# Guide to Creating Electronic Appellate

I.    Briefs

II.   Appendices

III.  Hyperlinking

California Courts of Appeal

5/1/2016

## Introduction

This guide was created to help filers provide working electronic briefs to the Courts of Appeal and the Supreme Court in California. While there are other products that can produce the same result, this manual focuses on Word (2007, 2010 and 2013) and Adobe Acrobat Pro. Some of these steps may be similar in other programs.

Be sure to check all rules with the court you are filing with to make sure you have met all the requirements for electronic documents.

Bookmarks and consecutive pagination are required by some courts and will, in the near future, be required by all Courts of Appeal.

E.g., each topic heading in the table of contents or index for each document, including the heading "Table of Contents" or "Index", must be electronically bookmarked. Document pages must be consecutively numbered beginning from the cover page of the document and using only the Arabic numbering system, as in 1, 2, 3.

# I. Creating Electronic Appellate Briefs

## Tools

### Word processor

The primary tool for creating an electronic brief is your word processor. Microsoft Word provides some helpful features that make creating an electronic brief easier. In particular, Word's Styles feature (see *Generating Bookmarks* below) allows you to create headings in your brief that will automatically create bookmarks when you convert the document as a PDF.

### Adobe Acrobat Standard or Pro

Adobe Acrobat sets the standard for creating, combining, editing, redacting and making PDFs searchable. And eventually you will need to do all of these things if you are working with electronic briefs. There are other less expensive PDF software programs, but you will find a variety of resources to assist you with Adobe Acrobat. For example, Adobe hosts a free Acrobat for Legal Professionals Blog that provides tips and techniques for working with electronic legal documents. Adobe Acrobat Standard will do everything that you need a PDF program to do—except for redacting PDFs. You will need the more expensive Adobe Acrobat Pro if you want to redact documents electronically.

## Basic Steps

There are three basic steps to creating an electronic brief for California appellate courts:

1. Convert your brief from the original word processing document, such as Word, WordPerfect or Pages, directly to PDF (do not scan the brief to create a PDF).
2. Create bookmarks[1] from the Table of Contents.
3. Redact any information that must be redacted under the rules, like social security numbers, children's names, bank account numbers, etc.

If you do not have an appendix or attachment, just save your document as a PDF. You can skip step 3 above if your document does not contain any information that must be redacted.

## Brief Pagination

Before saving/converting the brief as a PDF, make sure to number the pages consecutively *beginning with the cover page of the document*, using only the Arabic numbering system, as in 1, 2, 3. Every page must have a number. Do *not* use a separate pagination system for tables within the document. The page number does not need to appear on the cover page.

---

[1] Bookmarks are a fast and easy way to quickly navigate to different parts of a brief.

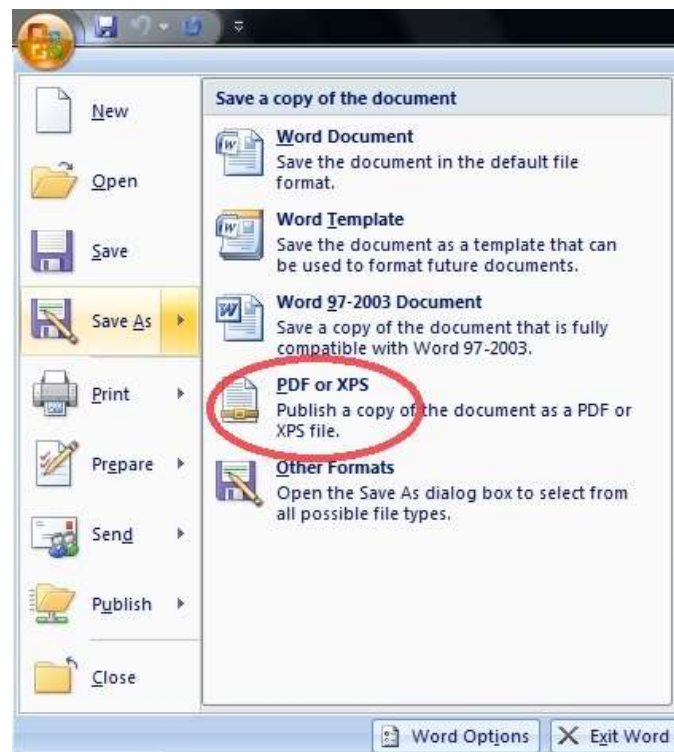# 1. Saving/Converting directly to PDF

You can easily save your Word document as a PDF.

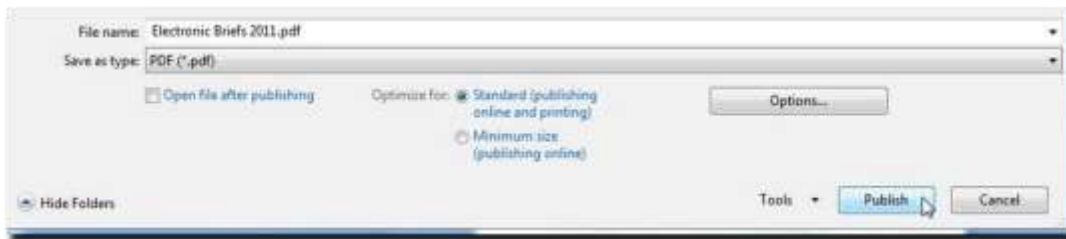## Word 2007 (without Adobe Acrobat Pro installed)

Click the Microsoft Office Button in the top left hand corner of Word.
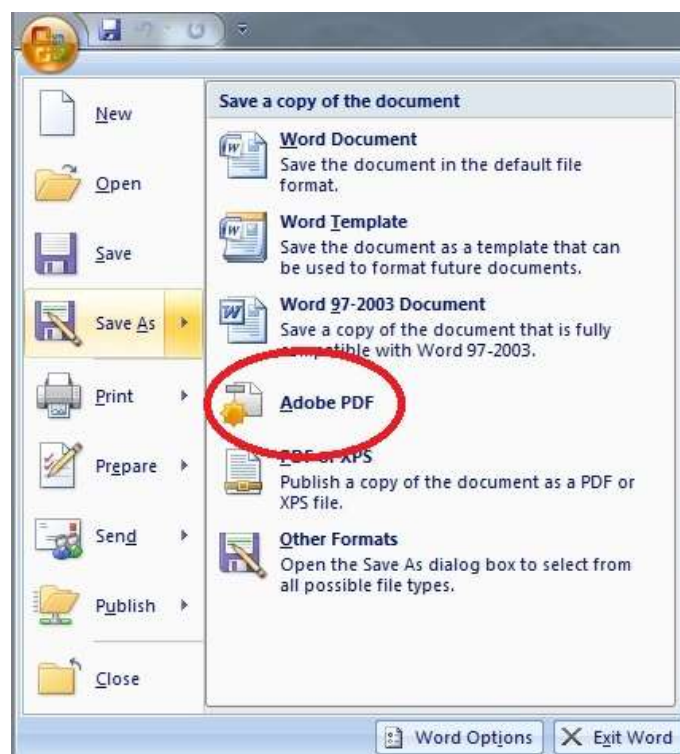


Choose **Save As** and **PDF or XPS** (see below).

In the dialog box that appears, click the button in the lower right hand corner that says **Publish**.
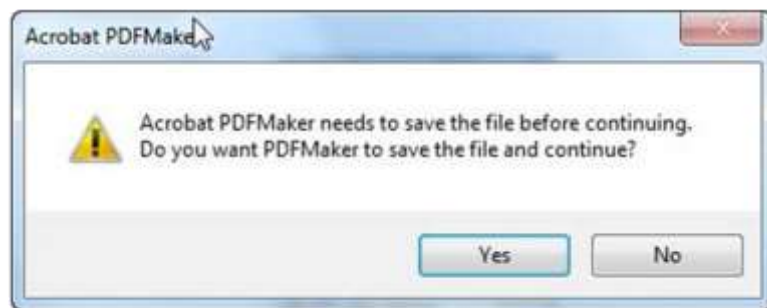


### Word 2007 (with Adobe Acrobat Pro installed)

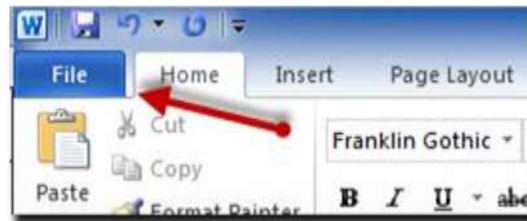Choose **Save As** and **Adobe PDF** (see below).



A dialog box appears that says **Acrobat PDFMaker needs to save the file before continuing. Do you want PDFMaker to save file and continue?** Choose **Yes**.
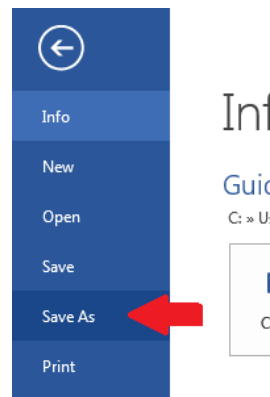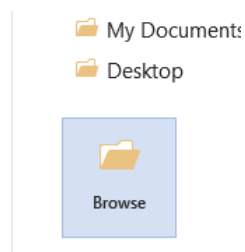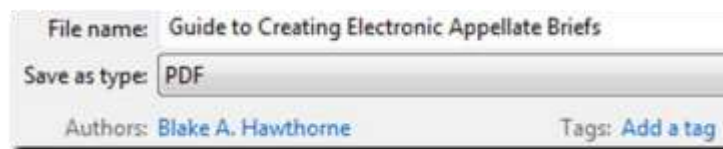
## Word 2010 and 2013

Click on the **File** tab.

Choose **Save As**.

Click **Browse**

In the dialog box that appears, choose the Save as type = PDF.
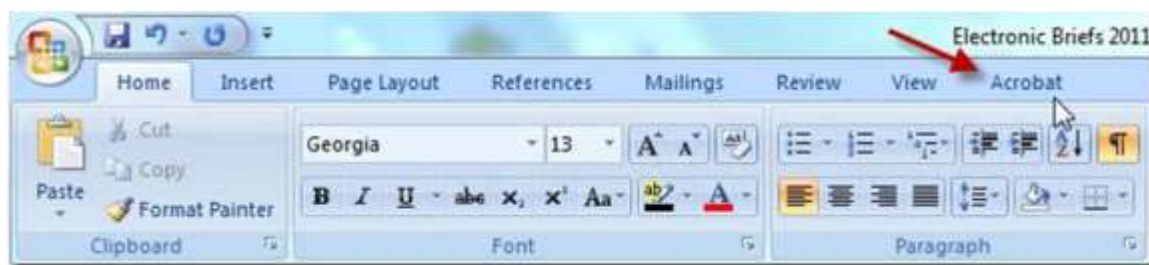
Click **Save**.

### Adobe Acrobat Ribbon in Word

If you have installed Adobe Acrobat, you also have the option of using the Acrobat ribbon to create a PDF in Word. When you install Adobe Acrobat, the installer adds Acrobat buttons or menu commands to Microsoft Office applications (e.g., Word, Excel, PowerPoint). In Word 2007 and 2010, in the ribbon at the top of the screen you should see **Acrobat** next to **View**. Selecting **Acrobat** reveals the Acrobat ribbon.
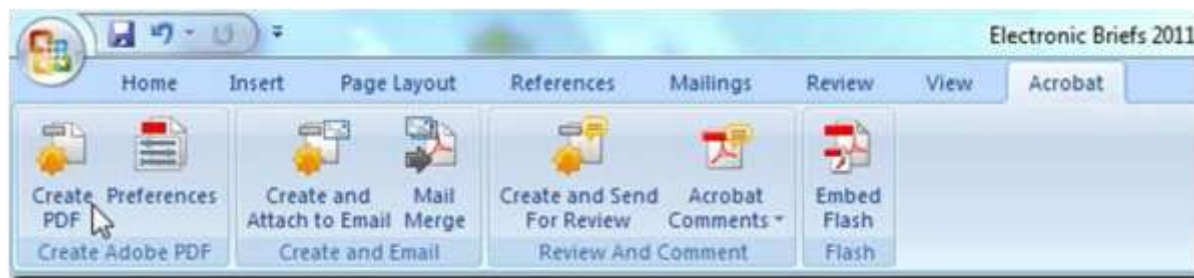
The advantage of using the Acrobat Ribbon to create PDF from Word is that it will automatically create bookmarks for your document if you have used Word's Styles feature.

Follow these steps to convert your brief directly to Word using the Acrobat ribbon:
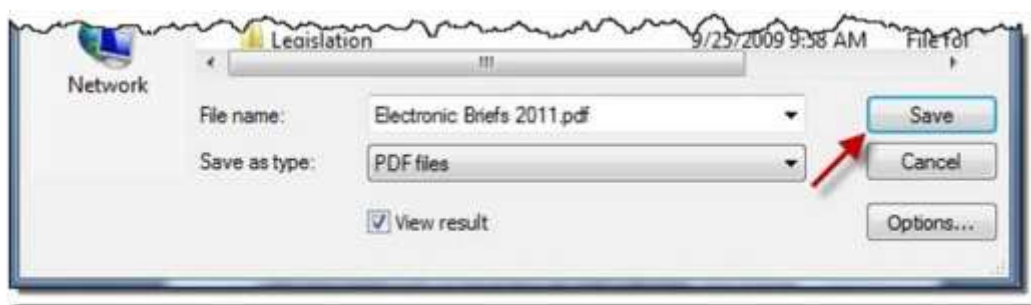
Choose **Acrobat** at the top of the screen (to the right of **View**).

Click **Create PDF** in the menu.

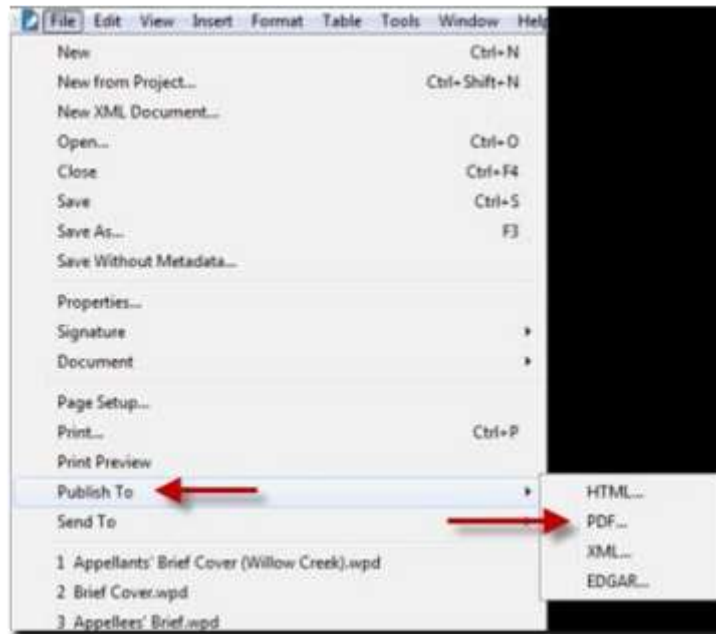In the dialog box that appears, click **Save**.

### WordPerfect

WordPerfect implemented a Publish to PDF tool beginning with WordPerfect 9. The tool has been changed several times, so depending on which version of WordPerfect you are using the steps may be slightly different.

**In WordPerfect 9 to WordPerfect X3**, follows these steps to directly convert your brief to PDF:

Click **File**.
Select **Publish To** and **PDF**



In the dialog box that appears, select the button that says **OK**.

**In WordPerfect X4 and later**, follow these steps to directly convert your brief to PDF:

Click **File**

Select **Publish to PDF**

Select the PDF Style. If you have hyperlinks in your document, you will want to select the PDF Style Publishing Online and Printing, which is the default style. Federal courts may require you to select PDF/A, which is an archival format. If you select PDF/A, your hyperlinks will not work.
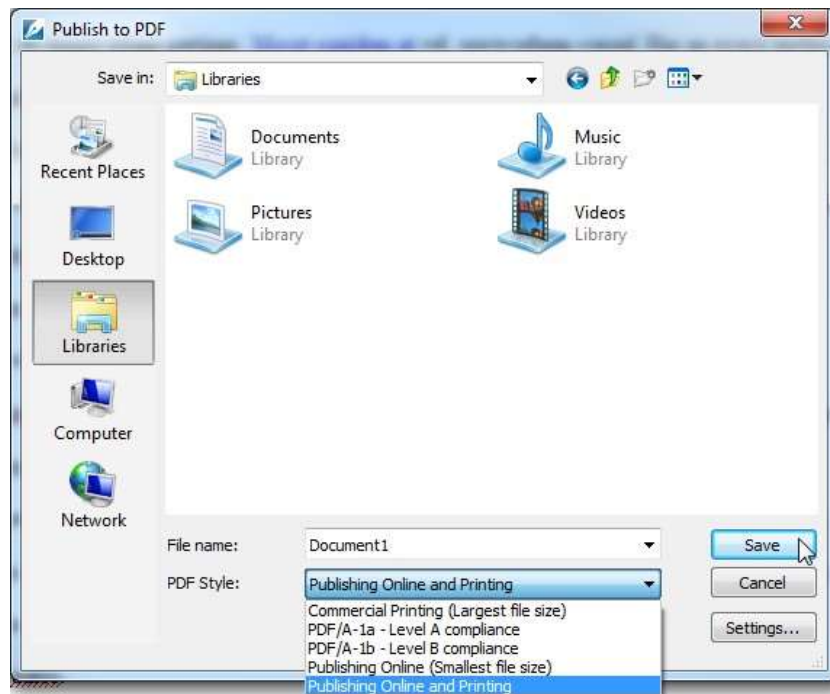


Click **Save**

When printing a hard-copy of a brief, be sure to use the PDF file to insure that the print exactly replicates the e-file version. Pagination and sentence structure may change when converting a Word or WordPerfect document to a PDF.

## 2.    Create bookmarks.

### What is a bookmark?

A bookmark is a text link that appears in the **Bookmarks Panel** of Adobe Reader and Adobe Acrobat. Readers can use the bookmarks to quickly navigate to different sections of a brief. Make sure to include bookmarks in all electronic documents and be sure to use descriptive labels for your bookmarks (e.g. Trial Court Judgment, Court of Appeals Opinion) as illustrated below.

To see the **Bookmarks Panel**, open the **Navigation Pane** and click on the **Bookmarks Icon.**
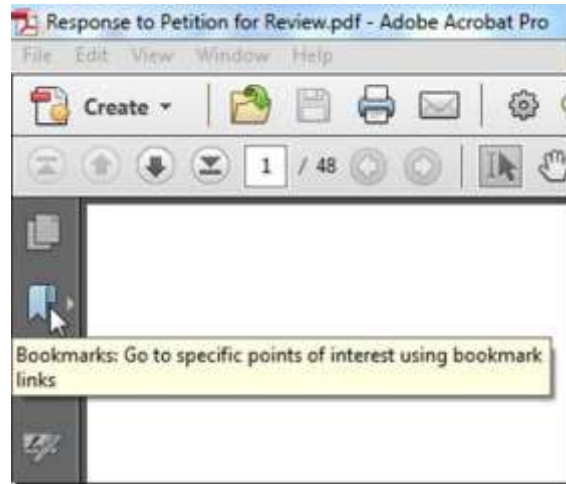


Clicking on the **Bookmarks Icon** opens the **Bookmarks Panel** revealing the list of bookmarks, as in this illustration.
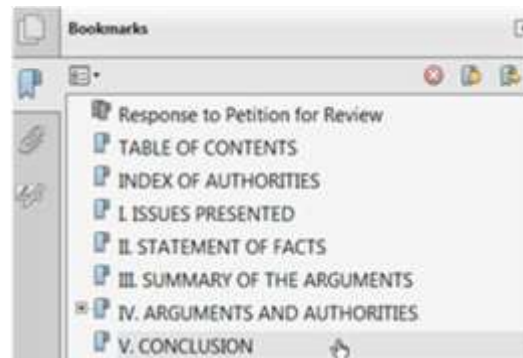


### Setting the bookmarks panel to open automatically.

To maximize the impact of your brief:

While the document is open, click **File > Properties > Initial View tab**
Click the Navigation tab dropdown and select **Bookmarks Panel and Page**
Click **OK**

### Generating bookmarks

Adobe Acrobat will also automatically generate bookmarks during PDF creation if you use Microsoft Word's built-in Styles feature when you create your document. In other words, if you use the paragraph styles available in Word to label the headings in your document, when you use the built-in Acrobat ribbon to generate your PDF, your document will already include bookmarks to the headings in your document.

A tutorial on Word's Styles feature is beyond the scope of these instructions, but Microsoft provides a tutorial on the web. Word's Styles feature is a tremendous time saver for generating bookmarks, the table of contents, and formatting your document.

### Manually adding bookmarks

To manually add a bookmark, in Adobe Acrobat, follow these steps:

1. Click on the page where you want to create a bookmark
2. Click the **New Bookmark** Icon in the Bookmarks Panel or select **CTRL** and **B** keys on your keyboard at the same time.
3. In the text of the new bookmark, type the name or label that you want to give the bookmark.

OR

Highlight the text on the page you want to bookmark, then press the **CTRL** and **B** keys on your keyboard at the same time (or right click and select add bookmark). The bookmark will appear in the panel and the name will be the same as the text you highlighted.

### Editing bookmarks

If you want to delete a bookmark, **select the bookmark** and press the **delete key**.

To edit the name of a bookmark, **double click** on the **bookmark**. Once the bookmark text is highlighted, you can **retype the name** of the bookmark. **Press enter** or return when you are satisfied with the results.

Be sure to give your bookmarks meaningful and descriptive names. Names like Header A, Header B, etc. are not helpful. Instead try something like Statement of the Case, Conclusion.
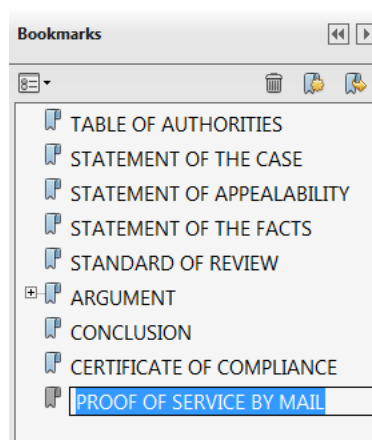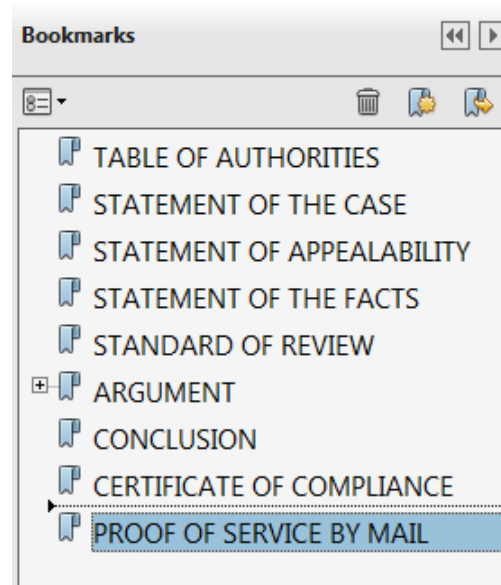
## Moving bookmarks

To move bookmarks up and down in the Bookmarks Panel, left click and drag the bookmark ribbon symbol on the left side of the bookmark's name to the desired location in the Bookmarks panel. Once the arrow and dotted line are in the new location, release the left mouse button to drop the bookmark in its new location.
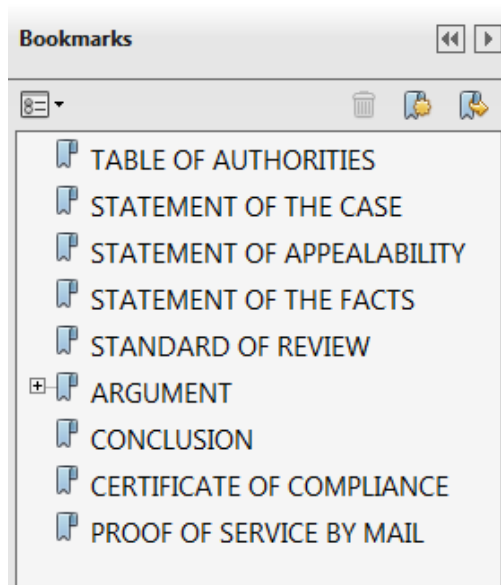


**Step 1:** Click on the ribbon symbol to the left of the bookmark name.

**Step 2:** Left click and hold while you drag the bookmark to the new location. Release the left mouse button to drop the bookmark to its new location.

## Nesting bookmarks

Bookmarks can also be nested underneath other bookmarks to create a tiered structure of bookmarks, as in the illustration. Notice that the Argument and Authorities bookmark has three nested bookmarks underneath. These bookmarks link to different argument headings in that section of the brief. Clicking on the minus sign next to the Argument and Authorities bookmarks collapses these bookmarks so that they are not visible. A plus sign then appears next to the Arguments and Authorities bookmark, which will expand the nested bookmarks and make them visible again when selected.
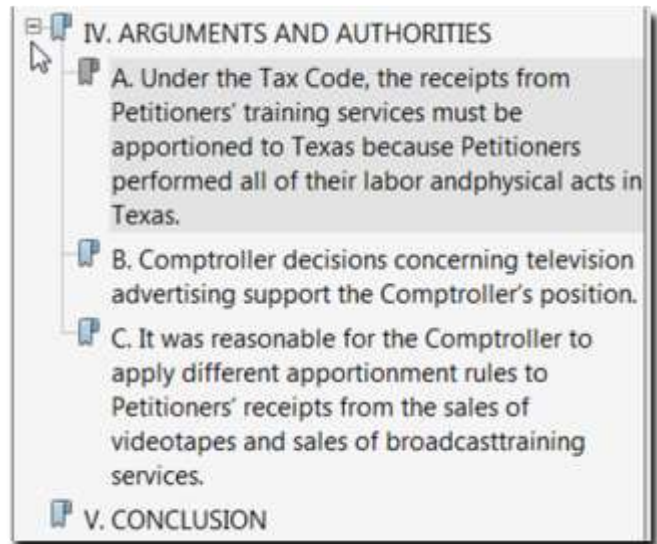


To nest a bookmark underneath another bookmark, move the bookmark as described above. But this time, move the bookmark up and over underneath the bookmark where you want it nested. In other words, select the bookmark by left clicking and holding the mouse button down. Then move it up and to the right without releasing the mouse button. Release the mouse button once the bookmark appears to be indented. Once you have the bookmarks the way you want them, be sure to save your document in order to save your changes!
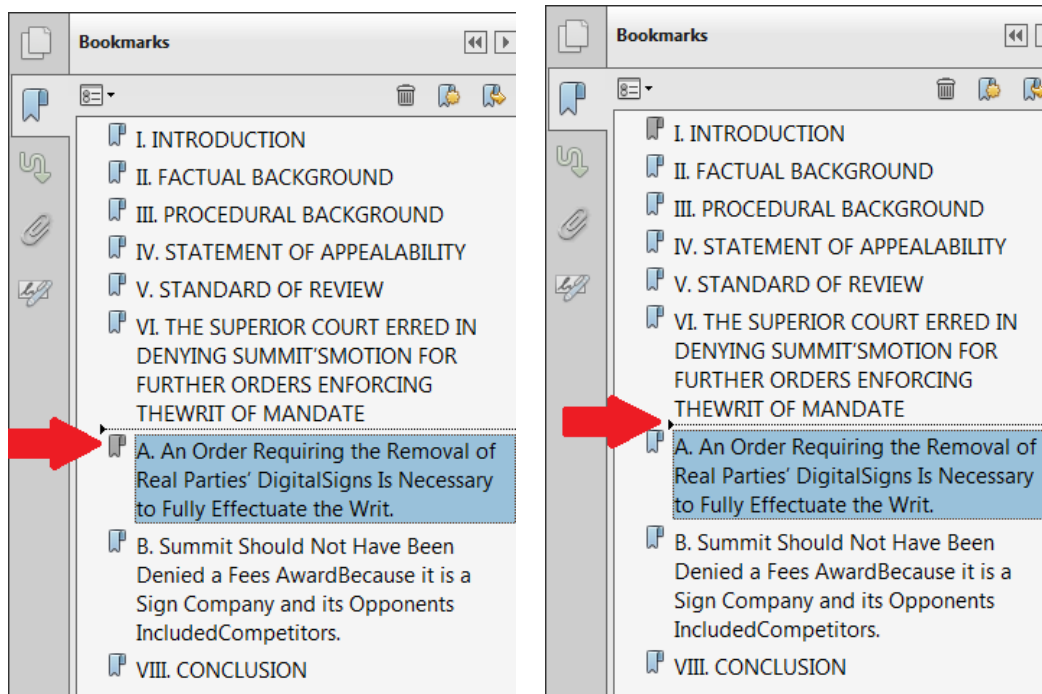
# 3. **Redacting**

You must redact the following information from your briefs, appendix materials, records in original proceedings and any other electronic documents that you send to the court: (1) **social security numbers**; (2) **a birth date**; (3) **a home address**; (4) **the name of any person who was a minor when the underlying suit was filed**; (5) **a driver's license number**; (6) **a passport number**; (7) **a tax identification number**; (8) **any similar government-issued personal identification number**; (9) **bank account numbers**; (10) **credit card numbers**; and (11) **any other financial account number**.

The best way to avoid having to redact your brief is not to use any of the above information in your brief. This information will seldom be of use to an appellate court.

The most important thing to remember about redacting documents is to **permanently remove the information from the document**. **Do not use a black highlighter in Adobe Acrobat to cover up the information!** Highlighter marks can be removed by anyone with Adobe Acrobat. And anyone can search the text of the document to find the text that is beneath the highlighter mark.

If you have Adobe Acrobat Pro, you can use the redaction features of the program to redact documents electronically (see instructions below). *Please note that Adobe Acrobat Standard does not have redaction features.*

## Redacting using Word

If you do not have Adobe Acrobat Pro, then you should edit the text of any document that you have in the original file (e.g., a Word document) to remove the information. Replace any characters that you remove with the letter x and then save the edited document as a new document. Here is an example:

Original text document:

Mike Brown's social security number is 357-57-7372. His home address

is 1510 Maple Avenue, New York, 201292. His credit card number is

2138 2912 2938 2919.

Edited Text:

Mike Brown's social security number is xxxxxxxxxx. His home address is xxxx xxxxx xxxxxxx xxx xxxxx xxxxxxx. His credit card number is xxxx xxxx xxxx xxxx.

As you can see, depending on the font you are using, editing the document in this way may slightly alter the layout of your document. Be sure to check the page layout to see if your page numbering has been altered. If you do not have Adobe Acrobat Pro and you only have the documents in paper format, you will need to copy the documents, redact them manually, and then scan the redacted documents.

## Redacting Using Adobe Acrobat Pro

Redaction should be done before creating bookmarks and making the appendices text searchable. The steps below will remove bookmarks and text recognition.

You must redact the following information from an appendix submitted to the court: (1) **social security numbers,** (2) **a birth date,** (3) **a home address,** (4) **the name of any person who was a minor when the underlying suit was filed,** (5) **a driver's license number,** (6) **a passport number,** (7) **a tax identification number,** (8) **any similar government-issued personal identification number,** (9) **bank account numbers,** (10) **credit card numbers,** and (11) **any other financial account number**. (Cal. Rules of Court, rule 1.20.)

The most important thing to remember about redacting documents is to **permanently remove the information from the document**. **Do not use a black highlighter in Adobe Acrobat to cover up the information!** Highlighter marks can be removed by anyone with Adobe Acrobat. And anyone can search the text of the document to find the text that is beneath the highlighter mark.

If you have Adobe Acrobat Pro, you can use the redaction features of the program to redact documents electronically (see instructions below). *Adobe Acrobat Standard does not have redaction features.*

Click the **Tools** panel > **Protection** > **Mark for Redaction**.

Select the text you want to redact. To select text, click the left button on the mouse and drag it across the text using the redaction tool. You can also double click a word to mark it for redaction.
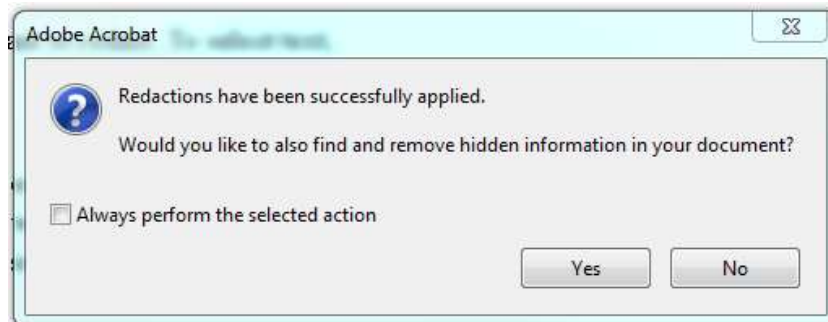
1. Place the cursor over the word marked for redaction to preview what the text will look like when redacted.
2. Once you are satisfied with the appearance, choose **Apply Redactions**.
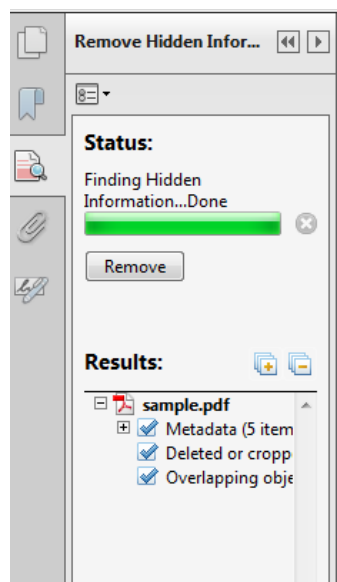
This window will appear
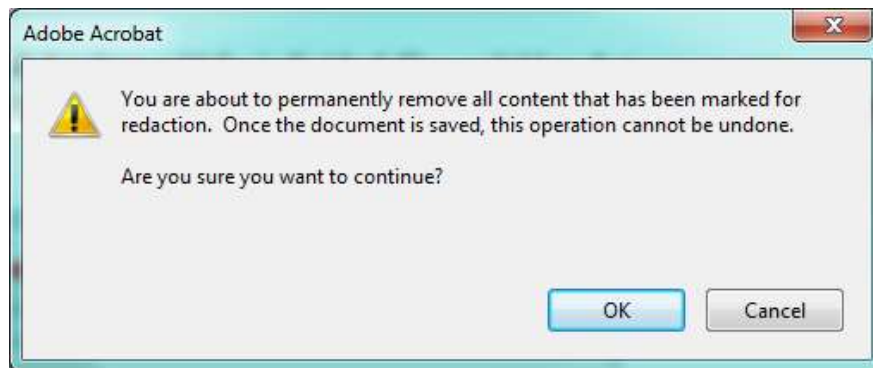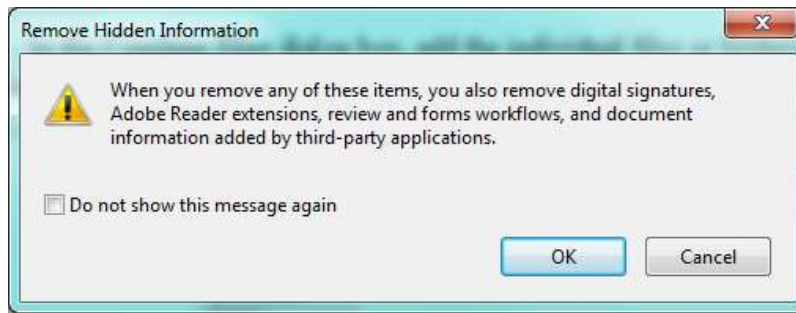


Click **OK**

When this window appears



Click **Yes**

Adobe will open the panel below and find hidden information



Click **Remove**

When this window appears



Click **OK**

Then Save the document.

## Fixing Mistakes

### The Edit Document Text tool

It is not unusual to get to the end of the process of creating an electronic brief and discover that you have made a typographical error. This can be especially frustrating and stressful when you are trying to meet a deadline. Your first inclination might be that you have to fix any mistakes in your brief in Word or WordPerfect and then convert everything to PDF again. But you may be able to fix some simple typographical errors using Adobe Acrobat. The **Edit Document Text** tool allows you to erase and type in a PDF as though it were a word processing document. Adobe Acrobat automatically recognizes the font type and size, and you can backspace to remove text and then retype. To use the tool, select **Tools > Content > Edit Document Text**. Then place your cursor where you want to edit and type as you would with a word processor.
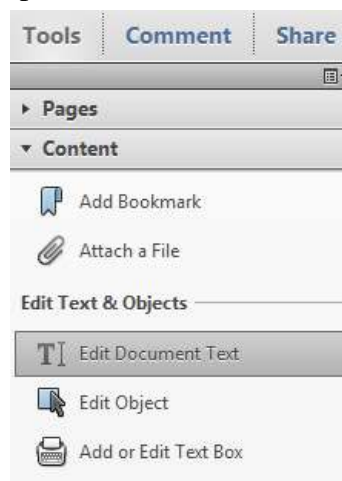
The tool has some serious limitations. First, not all fonts are available in Adobe Acrobat. If you used an unusual font you may get the following message:
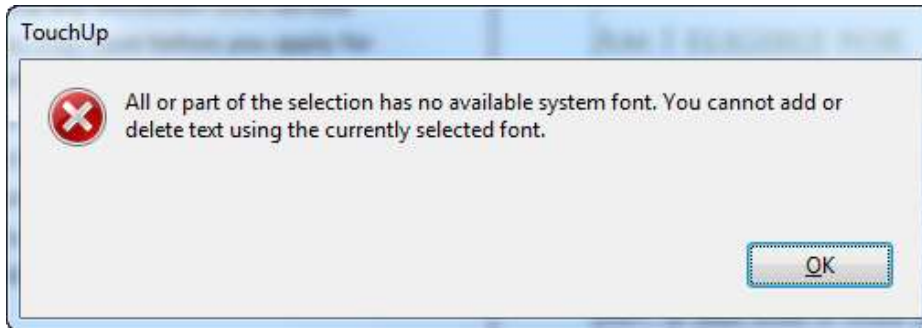


The **Edit Document Text** tool also cannot reflow all of the text in your document like a word processor, so you may be able to fix a simple typographical error, but you cannot use the tool to retype sizeable portions of your brief.

## Replacing Pages

If the mistake cannot be fixed with the **Edit Document Text** tool, you may be able to fix the error by deleting the offending page and replacing it with a corrected page. To replace a page, first fix the mistake in your word processing program. Then convert the corrected word processing document to PDF. Now **Extract** the corrected page from your corrected PDF and save it as a separate PDF document. Then **Delete** the page with the error from your original PDF. Now **Insert** the corrected page into the proper place in the original PDF.
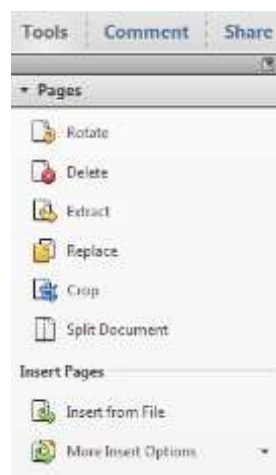


Depending on the mistake, it may just be easier to start over and recombine all your files after fixing the error in your brief. But if you have done a lot of manual bookmarking and hyperlinking, replacing the page using Adobe Acrobat may be easier than starting all over again.

## Combine individual files into one PDF file.

If your document consists of several files, e.g., the brief, attachments, and a proof of service, the rules require that you combine them into a single PDF file before filing. You must have Adobe Acrobat or a similar PDF program to accomplish this task. Recent versions of Adobe Acrobat may vary slightly, but the process is similar. To combine individual files into a single PDF document, follow these steps:

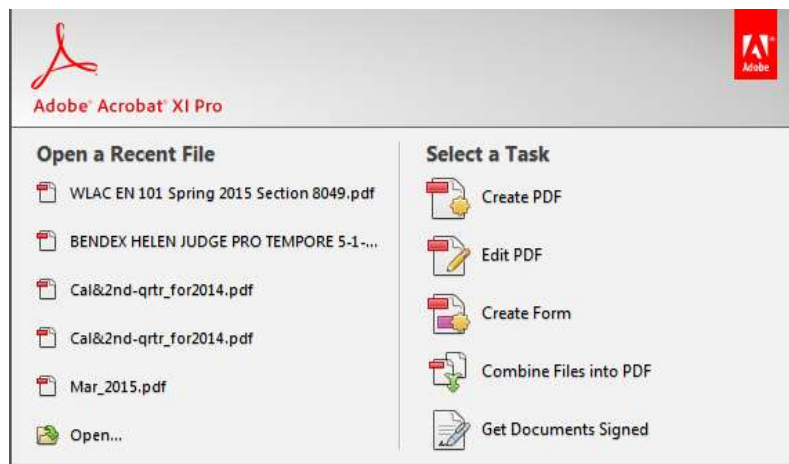### Within a document in Adobe Acrobat
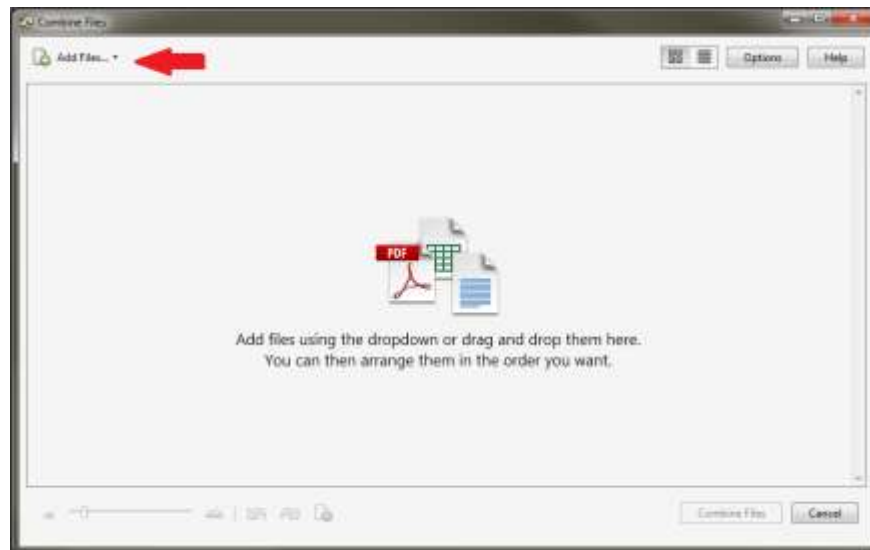Choose **Create > Combine Files in to a Single PDF**
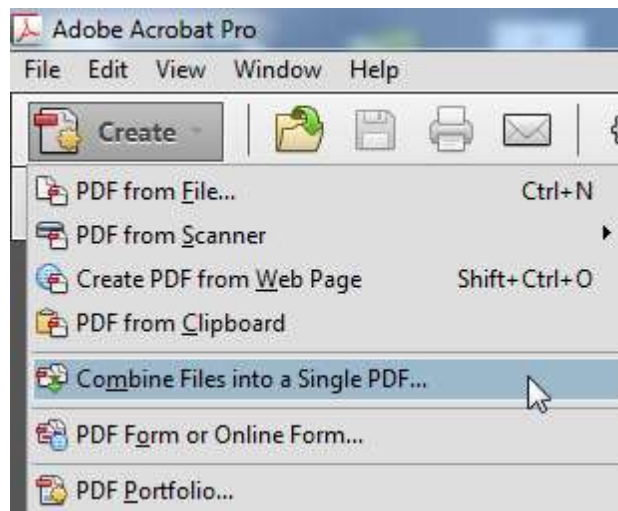


Or

### From the Main Menu in Adobe Acrobat
Choose **Combine Files into PDF**

In the dialog box, add the individual files or folders that you want to combine into a single PDF. The files can be of any format supported by Adobe Acrobat (Word, PDF, Excel, etc.).



Arrange the files in the order that you want to combine them.
Select **Combine Files**.
Save and name the combined document

# II. Creating Electronic Appellate Appendix

Appendices must comply with California Rules of Court, rule 8.124, including chronological and alphabetical indices. When possible, use PDF files that are converted from native formats, rather than scanned documents. (See Saving/Converting directly to PDF.) Counsel or parties should cooperate in providing electronic copies of documents when requested and should check the local rules of the court where they will be filing to make sure all requirements for electronic documents have been met. (See also Appendix A - Step-by-Step Digital Appendix Guide and Appendix B - Courts of Appeal Digital Appendix Requirements.)

## 1.    Chronological Index

The chronological and alphabetical index should be converted from the wordprocessing program used to create them.

## 2.    Pagination

Make sure to number the pages consecutively *beginning with the cover page of the document*, using only the Arabic numbering system, as in 1, 2, 3. Every page must have a number. Do *not* use a separate pagination system for chronological or alphabetical index within the document. The page number does not need to appear on the cover page.

## 3.    Scanning Documents

Although you are prohibited from scanning your documents that are available in electronic format (e.g. cases, statutes, etc.), there are occasions where you will need to scan a document in order to include it in your appendix. For example, a trial court may not have electronic filing so you may have to scan a trial court order. Or maybe you really want to include a contract in your appendix and it is only available in paper form. In those situations the only solution is to scan the document.

You can create a PDF file directly from your scanner using Adobe Acrobat or other software. When scanning, make sure that the scanner settings are:

- 300 dots per inch (dpi)
- Black and white (not gray scale or color, unless scanning an image)
- OCR (optical character recognition)

A one hundred page scanned document (that does not include images) with these settings should be about 3.5 megabytes in size. (NOTE: File size may vary with certain documents.) If scanning is creating files that are too large, check the settings on your scanner. Most office copiers, have a menu that allows the scanner settings to be adjusted.

If you have already adjusted the scanner settings, and the file size is still too large, some computer programs have the capability to reduce the file size. Adobe Acrobat Pro can do that (see instructions below). Make sure to do this before bookmarking the appendix. There are also a number of online resources that explain how to reduce the file size of scanned documents.

## Scanning with Adobe Acrobat

If you have a scanner connected to your computer that Adobe Acrobat recognizes, you can scan documents using Adobe Acrobat. Follow these steps:

1. Insert the document into your scanner
2. Open Adobe Acrobat
3. In Acrobat, choose **Create> PDF From Scanner**
4. Choose Black and White
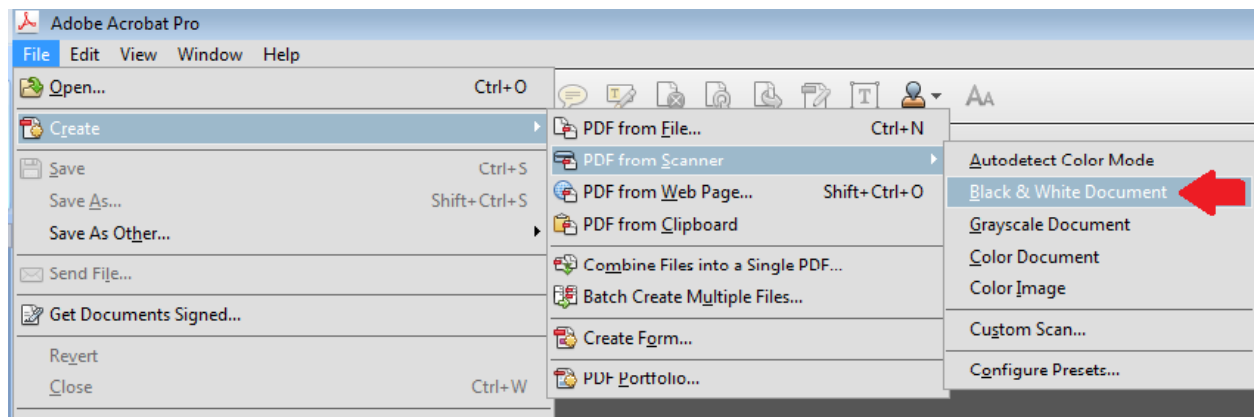
## Preset scanning settings for Adobe Acrobat

Adobe allows you to preset settings for scanning a document. To configure these settings choose **Create> PDF from Scanner> Configure Presets**.
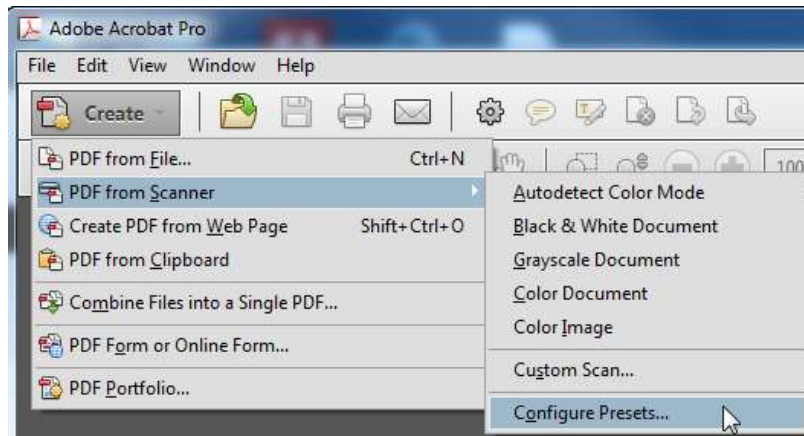


Configure your presets to scan at 300 dpi. Be sure to check **Make Searchable (Run OCR)**. For standard black and white documents you do not need to move the slider to create a high quality scan—smaller file size is preferred. Save your settings before scanning. The default settings are now set and each time you choose to use the Black & White Document preset the document will be scanned using these settings.
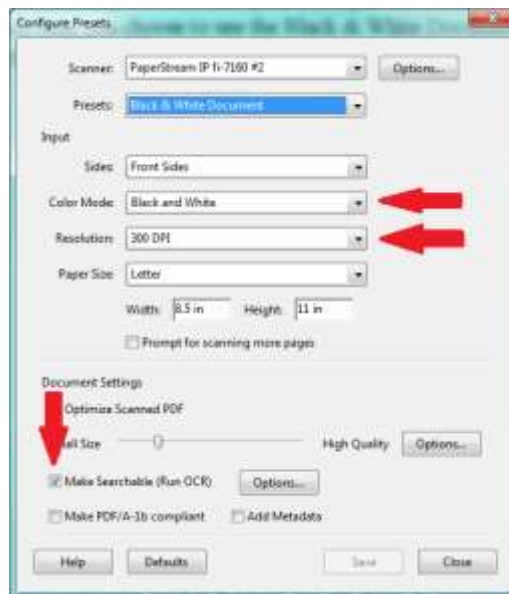
## 4.   Make a document searchable from any scanned or otherwise non-searchable material searchable by using Recognize Text

Open the document in Adobe Acrobat Pro.
Click **Tools >Recognize Text> In This File > OK**
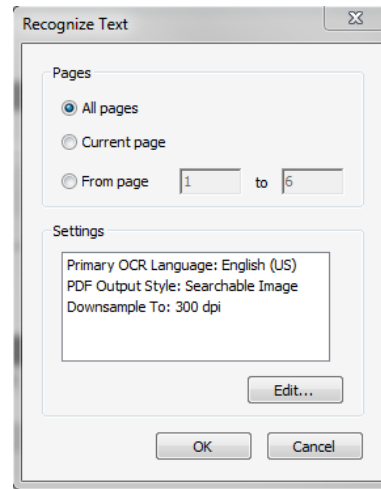
If some text has already been rendered searchable, check the box Ignore future errors in document and click on OK.  When the OCR process is complete, remember to save the text searchable version of the document.
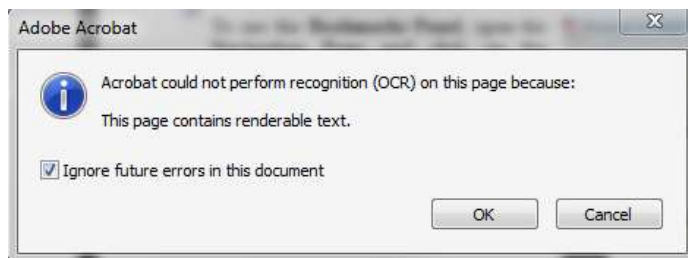
NOTE: If a header, e-filing stamp or bates no. has been added to a non-searchable document, Acrobat will not OCR that page.

## 5.    Combine individual files into one PDF file.

An appendix typically consists of many separate documents, e.g., the complaint, minute orders and a proof of service. These documents must be combined into a single PDF file before filing. You must have Adobe Acrobat or a similar PDF program to accomplish this task.  Recent versions of Adobe Acrobat may vary slightly, but the process is similar. To combine individual files into a single PDF document, follow these steps:
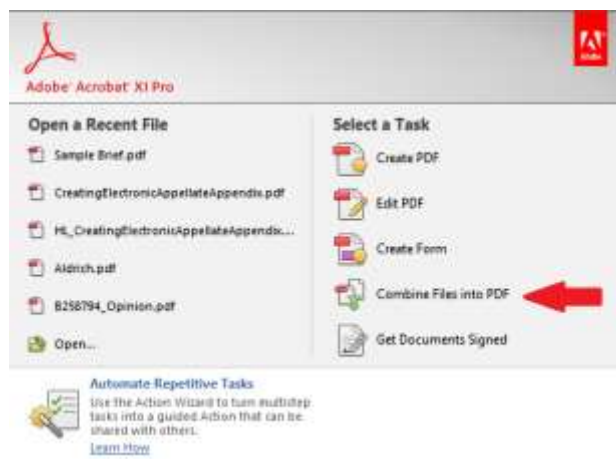
### Within a document in Adobe Acrobat
Click **Create > Combine Files in to a Single PDF**
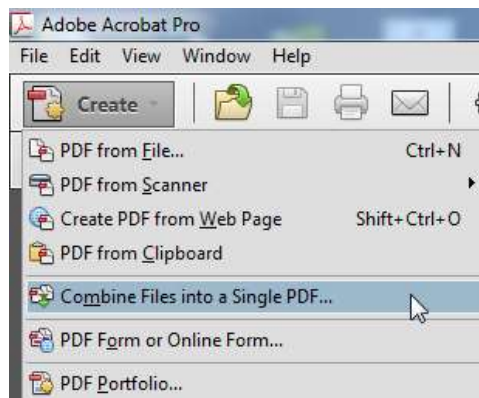


OR

### From the Getting Started Menu in Adobe Acrobat

In the Combine Files dialog box, add the individual files or folders that you want to combine into a single PDF.  The files can be any format supported by Adobe Acrobat (Word, PDF, Excel, etc.).



Arrange the files in the order that you want to combine them.
Click **Combine Files**.
Name and save the combined document.

## 6. Create bookmarks for all documents contained in the appendix.

A bookmark is a text link that appears in the Bookmarks Panel of Adobe Acrobat. Some rules require bookmarks for each document that is listed in the index. Be sure to check the local rules of the court you are filing with to make sure you have met all requirements for electronic appendices. For documents without titles, be sure to use descriptive labels for your bookmarks.

To see the Bookmarks Panel, click on the Bookmarks Icon in the Navigation Panel.
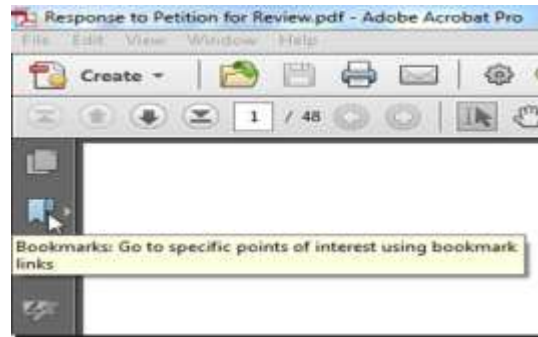


### Automatically generating bookmarks using Adobe Acrobat

Adobe Acrobat automatically creates bookmarks for each combined file when you use the **Combine Documents** feature discussed above in Step 3. The bookmarks will have the names of the files that you merged. However, some document titles listed in the index can be longer than what the filename should be. Using the **Combine** feature will require renaming the bookmarks.
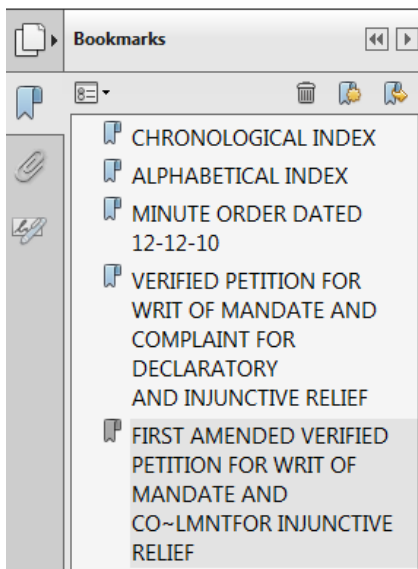
## Manually adding bookmarks

You can manually add and edit the bookmarks. To add a bookmark, follow these steps:

1. Click on the page where you want to create a bookmark
2. Click the **New Bookmark** Icon in the Bookmarks Panel or select **CTRL** and **B** keys on your keyboard at the same time.
3. In the text of the new bookmark, type the name or label that you want to give the bookmark.

OR

Highlight the text on the page you want to bookmark, then press the **CTRL** and **B** keys on your keyboard at the same time (or right click and select add bookmark). The bookmark will appear in the panel and the name will be the same as the text you highlighted.
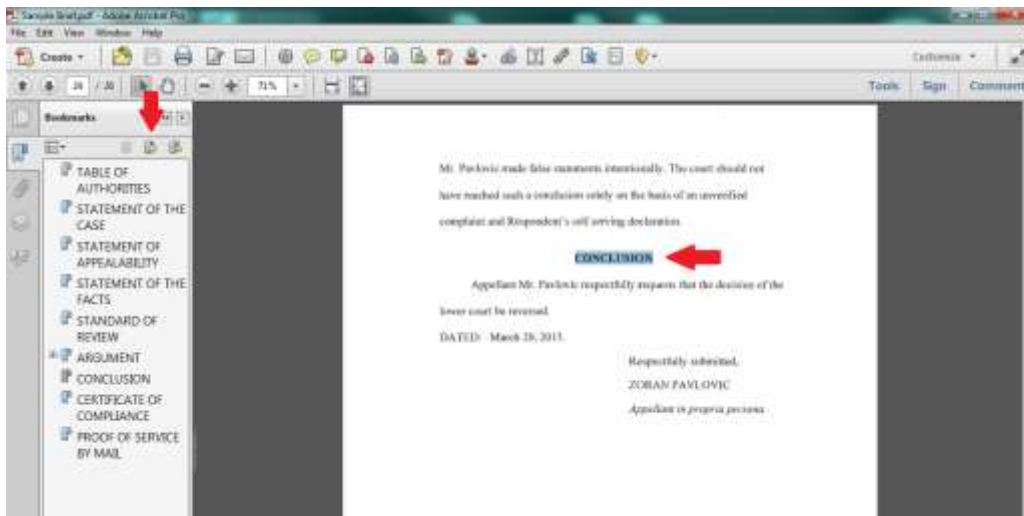


The bookmark name will be the same as the text you highlighted.
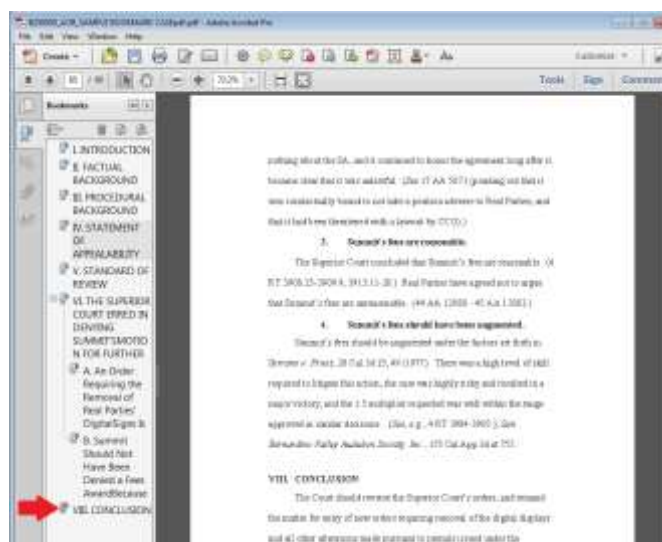


Bookmarks should use the same names that are listed in the index

## Editing bookmarks

If you want to delete a bookmark, select the bookmark and press the delete key. To edit the bookmark name, double click on the bookmark to highlight the name, enter the new name and press Enter.
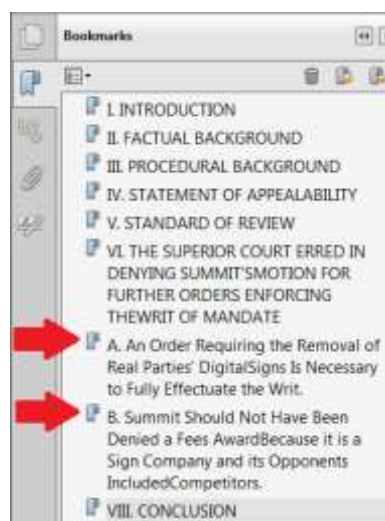
## Moving bookmarks

To move bookmarks up and down in the Bookmarks Panel, click and drag the bookmark icon to the desired location and release the mouse button.
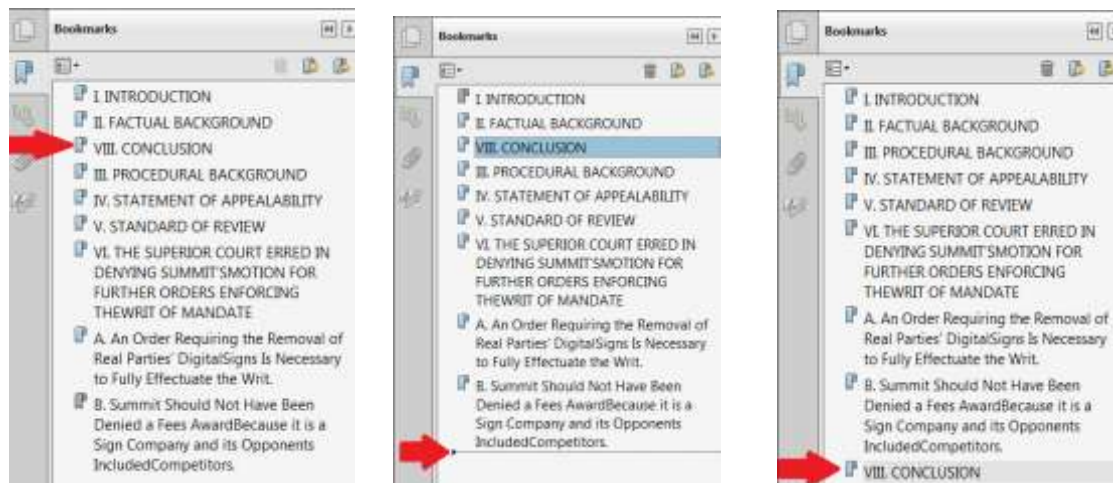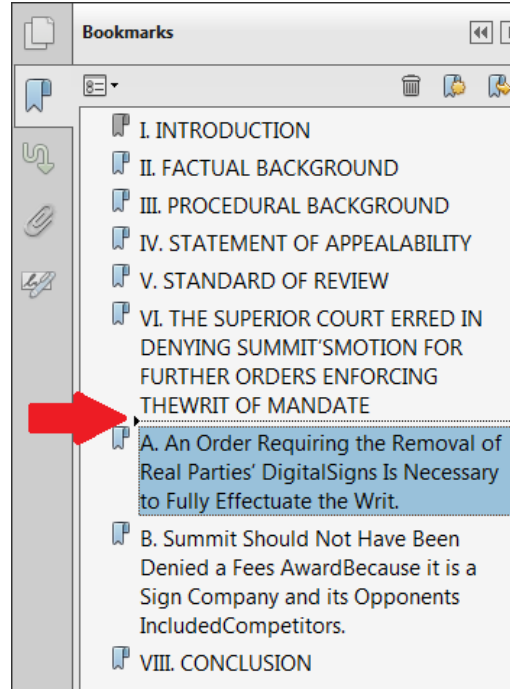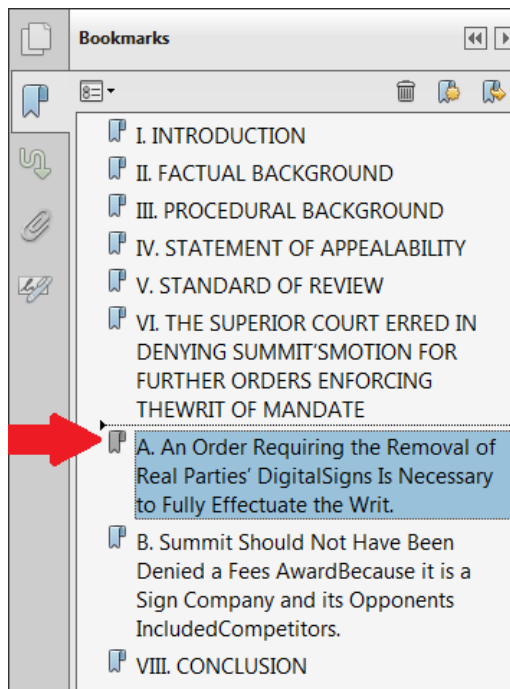


## Nesting bookmarks

Bookmarks can be nested under other bookmarks to create a hierarchical, tiered structure.
In the example below, A and B are subheadings under Argument VI.



To nest a bookmark, click and hold on the bookmark icon. Move the icon to the desired location and to the right until the black line shortens, then release the mouse button.

Release the button to nest the bookmark.  Repeat for subheading B.
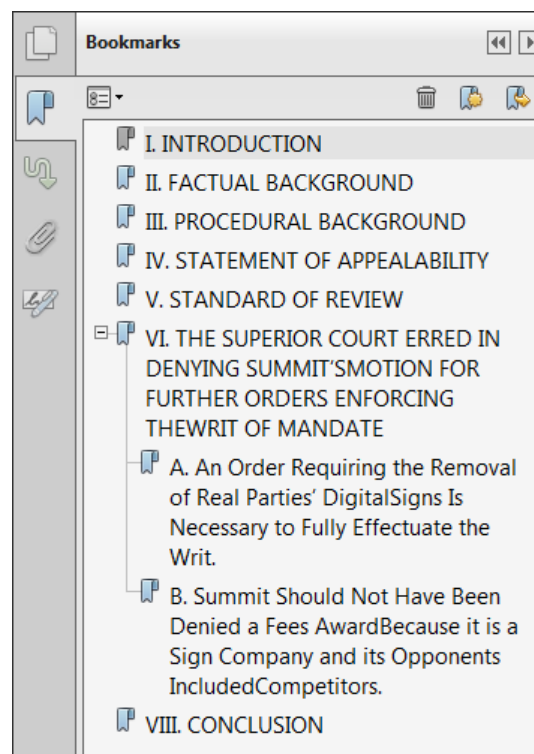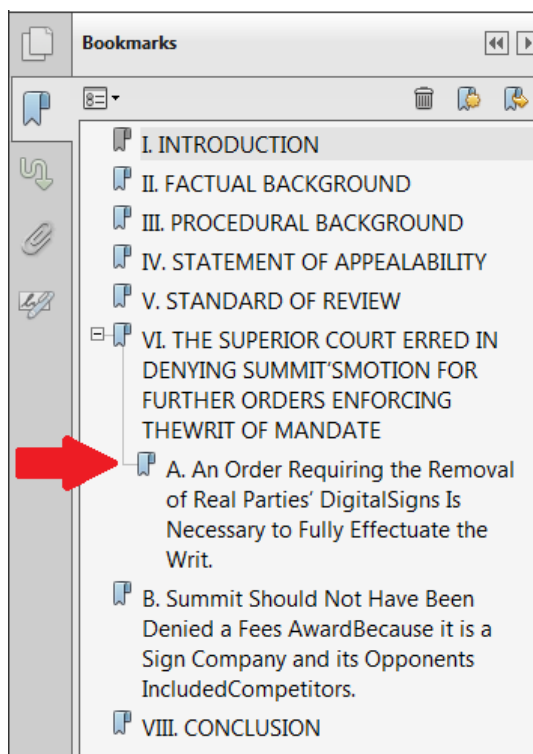


Alternatively, the mouse, the Shift and Control keys can be used simultaneously to mark two or more bookmarks to be nested, which can then be moved as a group to a new location.

Close and open the primary bookmark by clicking on this icon.



## 7. Redacting

Redaction should be done before creating bookmarks and making the appendices text searchable. The steps below will remove bookmarks and text recognition.
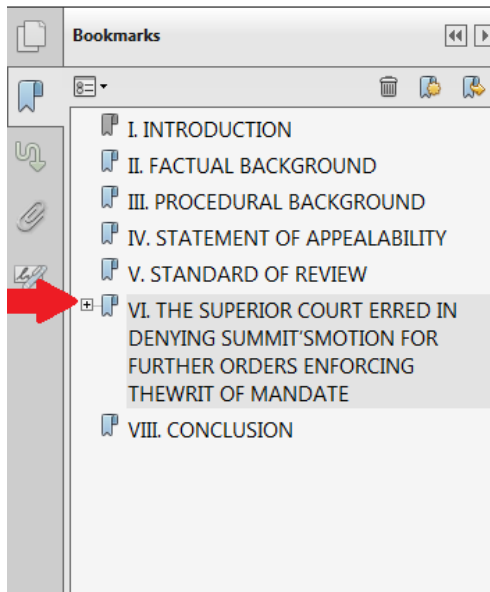
You must redact the following information from an appendix submitted to the court: (1) **social security numbers,** (2) **a birth date,** (3) **a home address,** (4) **the name of any person who was a minor when the underlying suit was filed,** (5) **a driver's license number,** (6) **a passport number,** (7) **a tax identification number,** (8) **any similar government-issued personal identification number,** (9) **bank account numbers,** (10) **credit card numbers,** and (11) **any other financial account number**. (Cal. Rules of Court, rule 1.20.)

The most important thing to remember about redacting documents is to **permanently remove the information from the document**. **Do not use a black highlighter in Adobe Acrobat to cover up the information!** Highlighter marks can be removed by anyone with Adobe Acrobat. And anyone can search the text of the document to find the text that is beneath the highlighter mark.

If you have Adobe Acrobat Pro, you can use the redaction features of the program to redact documents electronically (see instructions below). *Adobe Acrobat Standard does not have redaction features.*

## Redacting Using Adobe Acrobat Pro

Click the **Tools** panel > **Protection** > **Mark for Redaction**.

Select the text you want to redact. To select text, click the left button on the mouse and drag it across the text using the redaction tool. You can also double click a word to mark it for redaction.

Place the cursor over the word marked for redaction to preview what the text will look like when redacted.
Once you are satisfied with the appearance, choose **Apply Redactions**.

This window will appear
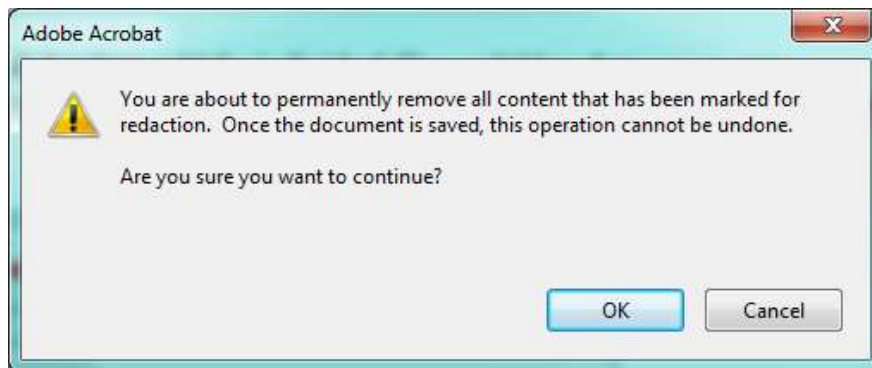


Click **OK**

When this window appears
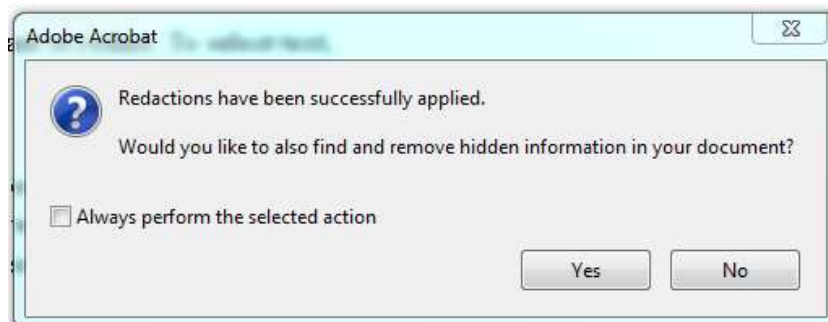


Click **Yes**

Adobe will open the panel below and find hidden information
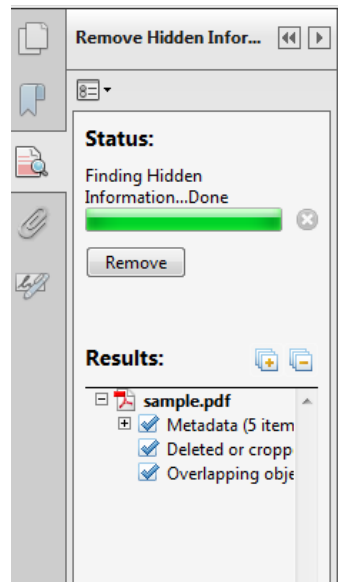


Click **Remove**

When this window appears
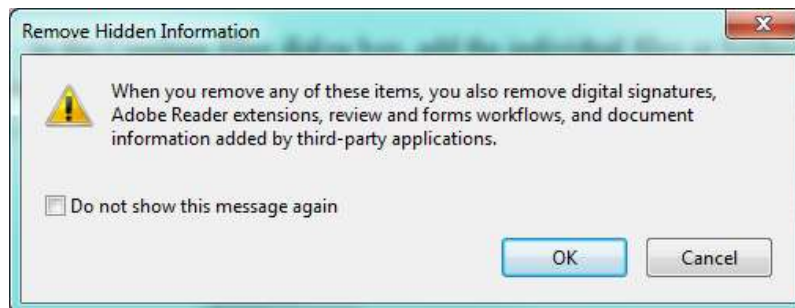


Click **OK**
Then Save the document.

## Optimize PDFs to reduce file size

Large documents or documents containing forms, photos or graphics should be saved as an optimized PDF to reduce file storage size.  Select **File** and Click **Save As**.  From the **Save as type** dropdown menu, select **PDF**.  From the **Optimize for** radio buttons, select **Minimum size (publishing online)**.  Click Save.

# III. Hyperlinking

## Overview of Hyperlinking

In the internet research world, hyperlinks are a standard way of "drilling down" for more detail or specific information. Just as all web pages contain links to other pages, cases downloaded from legal research services such as Westlaw or Lexis contain links to the cases, statutes, articles, or other sources cited within the opinion. The links allow immediate access by the reader to these referenced materials.
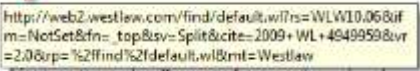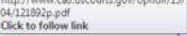
Attorneys can include links to cited law and their Appendix or Clerk's Transcript and Reporter's transcript, adding another level of persuasion to their writing. Hyperlinks in briefs and other court filings provide quick, easy, and pinpoint access to particular sections of a case, or to specific filings in the court's record. The attorney can thereby highlight the precise issue presented, and the specific evidence and controlling or persuasive law the court should consider.

Though it is not required, rather preferred, hyperlinks in court filings are very beneficial for court chambers. Court submissions which include links to relevant case law and case filings are easy for chambers staff to review. The attorneys' arguments can be immediately verified in the context of the relevant law. The justice or judicial clerk is able to read the text of the cited case law on one screen while reading the attorney's brief on the other. And if a brief contains links to referenced exhibits, and even to specific pages within those exhibits, the judge or judicial clerk can access the relevant evidence without having to navigate through the paper record. Particularly when dealing with large and complex cases, links save chambers considerable time and effort. Links make it easy for the court to verify – and adopt – the positions taken by an advocate.

## Types of Permissible Hyperlinks

*Subject to the court's local rules*, the following types of hyperlinks are typically allowed in court documents.

| | |
|---|---|
| **Internal Links** | For example, the Table of Contents located at the beginning of this Guide. |
| **Links to attachments and exhibits being filed with your brief** | **Note**:  Evidence *must* be filed of record.  A hyperlink to a public website where evidence can be found is not a substitute for filing evidence in support of a motion. |
| **Links to case and statute citations**<br><br>**Note:**  Unless a cited case cannot reasonably be found from a public source, it is not necessary to attach copies of cases or statutes to your brief. | For example:<br>**Westlaw**,<br><br>**Lexis**,<br><br>**or court websites**.<br> |

## Creating a Hyperlinked Table of Contents
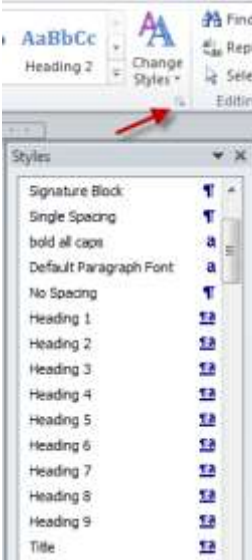
A table of contents in a Word document can include internal hyperlinks for navigating the document. When the document is converted to PDF format, these links will become bookmarks in the PDF document. Note that the Table of Contents is different from the Bookmarks that are required in the PDF version.
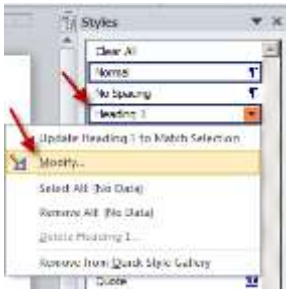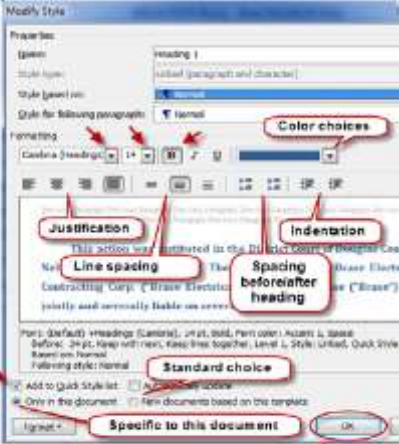
Although there are several methods for creating a table of contents in Word, the one most useful to attorneys (and discussed below), is to create the document, include any headings as you write, and then:

- Mark and format the headings to be included in the table of contents;
- Generate and insert the table of contents; and
- Edit as needed.

## Marking and Formatting Table of Contents Entries

To mark and format entries to be included in the table of contents using Microsoft Word:
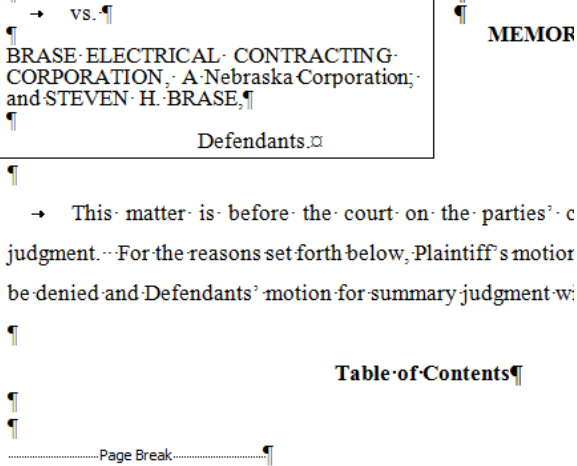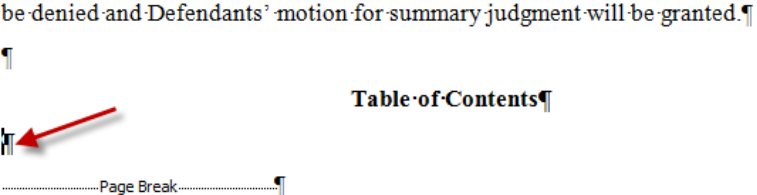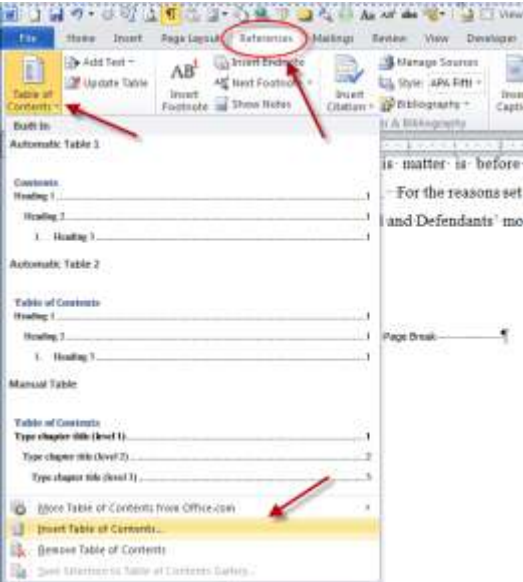
| STEP | ACTION |
|------|--------|
| 1 | Create your document, inserting all headings with the format of your choice. |
| 2 | Using your cursor, scroll over and select the heading you want to include in the table of contents.  |
| 3 | From the **Styles** section on your **Home** tab,  Click the down arrow in the right lower corner. A drop down list will appear. **Note:** There are pre-formatted Heading Styles available in MS Word, but only 2 may be visible in your styles drop-down menu. Additional heading options will appear, as you make your selections. For example, when you select and apply Heading 2, the Heading 3 option will appear and be available for the next heading level, and so on. |

| If… | Then… |
|---|---|
| You want the text of the table of contents entries to **match the headings already created** within your document (e.g. font, font color, bold, etc.): | Use your cursor to select the heading to be included in the table of contents.  From the Styles list**, Right-click** the heading level you wish to apply. In the box that appears, select: **Update Heading [x] to Match Selection.** Continue until a heading style has been applied to all heading levels within your brief. |
| You want to: **Set a standard format** (e.g. font, font color, bold, etc.), for all headings and table of contents entries created with your Word program, Or **Change the heading format** in the brief already created: | From the Styles list, **Right-Click** the heading level you wish to modify. In the box that appears, select **Modify** to open the Modify Style box.  Choose text: <br> • font <br> • font size <br> • appearance <br> • color <br> • justification <br> • line spacing  Save settings for: <br> • **only in this document**, or <br> • all documents created using your standard **templat** <br> • **Add to Quick Style List.** Click **OK.** |

Scroll through your document. For each heading, select the heading text with the cursor, then click the heading style to be applied.

## Generating and Inserting the Table of Contents

To add the Table of Contents to your document:

| STEP | ACTION |
|---|---|
| Place your cursor in the document at the location you want to insert the table of contents.<br><br>Add a title for the **Table of Contents**.<br><br>Enter a few hard returns.<br><br>**Control + Enter** to insert a page break. |  |
| Place your cursor where the table of contents entries should begin. |  |
| From the<br><br>**References** tab of your Word ribbon,<br><br>Select<br><br>**Table of Contents**, and from the menu that appears,<br><br>Select:<br><br>**Insert Table of Contents**. |  |

Make selections for the appearance of the table of contents.

Click **OK**.

**Note:** If your table has more than three levels, you must set **Show levels** to the correct number.

**Note:** The "Use hyperlinks instead of page numbers" must be checked or the table of contents will not have active links upon conversion to PDF.
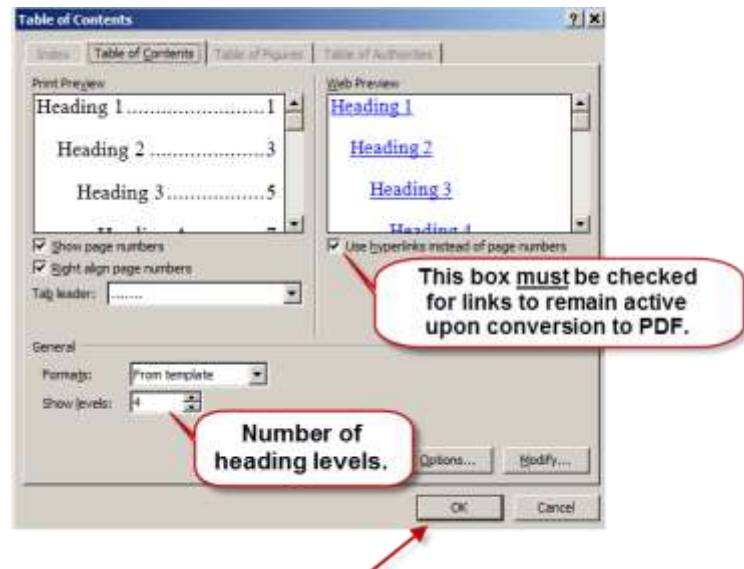


The Table of Contents, with active section links, will be inserted into your document.
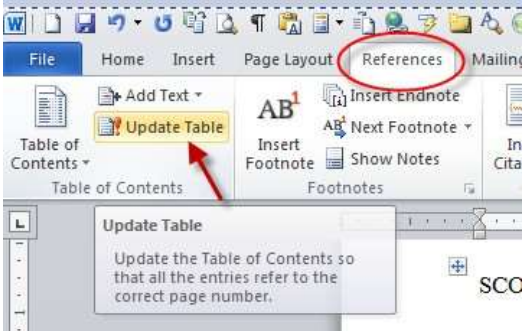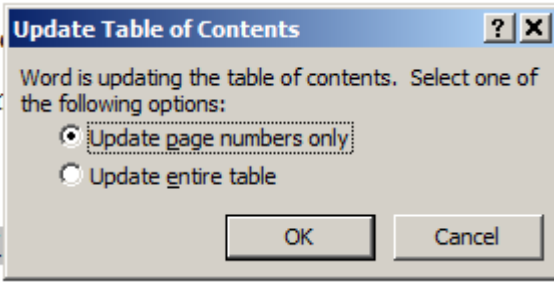
**Note:** You can manually modify the page numbers to appear as other links in your document,
blue and underlined).



## Editing the Table of Contents (if needed)

Inserting the Table of Contents may result in page break changes. For example, hard page breaks or extra lines that were added during drafting to adjust the overall look of the document may no longer be needed, or some may now need to be added.

If the brief was modified after the table of contents was inserted:

| STEP | ACTION |
|---|---|
| From the reference tab on the Word ribbon, select **Update Table**. |  |
| Select<br><br>**Update page numbers only**.<br><br>Click **OK**.<br><br>**Note**: If you have added or changed a heading, choose **Update entire table**. |  |

When the entire document is complete, using MS Word, **Save** the document as a PDF or **Create PDF**.

> **Note:  Do *not* Print to PDF.  All active links in your Word document become inactive in PDFs created using Print to PDF.**

## Formatting the Appearance of the Links Inserted

Before inserting links into a document, you may choose how those links will appear in the final document.  For example, do you want them to appear:
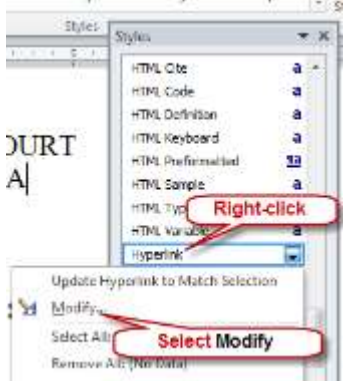
blue and underlined, **bold and black,** *black and italicized*, or
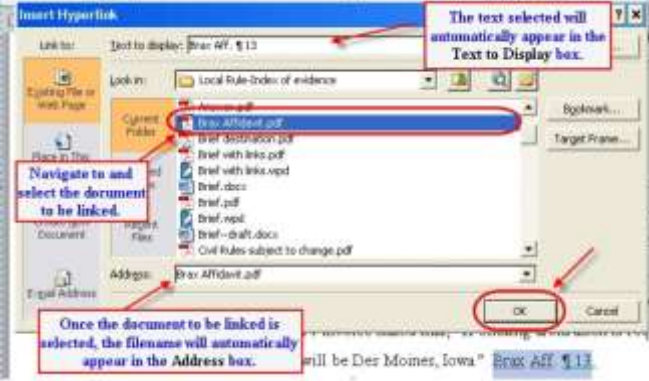
some other appearance?

To select the appearance of the links in your document:

| STEP | ACTION | |
|------|--------|--|
| 1 | On the **Home** tab, click on the tiny arrow under **Changes Styles**. | |
| 2 | A drop down menu will appear. Scroll down until you see **Hyperlink**. Right-click on **Hyperlink,** and from the choices that appear, select **Modify**. | |
| 3 | A **Modify Style** box will appear. Change the color, font, and underlining, etc. for hyperlinks. **Note:**  Choose a specific font and font size for the linked text *only* if the linked text font and font size should appear different from that of the document text.  Otherwise, leave the font and font size selections blank. Click **OK**. | |

## Adding Links to Attachments

| STEP | ACTION |
|------|--------|
| 1 | Save all the attachment documents you will cite in your brief into a single folder in your computer. The documents must be in PDF format. Be sure the names of the files do not contain special characters, such as apostrophes or ampersands, as these will break the hyperlinking process. |
| 2 | While drafting your brief, include the citations to the documents saved in your computer. |
| 3 | Using your cursor, select the text to which a link will be added.<br><br>for any seed disputes, the 2011 invoice stated that, "If binding arbitration is required (see bag), the place of arbitration will be Des Moines, Iowa." Brax Aff. ¶ 13. |
| 4 | On the **Insert** ribbon, select **Hyperlink**.  |
| 5 | In the **Insert Hyperlink** dialog box:<br><br>• Navigate to cited file saved on your computer;<br>• **Select** the file; and<br>• Click **OK**.  |

| 6 | A link to the file will be added to the text. If you hover over the link with your cursor, you will see the link address. |
|---|---|

and conditions sheet, and again putting Plaintiffs on notice that ar~~[file:///\\\\eamhill_net.circ8.dcn\data\~~
~~cmecf\ending digits\zwart documents\of~~ red
for any seed disputes, the 2011 invoice stated that, "If binding a~~evidence\brax affidavit.pdf~~ see
~~Click to follow link~~
bag), the place of arbitration will be Des Moines, Iowa." Brax Aff. ¶ 13 (emphasis added).

Add links to all the citations in your brief accordingly.

**Note:** Specific page links can be added by following the directions in the previous section. Use the **PDF** page number, not a Bates number or footer page number, for the citation.

## Automated Links to Legal Citations

Links to legal citations can be added manually or, assuming the software is compatible with your computer and word processing software, by using automated linking software available through Westlaw or Lexis.

### Access to Linking Software

| Tool | Cost | URL |
|---|---|---|
| Westlaw InsertLinks | Must purchase a West BriefTools subscription. Estimated cost: $100/month for small firms; $300 to 500/month for larger firms (10 licenses) | http://legalsolutions.thomsonreuters.com/law-products/solutions/brief-tools?searchterms=brief+tool |
| Lexis for Microsoft Office | This Lexis software product will add links for research and drafting purposes, but those links are lost upon conversion to PDF. Lexis is investigating the issue. | http://www.lexisnexis.com/en-us/products/lexis-for-microsoft-office.page |

## Linking Software—Compatibility Information

The following graph outlines the compatibility of Shepard's Links 2008, West InsertLinks, and Lexis Links for Microsoft Office for inserting links into MS Word and WordPerfect documents with a Windows XP (SP3) 2GB Memory, Windows Vista (SP2) 4GB Memory, or Windows 7 – 4GB Memory computer.*

|  | Shepard's Links 2008 | Lexis for Microsoft Office | West InsertLinks |
|---|---|---|---|
| **MS Word 2010** |  | X** | X*** |
| **MS Word 2007** |  | X** | X*** |
| **MS Word 2003** | X |  | X*** |
| **MS Word 2000** | X |  |  |
| **WordPerfect X6****** |  |  |  |
| **WordPerfect X4 – X5** |  |  | X |
| **WordPerfect X3** | X |  | X |
| **WordPerfect 10 – 12** | X |  |  |

\*   The West and Lexis linking software programs cannot be used on Apple computers. Moreover, although Shepard's Links was not designed to operate on Windows Vista and Windows 7 (as reflected in the Lexis literature), it is working on these computer systems.

** Lexis for Microsoft Office is being developed and tested. However, in its current stage of development, any links added by Lexis for Microsoft Office are being stripped out upon conversion to PDF.  Lexis is investigating this issue.

*** Westlaw product information states InsertLinks is compatible with both 32- and 64-bit Microsoft Word. However, while it works well with 32-bit Word, InsertLinks is not fully compatible or useful with 64-bit Word.

**** West currently has no linking software compatible with WordPerfect X6. West indicates it may develop and release this product during the summer of 2013.

## Westlaw InsertLinks

InsertLinks is a Westlaw computer software program which scans Microsoft Word or Corel WordPerfect[1] documents to locate legal citations, and then automatically inserts hyperlinks to the Westlaw internet address (url) for those citations into the word processing document.

See attached InsertLink example-Word

InsertLink example-WordPerfect

## Installing West InsertLinks

InsertLinks is part of the West BriefTools suite, and a BriefTools subscription is required in order to use this software.
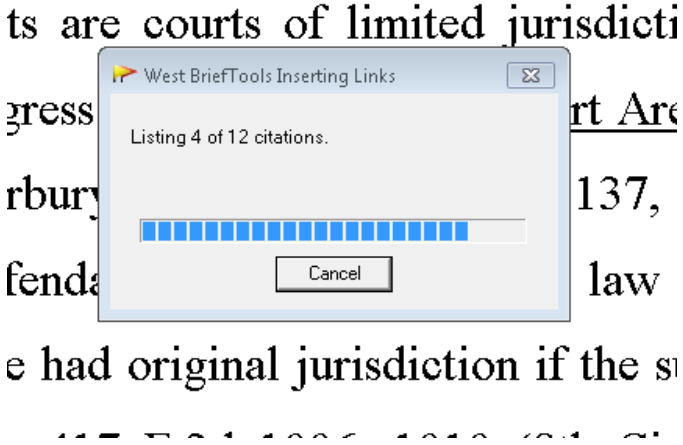
- The current West BriefTools product is Version 2.7.2039, which was updated on December 10, 2012.

- The attached BriefTools Software Download instructions outline the system requirements and provides instructions on how to install West BriefTools.

## Using West InsertLinks

Once InsertLinks software is installed, Westlaw links can be installed automatically in Microsoft Word documents using the following steps:

| STEP | ACTION |
| --- | --- |
| 1 | With the Microsoft Word document to which you are adding links open on your screen:<br><br>Select the **Westlaw Solutions** tab on the Word ribbon. |
| 2 | The West BriefTools options will open.<br><br>Select **InsertLinks**. |

---

[1] Currently, InsertLinks is not compatible with, and cannot be used for, automatically inserting links into WordPerfect X6 documents. It does, however, work with prior versions of WordPerfect.

| STEP | ACTION |
|:---:|:---|
| 3 | The InsertLinks software will begin searching the document for citations and inserting the appropriate links. |



The box depicted above will disappear when the process is complete and all links are installed.

## Manually Inserting Hyperlinks

As previously described, hyperlinks to documents filed can be manually added to a document about to be filed. It is also possible to manually create links to documents available through commercial legal websites (e.g., Lexis or Westlaw), and those posted on the court's website (Local Rules).

Manually adding links can be labor intensive if the document is long, but the process is not difficult. And even if you are primarily using software to add links to a document, understanding the underlying mechanics of hyperlinking within WordPerfect and Word documents is helpful and may be necessary if, for example, you need to make corrections to the automatically created links.

## Manually Creating Links to Online Research Resources

The process for manually adding links to Westlaw, Lexis, Google Scholar, or any other online research resource (LoisLaw, FastCase, etc.,) is the same.

| STEP | ACTION |
|------|--------|
| 1 | In the brief, use your cursor to select the citation to which you are adding a link.<br><br>The United States Supreme Court has held that the FAA "embodies the national policy favoring arbitration." Buckeye Check Cashing, Inc. v. Cardegna, 546 U.S. 440, 443 (2006). See also Mastrobuono v. Shearson Lehman Hutton, Inc., 514 U.S. 52, 56 (1995); |
| 2 | Sign into the legal research website and open the cited document. Select the url address for the document.<br><br>**Note:** When using this method, if the link on the website changes, the link in the document may not work.<br><br>Right-click, and **Copy** the address.  See below:<br><br><br><br>**OR**<br><br><br><br>When using Lexis Advance, select Actions > Link to this page. This will use a static link, which should always work.<br><br><br><br>**Note**:  Check your local rules for any authority or limitations on the legal research websites to which links are permitted.<br><br>**Note:**  Some attorneys have reported difficulty using this method to insert links to Lexis research. |

| STEP | | ACTION |
|------|---|--------|
| 3 | a | Select the **Insert** ribbon, then select **Hyperlink**. An **Insert Hyperlink** dialog box will appear.  **Note:** The text you selected will automatically appear in the "**Text to display**" line. |
| | b | Place your cursor in the **Address** box of the Insert Hyperlink dialog box. Right-click. From the drop-down that appears, select **Paste.**  Click **OK**. |
| | c | The link to the citation will be added in your brief.  |
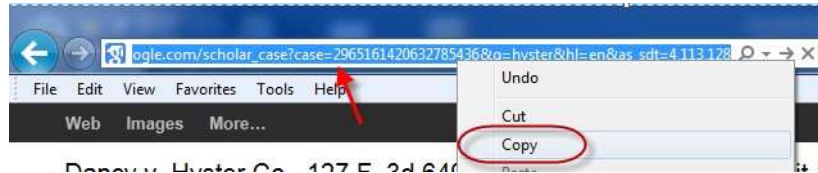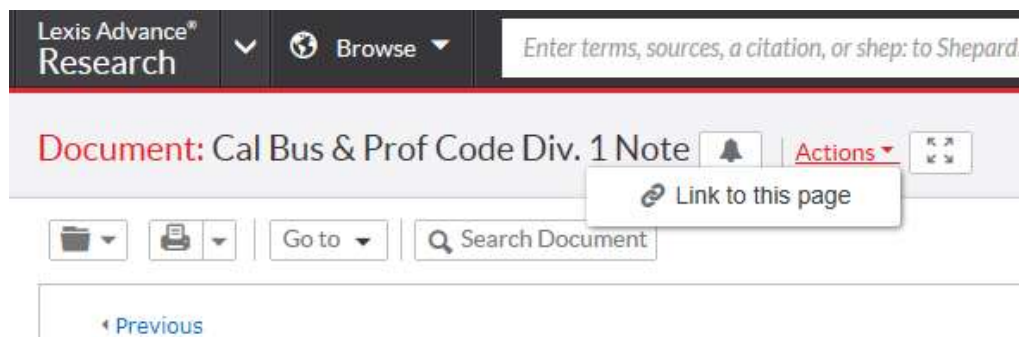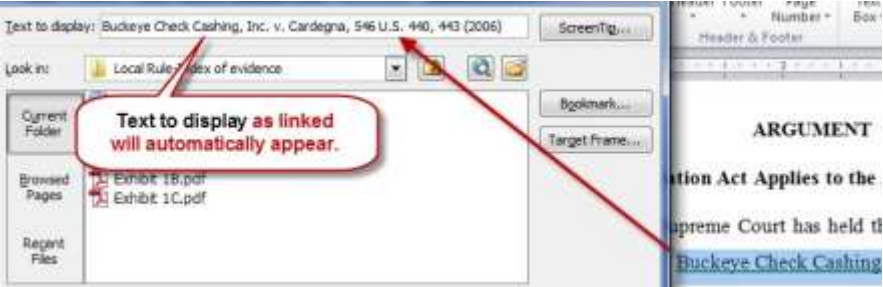
## Optimize PDFs to reduce file size

Large documents or documents containing forms, photos or graphics should be saved as an optimized PDF to reduce file storage size.  Select **File** and Click **Save As**.  From the **Save as type** dropdown menu, select **PDF**.  From the **Optimize for** radio buttons, select **Minimum size (publishing online)**.  Click Save.

# Appendix A

# STEP-BY-STEP DIGITAL APPENDIX GUIDE

**1.0**      **Preparing the Trial Exhibits**

Trial exhibits are often retained in diverse file formats as well as hardcopy. For e-filing, all must be converted to searchable PDF. Additionally, because of maximum file size limitations for e-filing, scanning and OCR settings become critical.

     1.1      Convert native file formats to searchable PDF

     1.2      Scan hardcopy to PDF and apply OCR

     1.3      Issues with "second-hand" PDF and OCR

     1.4      Reduce size of "bloated" files and maintain optimal file sizes

*Files are now searchable PDF, appendix-ready and ready for efficient review.*

**2.0**      **Assembling the Appendix**

     2.1      When all exhibits that make up the appendix have been selected, create a Chronological index template with columns for **Tab No., Description, Date, Volume, and Page.** Populate the columns for Tab No., Description and Date.

     2.2      Rename exhibit files with Tab No. and description, e.g. "Tab 001 - Summons and Complaint for Damages filed 01-15-2014". (The Tab no. will sort the files in Chronological order; see § 2.4 below about suggested file name format.)

     2.3      Move exhibit files into folders (Vol. 01; Vol. 02…) with total file size less than 24MB.

         2.3.1      When needed, split large files between two or more volumes. Name the sub-divisions of the file with "(Part 1), (Part 2)…" preceding the description, e.g. "Tab 025 – (Part 1) Declaration of James Smith filed 07-15-2015.pdf"

     2.4      Use Acrobat's "Combine files" feature to merge the files in each folder and automatically create bookmarks (from the file names) linked to the beginning of each document or document sub-division.

         2.4.1      If any exhibit files have been split between volumes, add an additional entry to the index template in § 2.1 above, with Tab No. and "(Part #)" preceding the description.

     2.5      Rename the compiled appendix file in each folder (suggest Vol. 01, Vol. 02…) so the appendices sort correctly during Bates stamping, and move them to a new folder.

*Appendix volumes, meeting the 25 MB limit have now been created with bookmarks linked to each exhibit. They lack a cover page and index pages as well as bookmarks to the indices.*

**3.0**      **Preparing Interim Alpha and Chron Index Pages**

Interim indices are now needed to determine the number of pages to be added to each volume for cover page and index.

     3.1      Using the Chron index template from § 2.1 above, create interim Master Chron and Alpha index pages for the first volume and individual Chron index pages for all other volumes. (The 4th COA also requires a "local" Alpha index for each volume) Note that when creating the Alpha indices, you must take into account the "(Part #)" text when sorting by description. <u>All indices must be formatted exactly as the final index pages are formatted, including any heading, case description, etc</u>. Save as PDF.

3.2 Use the Acrobat thumbnail panel to insert the appropriate interim index pages plus a blank cover page at the beginning of each volume.

**4.0 Bates Stamping the Volumes**

With interim Index pages and blank cover pages added, the volumes are now ready for Bates stamping which, when finished, will provide the page numbers needed to complete the final index pages and cover pages.

4.1 With the appendix volumes in a single folder *with no other PDF files*, Bates stamp them sequentially from the cover page of the first volume through the final page of the last volume.

4.2 Use the bookmarks in each volume to link to the first page of each exhibit and note the Bates number for the index.

**5.0 Finalizing the Master Chron, Master Alpha, Individual Chron and Alpha Indices and Volume Cover Pages.**

5.1 Using the interim Master Chron index from § 3.1 above, fill in the volume and page number columns and finalize the Master Chron and Alpha index pages for the first volume. Next, create the final individual Chron and Alpha (4th COA) index pages for all other volumes. Save to PDF.

5.2 Create a cover page template and fill in the volume number and page range for each volume. Save to PDF.

**6.0 Replacing Temporary Cover and Index Pages in Each Volume**

6.1 Use Acrobat's thumbnail panel to replace the temporary cover and index pages in each volume with the final versions. Note that this process removes the Bates numbers on the replaced pages.

6.2 Use Acrobat's Remove Bates Numbering tool to remove all Bates numbers in the folder, and then use the Bates Numbering tool to recreate them in all volumes.

**7.0 Additional Requirements**

7.1 Create bookmark links to indices in each volume. (Only included in 6th COA rule but should apply to all)

7.2 Sync the number in the page navigation window (Acrobat page counter) with Bates numbers in each volume. (Only included in 5th COA rule but should apply to all)

7.3 Create bookmark links to listed sub-attachments, such as an exhibit to an attachment. (6th COA)

7.4 Set all bookmark zoom settings to "Inherit Zoom" (Only included in 5th COA rule but should apply to all)

# Appendix B

# Creating Digital Appendices for E-Filing in the CA COA

Five of the six California Appellate Districts have implemented mandatory e-filing and the one remaining, the 2nd, will do so late this year.  With the requirement for continuous Arabic page numbers throughout multiple appendix volumes, determining volume splits, adding indices and bookmarks, and applying Bates numbers can be a challenge – with each item depending on another in some way.  The following table is a compilation of the local rules by district (as of 3.29.16), and the step-by-step guide that follows is intended to simplify the processes required to meet the new rules.

(The 4th COA Local Rule 5 requirements will go into effect 4/4/2016 and are included in the table)

| CA COA Digital Appendix Requirements | 1st COA (SF) | 2nd COA (LA) | 3rd COA (Sac) | 4th COA (SD, OC, RS) | 5th COA (Fresno) | 6th COA (Santa Clara) |
|---|---|---|---|---|---|---|
| **Local Rule** | 16 | | 5 | 5 | 8 | 2 |
| **A.  File Preparation** | | | | | | |
| 1.  Searchable PDF | X | | X | X | X | X |
| 2.  Scanning resolution of 300 dpi; B/W; <u>not</u> grayscale; use color only for images, charts | X | | X | X | X | X |
| **B.  Indices** | | | | | | |
| 1.  Master Chron and Alpha in first volume | X | | X | X | X | X |
| 2.  Individual Chron in all other volumes | X | | X | X | X | |
| 3.  Individual Alpha in all other volumes | | | | X | | |
| **C.  Bookmarks** | | | | | | |
| 1.  Linked to indices in each volume | | | | | | X |
| 2.  Linked to each listed exhibit or attachment | X | | X | X | X | X |
| 3.  Linked to each listed sub-attachment | | | | | | X |
| 4.  Name must include "Tab no., Description" | X | | X | X | | |
| 5.  All "zoom" settings must be "Inherit Zoom" | | | | | X | |
| **D.  Assembled Volumes** | | | | | | |
| 1.  Maximum individual volume size 25 MB | X | | X | X | X | X |
| 2.  Cover pages to include Volume no. and page range | X | | X | X | X | |
| 3.  Consecutive Arabic page/Bates numbering from the cover of the first volume continuing throughout the volumes | X | | X | X | X | X |
| 4.  Appendices *may* be delivered on optical reading media under some circumstances | X | | X | X | | |
| 5.  Number in Acrobat page counter must be synched with page/Bates numbering | | | | | X | |