 1925(b)(1). ***Pa.R.A.P. 905(a)(2).***

### ***Concise Statement of Errors Complained of on Appeal:***

The concise statement of errors complained of on appeal must be filed and served with the notice of appeal required by Rule 905. ***Pa.R.A.P. 1925(a)(2)(i).***

Upon receipt of the notice of appeal and the concise statement, if the reasons for the subject order do not already appear in the record, the judge who entered the order must, within 30 days, file at least a brief opinion indicating the reasons for the order. ***Pa.R.A.P. 1925(a)(2)(ii).***

### **Certified record:**

The record on appeal, including transcripts and exhibits necessary for determination of the appeal, must be transmitted to the appellate court within 30 days after the notice of appeal is filed. ***Pa.R.A.P. 1931(a)(2).***

### **Dispositive motions:**

Dispositive motions must be filed within 10 days of filing the concise statement of errors complained of on appeal or within 10 days of trial court's filing of its Rule 1925(a) opinion, whichever period expires last. ***Pa.R.A.P. 1972(b).***

### **Designation of contents of reproduced record:**

No later than 23 days before the date fixed for serving and filing appellant's brief, appellant must serve and file a designation of those parts of record he or she intends to reproduce, and a brief statement of issues for review. ***Pa.R.A.P. 2154(c)(1).***

Within 7 days after receipt of appellant's designation, appellee may serve and file a designation of those parts of the record not designated by the appellant, and that appellee deems necessary to bring to the attention of the court. ***Pa.R.A.P. 2154(c)(1).***

The provisions of Pa.R.A.P. 2154(b), with respect to large records, do not apply in a children's fast track appeal. *Pa.R.A.P. 2154(c)(2)*.

**Briefs:**

The front cover of the brief must include a statement that the appeal is a children's fast track appeal. *Pa.R.A.P. 2172(b)*.

Appellant's brief must be served and filed within 30 days after the date the record is filed. Appellee's brief must be filed within 21 days after service of appellant's brief and reproduced record. *Pa.R.A.P. 2185(a)(2)*.

A party may serve and file a reply brief within 7 days after service of the preceding brief. Except for good cause shown, a reply brief must be served and filed so as to be received at least 3 days before argument. *Pa.R.A.P. 2185(a)(2)(i)*.

In cross appeals, the second brief of the deemed or designated appellant must be served and filed within 21 days of service of the deemed or designated appellee's first brief. *Pa.R.A.P. 2185(a)(2)(i)*.

A deferred briefing schedule does not apply in a Children's Fast Track appeal. *Pa.R.A.P. 2185(a)(2)(ii)*.

**Reargument:**

An application for reargument must be filed with the prothonotary within 7 days after entry of the judgment or order. *Pa.R.A.P. 2542(a)(2)*.

An adverse party may file an answer to an application for reargument within 7 days after service of the application. *Pa.R.A.P. 2545(b)*.