

FIFTH DISTRICT COURT OF APPEAL, STATE OF FLORIDA
300 South Beach Street, Daytona Beach, FL 32114
June 19, 2013

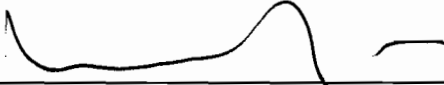
**ADMINISTRATIVE ORDER RE ELECTRONIC FILING OF APPELLATE
RECORDS FROM SUMTER and FLAGLER COUNTIES
AO5D13-06**

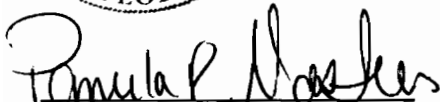
- 1) Effective June 19, 2013, the Clerk of the Circuit Courts of Sumter and Flagler counties may, in lieu of paper records, prepare and submit records on appeal to this Court electronically. When an electronic record is filed, a paper version shall not be filed with the Court. Paper copies of the record must be served on the parties as specified by the Florida Rules of Appellate Procedure unless and until electronic copies are required to be served on the parties by Florida Rule of Judicial Administration 2.516. 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) 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 hyperlinked and, if possible, 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.
- 3) 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. The standard naming convention which must be used is: "2DigitCaseYear-CaseNumber-record.pdf" (i.e., Case 5D10-123 would be uploaded as: *10-123-record.pdf*). 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., *10-123-Sealed-record.pdf*).
- 4) 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 Case No. 5D10-123 had a multiple volume record, the second pdf would be named *10-123-record2.pdf*). If a case number has not been assigned yet, name the file should be named as: AppellantLastName_LowerTribunalCaseNumber-record.pdf (i.e., *Jones_2009-CF-0020157-record.pdf*). 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) Subsequently filed volumes of supplemental record must be transmitted as separate documents using the naming convention: "2DigitCaseYearCaseNumber-record-Supp1.pdf" (i.e. *10-123-record-Supp1.pdf*). Additional supplemental records should be numbered consecutively: *10-123-record-Supp2, Supp3, etc.*

- 6) A copy of the index to all volumes of the record must be contained at the beginning of the record. 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.
- 7) 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.
- 8) 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 12:00 a. m. 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.
- 9) When possible, 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. Additionally, in lieu of sending physical evidence to the Court, photographs no larger than 8 1/2 x 11 inches should be taken of physical evidence and scanned copies submitted to the Court. 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, 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 Daytona Beach, Florida on June 19, 2013




Richard B. Orfinger
Chief Judge


Pamela R. Masters
Clerk of Court