

E-Filing in the Appellate Division, Second Judicial Department Technical Guidelines

Attachment A to the Electronic Filing Rules of the Appellate Division (22 NYCRR Part 1245) contains a list of formatting requirements for documents electronically filed. In addition to those requirements, the Second Department offers the following guidelines, which should be followed to the extent practicable.

Bookmarking in Briefs: All electronically-filed briefs should contain bookmarks or hyperlinks to the authorities cited in those briefs. If utilized, bookmarks should take the reader to a copy of the cited authority, that is, the case, statute or rule, which will be part of the brief submitted. Those authorities are not considered to be part of the formal record on appeal.

Bookmarking in Motions: All electronically-filed motions and papers filed in opposition or relation to motions, should be filed in one PDF document, which shall contain bookmarks linking each separate document contained therein.

Resolution: To ensure the highest quality resolution, filers should, when practicable, use documents which are exported or electronically converted from word processed documents, rather than scanned documents. When such conversion is not possible, documents shall be scanned at 300 dots per inch (DPI) resolution and in black and white only, unless color is required to protect the evidentiary value of the document.

PDF Size: Appellate Division e-filing rules require that electronically filed PDFs not exceed 100MB in size. All PDFs should be reduced and optimized, using file compression software, before they are e-filed, to ensure that the smallest sized PDFs possible are filed.

Hard Copy Filings: In addition to submitting electronic filings, authorized e-filers shall submit hard copy filings as follows: (1) an original plus five copies of appellate briefs, records, and appendices (see 22 NYCRR 1245.6[a][1][i]), and (2) the original of papers filed in original proceedings and in connection with motion practice (see 22 NYCRR 1245.6[a][1][ii]).

Entry of Initial Information: Pursuant to section 1245.3(a) of the Electronic Filing Rules of the Appellate Division, counsel for the appellant or the petitioner, unless an exempt attorney, shall, within the designated time period, register or confirm registration as an authorized e-filer with NYSCEF, follow the prompts to enter the required information in the NYSCEF system, and electronically file such documents “as the court shall require” (22 NYCRR 1245.3[a][2]). The Second Department requires the electronic filing of the notice of appeal, with proof of filing, the order or judgment appealed from, and an informational statement.