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## **Guide to Creating Electronic Appellate Briefs**

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# Guide to Creating Electronic Appellate Briefs



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# Guide to Creating Electronic Appellate Briefs

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## Introduction

### Six Basic Steps

There are six basic steps to creating an electronic brief that complies with the electronic filing rules for Texas 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. Convert any appendix materials to PDF (do not scan materials that are available in electronic format such as court opinions, statutes, rules, etc.).
3. Combine the brief and any appendix materials together into one PDF file.
4. Make any scanned materials searchable using optical character recognition (OCR) software like Adobe Acrobat.
5. Create bookmarks for any documents contained in the appendix.
6. Redact any information that must be redacted under the rules, like social security numbers, children's names, bank account numbers, etc.

If you have Adobe Acrobat you can complete steps 1-5 in one easy step using the Combine Documents feature, which is discussed in detail below.

If you do not have an appendix or attachment you can skip steps 2-5—just save your document as a PDF. And you can skip step 6 if your document does not contain any information that must be redacted.

### Next Steps

#### Bookmark the body of the brief

Bookmarks are a fast and easy way for justices and their staff to quickly navigate to different parts of your brief. In Adobe Acrobat, bookmarks appear on the left hand side of the screen. Survey results show that one hundred percent of justices like briefs that are thoroughly bookmarked. Bookmarks are only *required* for items in your appendix, but you should also create bookmarks for the different sections of your brief. Instructions on how to create bookmarks are included below.

#### Hyperlink citations

Consider including cases and other authorities in your appendix and creating hyperlinks in the body of the brief to those authorities. Or you can hyperlink your citations to online resources like

Westlaw, Lexis, and the legislature's website. Hyperlinks are not required by the rules, but justices and their staff frequently comment that they like hyperlinked briefs. If you have the time and the resources, you can provide the court with a brief that contains hyperlinks to every citation in the brief, including the citations listed in your Index of Authorities. Instructions on how to create hyperlinks in Word, WordPerfect, and Adobe Acrobat are included below.

## 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 allows you to create headings in your brief that will automatically create bookmarks when you save the document as a PDF. You can also create hyperlinks to online resources in Word and WordPerfect that will work when you save 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 an enormous number of books and online resources to assist you with Adobe Acrobat. For example, Adobe hosts the 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.

### Scanners

Although you are prohibited from scanning your brief and any other document (e.g. cases, statutes, etc.) that is available in electronic format, 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.

There are many different manufacturers and models of scanners. For example, Fujitsu makes the economical ScanSnap scanner line that scans about eight pages a minute. It also makes high speed production scanners that will scan up to 130 pages per minute. If you do not want to buy a scanner, office service companies like FedEx Office will scan documents for a fee.

**Be sure to set your scanner to Black and White with a resolution of 300 dpi.** These settings are required by rule. There is no point in scanning black and white documents at settings other than Black and White, 300 dpi. And scanning documents in color, grayscale, or at a higher resolution than 300 dpi will create files that are unnecessarily large. See the instructions below

Also available as part of the eCourse

[Don't Skip the Criminal Opinions; The Other Side of eFiling; Damages Error; Prejudgment Interest and Other Judgment Battlegrounds; Post-Verdict Pitfalls; plus the Impact of Amicus Briefs](#)

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25<sup>th</sup> Annual Conference on State and Federal Appeals session  
"The Other Side of eFiling"