

**THIRD DISTRICT COURT OF APPEAL
STATE OF FLORIDA**

**ADMINISTRATIVE ORDER RE: ELECTRONIC FILING OF
APPELLATE RECORDS**

AO3D13-04

May 28, 2013

1) **Beginning Date for Electronic Submission of Record on Appeal.** Effective July 1, 2013, the circuit courts in Miami-Dade and Monroe counties in lieu of paper records, shall prepare and submit records on appeal to this Court electronically. Paper copies of the record must be served on the parties as specified by the Florida Rules of Appellate Procedure unless the parties agree to accept an electronic copy or until electronic copies are required to be served on the parties by Florida Rule of Judicial Administration 2.516.¹ Copies of electronic records will not be returned to the lower court, but will be retained in eDCA. The electronic record will constitute the official record on appeal filed with the Court.

2) **Format of Electronic Record.** The submission of records on appeal electronically must be made in Adobe portable document format (pdf) and in accordance with this Court's procedures for filing electronic records through the Court's FTP server. The record must be properly indexed and bookmarked or hyperlinked and fully searchable. The electronic record shall be compiled in the format specified by Florida Rule of Appellate Procedure 9.200, and shall include an index, a copy of the lower court, lower tribunal, or state agency progress docket and a certification page containing a scanned or electronic copy of the clerk's certification. The clerk's certification should contain the clerk's name, address, phone number and email address. The clerk shall redact the document in compliance with Florida Rule of Judicial Administration 2.420(d), and the documents contained in the record on appeal shall be the redacted version. A party

¹ *In Re: Amendments To The Florida Rules Of Judicial Administration, The Florida Rules Of Civil Procedure, The Florida Rules Of Criminal Procedure, The Florida Probate Rules, The Florida Rules Of Traffic Court, The Florida Small Claims Rules, The Florida Rules Of Juvenile Procedure, The Florida Rules Of Appellate Procedure, And The Florida Family Law Rules Of Procedure-Electronic Filing*, No. SC11-399 (Fla. June 21, 2012).

may file a motion in this Court for the inclusion of the unredacted version of a document in the record on appeal, respecting the confidentiality of such documents as required under Rule 2.420. With the exception of sealed or confidential records, all volumes of the record on appeal being submitted to the Court electronically must be included in the same document, except as limited by the FTP server.

Electronic records must be complete and readable. Lower tribunal, lower court and state agency clerks may be required to re-send an electronic record if it is missing pages, missing volumes, is not properly indexed or hyperlinked, or if portions of the record are unreadable.

3) Naming Conventions. The standard naming convention which must be used is: "2DigitCaseYear-CaseNumber-record.pdf" (i.e., 3D12-123 would be uploaded as: *12-123-record.pdf*). If a case number has not been assigned yet, the file should be named as: AppellantLastName_LowerTribunalCaseNumber-record.pdf, (i.e., *Jones_2009-00201S7CA-record.pdf*).

(a) Multiple Volume Record. If a multiple volume record requires more than one pdf document, each pdf shall be consecutively numbered by placing a numeral after the word "record" in the name, (i.e. if 3D12-123 had a multiple volume record, the second pdf would be named *12-123record2.pdf*).

(b) Supplemental Record. Subsequently filed volumes of supplemental record must be transmitted as separate documents using the naming convention "2DigitCaseYear-CaseNumber-record-Supp1.pdf", (i.e. *12-123-record-Supp1.pdf*) Additional supplemental records should be numbered consecutively: *12-123-record-Supp2, Supp3, etc.*

(c) Confidential and Sealed Records. Confidential and sealed records must be submitted in a pdf document separate from any other portion of the record also being electronically filed with the Court. Sealed or confidential records should be combined and submitted as a separate pdf file and named using the naming convention "2DigitCaseYearCaseNurnber-Sealed-record.pdf", (i.e., *12-123-Sealed-record.pdf*).

4) Transcripts. If a record on appeal contains transcripts, those should be electronically filed with the record on appeal and not as a separate pdf file.

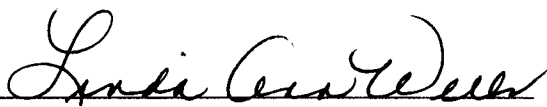
5) Index. A copy of the index to all volumes of the record must be contained at the beginning of the record. Summary records shall also be indexed and

bookmarked or hyperlinked, and sent separately from the Notice of Appeal. Electronic records containing known confidential information must be marked on the cover page and, if possible, the specific documents containing the confidential information should be marked on the index to the record. Transmittal letters are not permitted to be filed electronically or in paper with the record on appeal.


6) **Date of Filing.** The date of filing an electronic record shall be the date it is actually received by the Court up to 11:59 p.m. Eastern Time on that date. Any record efiled at or after midnight will be deemed to have been filed on the next business day. Electronic filings made on a weekend, a holiday or any other day the Court is closed will be deemed to be filed on the next business day.

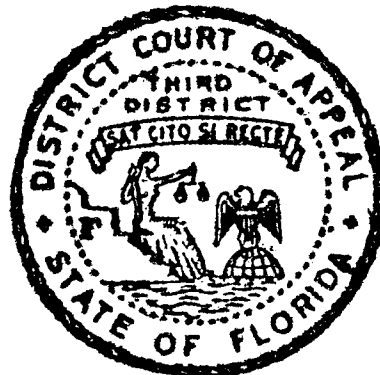
7) **Exhibits.** Paper exhibits (including photographs) should be indexed, scanned, and transmitted electronically. To be viewable electronically, pictures should be scanned in color, if possible, or if not, then in grayscale. If a party wishes to request that the actual exhibits or physical evidence, and not an electronic version, be sent to this Court with the record on appeal, the party shall specify this in designations to the clerk. If a party wishes to request that the actual exhibits or physical evidence be sent to the Court with the record on appeal, that party shall file a motion specifically addressing the need for the Court to receive the designated exhibits and justify why the filing of the physical evidence or exhibits is necessary.

DONE AND ORDERED at Miami, Florida, on May 28, 2013.


Linda Ann Wells
Chief Judge

ATTEST:


Mary Kay Blanks
Clerk of Court



Copies to:

Hon. Harvey Ruvlin, Miami-Dade County, Clerk of Court

Hon. Amy Heavlin, Monroe County, Clerk of Court

Third District Court of Appeal Judges