

NCACC Electronic Filing & Hyperlinks - Survey by Blake Hawthorne, Clerk of the Supreme Court of Texas (4/1/2014)

<u>State</u>		<u>Mandatory</u>	<u>Voluntary</u>	<u>Rule Text</u>	<u>Rule Link</u>
Arizona	Supreme Court and Division One of the Court of Appeals	Yes	Yes, pro per litigants may use eFiling.	c. Hyperlinks and Bookmarks. i. A filer may include a hyperlink only to static textual information or documents. **Petition Pending to eliminatethe madatory E-filing administrative order** ii. Materials accessed via hyperlinks are not part of the official court record.	http://www.azcourts.gov/Portals/22/admorder/orders12/2012-02.pdf
	Third District Court of Appeal	No	Yes	None	N/A
California	Second District Court of Appeal	Yes, for all miscellaneous filings, i.e. not for Briefs or Writs	Yes	INVITATION TO FILE E-BRIEFS (Hyperlinked brief) IN THE SECOND DISTRICT COURT OF APPEAL An e-brief is a single Disc (CD or DVD) containing linked and searchable copies of: a.the reporter's transcript b.the clerk's transcript or a joint appendix in lieu thereof, including all exhibits c.all cited authorities d.all briefs, with all citations to the record, authorities and other briefs hyperlinked to the cited material. Counsel who believes that an e-brief is appropriate for an appeal should confer as early as possible with opposing counsel and should cooperate in preparing it. If, however, opposing counsel does not wish to participate, any party may file an e-brief, provided it contains all of the materials listed above, hyperlinked. As a courtesy to the Court, non-participating parties shall provide electronic copies of their briefs to the party preparing the e-brief. E-briefs should be filed as early as possible, and in any event, no later than 15 days after the last paper brief is filed.	http://www.courts.ca.gov/2dca-ebrief.htm
	Supreme Court of California	No	Yes	None	N/A
Colorado	Colorado Court of Appeals	No	Yes, and most counsel filed appeals are electronic	5. Hyperlinks in briefs to the authorities cited therein, to the record, if in electronic form, and to any electronic appendices, are not required, but are highly desirable and strongly encouraged. In order for the hyperlinks to function properly, the record (or the cited portions of the record) and authorities should be included on the same CD-ROM as the brief.	http://www.courts.state.co.us/userfiles/File/Court_Probation/Court_Of_Appeals/elec_policy_final.docx.pdf
Delaware	All State Courts	Yes	No	None	N/A
Florida	First District Court of Appeal	Yes for all attorneys or registered pro Se users filing in our electronic I/DCA/eDCA case management system.		None	N/A
Georgia	Supreme Court of Georgia	Yes	No	None	N/A
Idaho	Supreme Court of Idaho	No - Expected 2016	Yes, for some motions but not for briefing.	None	N/A
Illinois	Supreme Court of Illinois	No	Yes	**Not rule but addressed in e-filing manual** 5. Format of e-filed document. g. An e-filed document item may contain hyperlinks to another part of the same document, an external source cited in the document, an appendix item associated with the document, an embedded case, or a record cite. A hyperlink within an appendix item is also permitted. Any external material behind the link is not considered part of the e-filing.	http://illinoiscourts.gov/EBusiness/Sup_Ct_Efiling/SCtefiling_user_manual.pdf
Indiana	Not Specified	No	No	None	N/A
Kansas	Not Specified	Expected 2015	Not Answered	None	N/A
Kentucky	Not Specified	No	No	None	N/A
	First Circuit Court of Appeals	No	No - in final stages of development	None	N/A

Louisiana	Second Circuit Court of Appeals	No	No	None	N/A
	Supreme Court of Louisiana	No	Yes	Louisiana Supreme Court RULE XLII. ELECTRONIC FILING, Section 4. Document Format. (d): (d) An electronically filed document may contain hyperlinks to another part of the same document, a motion and order electronically filed with the document or an appendix and/or exhibit electronically filed with the document. No other hyperlinks are permitted.	http://www.lasc.org/rules/supreme/RuleXLII.asp
Maine	Maine Supreme Judicial Court	No	Yes, of briefs and appendix only	None	N/A
Massachusetts	Massachusetts Appeals Court	No	Yes	None	N/A
Missouri	All State Courts	Yes	No	103.04. Format of Electronically Filed Documents (b) Electronic documents that are part of the official court record shall be self-contained and shall not contain hyperlinks. The electronic document shall be submitted in text searchable PDF that must be identical in content and format as the electronic document filed as the official court record, except that the document may also include hyperlinks to the complete text of any authorities cited therein and to any document or other material contained in the record on appeal. In order for the hyperlinks to function properly, the record (or the cited portions of the record) and authorities must be included on the same disc as the electronic document.	http://www.courts.mo.gov/courts/ClerkHandbooksP2RulesOnly.nsf/C0C6FFA99DF4993F86256BA50057DCB8/5D86A6F4C22CF78B862578FD00527BD0
Montana	Not Specified	No	Expected 5/2014	None	N/A
Nebraska	Nebraska Supreme Court and Court of Appeals	No	No	None	N/A
New Hampshire	Supreme Court of New Hampshire	No	No	None	N/A
New York	Supreme Court of New York	No	No	None	N/A
North Dakota	District Level Courts	Yes	Not Answered	None	N/A
	Supreme Court of North Dakota	No	Yes	None	N/A
Oklahoma	All State Courts	No	In one county	None	N/A
Pennsylvania	Commonwealth Court/Intermediate Appellate Court	No	Yes	None	N/A
Rhode Island	Supreme Court of Rhode Island	Expected 2015	No	**Rules for all courts within the Rhode Island Judiciary** <i>Documents Shall be Self-contained</i> : All electronic documents shall be self-contained and must not contain hyperlinks to external papers or websites.	http://www.courts.ri.gov/Courts/SupremeCourt/Miscellaneous%20Orders/In_Re_Provisional_Article_X%20_Supreme_Court_Rules_Governing_Electronic_Filing.pdf
	Lower Rhode Island State Courts	Yes	N/A		
South Carolina	Supreme Court and Court of Appeals	No	No	None	N/A
Utah	Utah Court of Appeals	No	No	None	N/A
Virginia	All State Courts	Yes (only in cases that have been granted)	Not Specified	None	N/A
	Supreme Court of Washington	No - Expected 07/15	No	None	N/A
Washington	Supreme Court and three divisions of the Court of Appeals	No	Yes	(1) Content. A CD-ROM with corresponding briefs must contain all appellate briefs filed by all parties. Corresponding briefs must be identical in content to the paper briefs. Corresponding briefs may provide hypertext links to the report of proceedings and clerks papers and to materials cited in the briefs such as cases, statutes, treatises, law review articles, and similar authorities. If any briefs are hyperlinked, all briefs must be similarly hyperlinked by the submitting party. All materials to which a hyperlink is provided must be included on the disc.	http://www.courts.wa.gov/court_rules/?fa=court_rule_s.display&group=app&set=RAP&ruleid=apprap10_09
Wisconsin	Supreme Court and Court of Appeals	Yes	For pro se litigants	No rule, but appellate courts do allow filing a CD containing the hyperlinked briefs	N/A

Wyoming

All State Courts

Yes, in Wyoming e-filing is mandatory for all members of State Bar. No

****Not rule but addressed in e-filing manual****

10. Hyperlinks.

Hyperlinks to legal authority are allowed in documents filed with the Court only for the purpose of providing a convenient mechanism for accessing material cited in the document. The judiciary does not exercise any responsibility over the content or its destination. The functioning of a hyperlink reference is not guaranteed. The hyperlink is extraneous to any filed document and is not part of the Court's record. In order to preserve the Court record, attorneys wishing to insert hyperlinks in court filings shall continue to use the traditional citation method for the cited authority, in addition to the hyperlink.

<http://www.courts.state.wy.us/EfilingManuals/PnPMannual.pdf>