

Rule 55. ~~on~~ in child welfare appeals.

(a) Filing; dismissal for failure to timely file. The appellant ~~shall~~ must file the petition on appeal with the clerk of the Court of Appeals ~~an original and four copies of the petition on appeal.~~ The ~~petition on appeal must be filed with the appellate clerk~~ within 15 days from the filing of the notice of appeal or the amended notice of appeal. If the petition on appeal is not timely filed, the appeal ~~shall~~ will be dismissed. It ~~shall~~ must be accompanied by proof of service. ~~The~~ If the petition shall be is delivered by first-class mail, it is deemed filed on the date of the postmark ~~if first-class mail is utilized.~~ The appellant ~~shall~~ must serve a copy on counsel of record of each party, including the Guardian ad Litem, or, if the party is not represented by counsel, then on the party ~~at the party's last known address,~~ in the manner prescribed in Rule 21(c).

(b) Preparation by trial counsel. The petition on appeal ~~shall~~ must be prepared by appellant's trial counsel. Trial counsel may ~~only~~ be relieved of this obligation by the juvenile court only upon a showing of extraordinary circumstances. Claims of ineffective assistance of counsel do not constitute extraordinary circumstances but should be raised by trial counsel in the petition on appeal.

(c) Format. ~~All~~ The petitions on appeal ~~shall~~ must comply with Rule 27(a) and substantially comply with the Petition on Appeal form that accompanies these rules. The petition ~~shall~~ may not exceed 15 pages, excluding the attachments required by ~~Rule 55(d)(6) paragraph (d)(7).~~ The petition shall be typewritten, printed or prepared by photocopying or other duplicating or copying process that will produce clear, black and permanent copies equally legible to printing, on opaque, unglazed paper 8 1/2 inches wide and 11 inches long. Paper may be recycled paper, with or without deinking. The printing must be double spaced, except for matter customarily single spaced and indented. Margins shall be at least one inch on the top, bottom and sides of each page. Page numbers may appear in the margins. Either a proportionally spaced or monospaced typeface in a plain, roman style may be used. A proportionally spaced typeface must be 13 point or larger for both text and footnotes. Examples are CG Times, Times New Roman, New Century, Bookman and Garamond. A monospaced typeface may not contain more than ten characters per inch for both text and footnotes. Examples are Pica and Courier.

(d) Contents. The petition on appeal ~~shall~~ must include all of the following elements:

(d)(1) A statement of the nature of the case and the relief sought.

(d)(2) The entry date of the judgment or order on appeal.

(d)(3) The date and disposition of any post-judgment motions.

(d)(4) A concise statement of the material adjudicated facts as they relate to the issues presented in the petition on appeal.

(d)(5) A statement of the legal issues presented for appeal, how they were preserved for appeal, and the applicable standard of review. The issue statements should be concise in nature, setting forth specific legal questions. General, conclusory statements, such as "the juvenile court's ruling is not supported by law or the facts," are not acceptable.

37 (d)(6) The petition on appeal should include citations to supporting statutes, case law, and other
38 legal authority for each issue raised, including authority contrary to appellant's case, if known.

39 (d)(7) The petition on appeal ~~shall have attached to it~~ must include a copy of or a link to:

40 (d)(7)(A) ~~a copy of~~ the order, judgment, or decree on appeal;

41 (d)(7)(B) ~~a copy of~~ any rulings on post-judgment motions.

42 **(e) Compliance with Rule 21.** Petitions made under this rule that contain information or records
43 classified as other than public must comply with Rule 21(g).

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