

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT

November 18, 2015

ADMINISTRATIVE ORDER 2015-1
In re: Electronic filing of appellate records

- 1) Electronic filing of appellate records. Effective January 5, 2016, the circuit court clerks in Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, and Sarasota counties and the agency clerks shall prepare and submit records on appeal to this court electronically as described below. Copies of electronic records will not be returned to the lower tribunal clerk but will be retained by the court. The electronic record will constitute the official record on appeal filed with the court.

- 2) Format of the electronic record: The electronic submission of records on appeal 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.
 - a) The record must be properly indexed, bookmarked, and text searchable.

 - b) The electronic record shall be compiled in the format specified by Florida Rule of Appellate Procedure 9.200. The cover page shall state, in 48 point bold type, the name of the lower tribunal, the style and number of the case, and the caption RECORD ON APPEAL. The record shall include an index, a copy of the lower tribunal progress docket, and a certification page containing a scanned or electronic copy of the clerk's certification with the clerk's name, address, phone number, and email address.

 - c) The remainder of the record, including non-trial transcripts contained within the record, must be consecutively numbered. Supplemental records filed after transmission must continue the consecutive page numbering of the record. Pagination of the record must result in a match between the page numbers indicated on the index and the page numbers of the pdf record.

 - d) The record shall be transmitted to this court with confidential information redacted from the record. Upon request, unredacted record items shall be filed as described below.

 - e) With the exception of sealed or confidential records, the record other than the trial transcript must be included in one document, except as limited by the FTP server, and the trial transcript must be included in a second document with a master trial index at the end of the transcript.

- f) Transcript pages shall not be condensed.
 - g) Electronic records must be complete and readable. Lower tribunal and agency clerks may be required to re-send an electronic record if it is missing pages, is not properly indexed or bookmarked, if portions of the record are unreadable, or if transcript pages are condensed.
- 3) Naming Conventions. The naming convention to be used is: "2DigitCaseYear-CaseNumber-record [or transcript].pdf" (i.e., 2D15-1234 would be uploaded as: *15-1234-record.pdf* or *15-1234-transcript.pdf*).
- a) *Multiple Documents due to FTP Filing Size Limits.* With the exception of sealed or confidential records, the record submitted to the court electronically must be included in the same document, except as limited by the FTP server, and any trial transcript must be submitted in a second single document, except as limited by the FTP server. If the file size requires more than one pdf document for either the record or the trial transcript, each pdf shall be consecutively numbered by placing a numeral after the word "record" in the name (i.e., if 2D15-1234 had multiple record documents, the second pdf would be named *15-1234-record2.pdf*; if 2D15-1234 had multiple transcript documents, the second pdf would be named *15-1234-transcript2.pdf*). If a case number has not been assigned yet, as will normally be the case with summary records, the naming convention is "AppellantLastName-LowerTribunalCaseNumber-record.pdf" (i.e., *Jones2015-CF-0020157-record.pdf*).
 - b) *Supplemental Record.* Supplemental records transmitted after the record has been transmitted shall be sent as separate documents using the naming convention "2DigitCaseYear-CaseNumber-record-Supp1.pdf" (i.e., *15-1234-record-Supp1.pdf*). Additional supplemental records should be numbered consecutively (i.e., *15-1234-record-Supp2.pdf*).
 - c) *Confidential, Sealed, and Unredacted 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 "2DigitCaseYear-CaseNumber-Sealed-record.pdf" (i.e., *15-1234-Sealed-record.pdf*). If the court requests unredacted portions of the record, the requested record must be submitted in a separate pdf document and named using the naming convention "2DigitCaseYear-CaseNumber-Unredacted-record.pdf" (i.e., *15-1234-Unredacted-record.pdf*).
- 4) Summary records: This court exercises its option made available by Florida Rule of Appellate Procedure 9.141(b)(2)(B) and requires records in summary postconviction appeals to be indexed and transmitted to this court in the same fashion as records in

plenary appeals. Summary records shall be indexed, bookmarked, and transmitted separately from the notice of appeal.

- 5) Index and cover page: A copy of the index to all volumes of the record must be contained at the beginning of the record. Electronic records that contain sealed records or known confidential information or redactions must be marked on the cover page, and the specific documents that are sealed or that contain the confidential information or redactions 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 Standard Time. Any record e-filed 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 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.

- 8) Bookmarking: Bookmarked records shall contain in the Adobe pane for all record documents the page of the record, a description of the document, and the date of rendition of the document, in that order. Thus the pane would show, by example: *p. 66 Third amended complaint 10/23/12.*

- 9) This administrative order supersedes administrative order 2013-4 and the provisions of any prior administrative orders that are contrary to this order.

/s/ Craig C. Villanti
CRAIG C. VILLANTI
CHIEF JUDGE