

Court of Appeals of the State of Georgia

ATLANTA, September 9, 2025

The Court of Appeals hereby passes the following order:

It is hereby ordered that the following Court Rules are amended:

I. GENERAL

Rule 7. Contempt.

- (e) No Prosecution, Frivolous Appeals, and Penalties.
- (2) Penalty

IX. APPLICATIONS FOR INTERLOCUTORY APPEAL

Rule 30. Interlocutory Applications.

- (g) Format.
 - (1) Efiled Applications.
 - (vi)

X. APPLICATIONS FOR DISCRETIONARY APPEAL

Rule 31. Discretionary Applications.

- (b) Burden of Proof.
- (g) Format.
 - (1) Efiled Applications.
 - (vi)

The complete rule changes are attached with the added language bolded and deleted language struck out of the amended rule. These rules of the Court of Appeals of Georgia are adopted effective October 9, 2025, and will be applied to all cases decided by the Court of Appeals on or after that date.

Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, September 9, 2025

I certify that the above is a true extract from the minutes of the Court of Appeals of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.



Christina Coley Smith, Clerk

I. GENERAL

...

Rule 7. Contempt.

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

...

(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 ~~\$2,500~~ **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.

...

IX. APPLICATIONS FOR INTERLOCUTORY APPEAL

Rule 30. Interlocutory Applications.

...

(g) Format.

(1) Efiled Applications.

...

(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 ~~\$2,500~~ **10,000** may be imposed upon the attorney filing the application. See Rule 7 (e) (2), Contempt Penalty.

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X. APPLICATIONS FOR DISCRETIONARY APPEAL

Rule 31. Discretionary Applications.

...

(b) Burden of Proof.

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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 ~~\$2,500~~ **10,000** may be imposed upon the attorney filing it. See Rule 7 (e) (2), Contempt Penalty.

...

(g) Format.

(1) Efiled Applications.

...

(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 ~~\$2,500~~ **10,000** may be imposed on the attorney filing the application. See Rule 7 (e) (2), Contempt Penalty.