

DISTRICT COURT OF APPEAL, FIRST DISTRICT

Tallahassee, FL 32399-1850
Telephone (850) 488-6151

Date: August 2, 2010

Administrative Order 10-3

In re: Electronic Filing of Pleadings in the First District Court of Appeal

BY ORDER OF THE COURT:

To the extent of any conflict, this order supersedes the electronic filing requirements of corrected Administrative Order 09-3. As mandated by the Florida Legislature in SB1718 and as authorized by the Florida Supreme Court's Administrative Order AOSC10-32, In Re: Interim Policy on Electronic Appellate Court Records, dated June 29, 2010:

A. Effective August 9, 2010,

1. The court's electronic filing portal, eDCA, will be open to registered users to electronically file all filings that were previously required to be filed in paper. Information about categories and pleading titles are available on the court's web-site: <http://www.1dca.org>
2. Between August 9, 2010, and September 1, 2010, all filings may be made by registered users either electronically through eDCA or in paper, but no

document should be filed by both methods. The court prefers all filings to be made electronically through eDCA.

3. In any situation where duplicate filings are made both in paper and electronically, the version of the document received by the court first will be used to determine the date of filing.

a. Filings submitted electronically should not be filed in paper format. If a filing is made electronically and a subsequent paper version is received, the court will not process the paper version. The electronic filing will constitute the official filing.

b. If a paper filing is received in the court and a subsequent electronic version of the filing is received, the electronic version will be rejected as unnecessarily filed and the paper version will constitute the official filing.

B. Effective September 1, 2010:

Registered eDCA users will no longer be authorized to file any pleading in a paper format. All pleadings will be required to be filed electronically through eDCA pursuant to the following:

1. Attorneys appearing before this court are required, and non-attorneys are encouraged if they are able, to register as users through the electronic portal, eDCA, at: <https://edca.ldca.org/Registration.aspx>. This will allow the user to file all pleadings with the court electronically.
2. The previous requirement that duplicate paper filings also be made when pleadings are electronically filed with the court is discontinued. This includes any requirement for multiple additional paper copies required by the Florida Rules of Appellate Procedure. This means, documents filed electronically are not required or permitted to be filed in paper format.
3. Non-attorneys not registered with eDCA may continue to file pleadings in paper format pursuant to the Florida Rules of Appellate Procedure and the Florida Rules of Judicial Administration. Such pleadings filed by non-attorneys not registered with eDCA need only file the original; copies prescribed by the rules are no longer required to be filed with the original pleading.
4. Documents filed electronically through eDCA must be in Adobe portable document format "PDF." Documents may be scanned into PDF format or they may be converted directly to PDF format from the filer's word processing program. Information on how to convert files into PDF format can be found on the court's website, www.ldca.org. Court personnel will

not be able to provide guidance or technical support beyond the information provided on the court's website.

5. Registration through eDCA will allow the user to provide a password to allow secure access to all cases the registered user has appeared in, and the electronically captured filings listed on the docket in those cases.
6. When making filings the user should follow instructions provided through the eDCA portal and select the appropriate document type when prompted.
7. Each separate pleading or document filed electronically through eDCA must be submitted as a single complete document. Likewise multiple documents must be filed separately.
 - a. For example, a brief should NOT be filed in separate parts such as the cover page as one filing, the table of contents as a second filing, the table of citations as a third filing, and the body of the brief as a fourth filing. A brief is a single document and must be filed as a single filing.
 - b. If a Motion for Attorneys' Fees is electronically filed on the same day as the brief, the Motion for Attorney Fees is a separate document and must be filed separately and not in the same filing as the brief. Both documents should be submitted as separate filings.
 - c. If a pleading consists of more than one document (such as an appendix), it is the responsibility of the filer to combine those

documents before submission to the court; eDCA does not have the ability to combine multiple documents into one filing for a filer.

- d. If an appendix to a pleading is filed separately, it must be properly styled and contain its own certificate of service. The cover page of the appendix must also clearly state the pleading to which it is an appendix. Again, an appendix must be filed in one document, not broken up into multiple filings. Electronically filed appendices must be numbered or tabbed and, if tabbed, the tabs must appear within the electronic document. If multiple volumes of an appendix are efiled, each volume of appendix must contain a cover page with the case information and clearly set forth the pleading to which it is an appendix and the volume number of the appendix.
8. Letters and correspondence addressed to the court or the clerk of the court, including transmittal and cover letters, are not permitted to be filed electronically with the court and may not be included with electronic pleadings.
9. Pleadings filed electronically will automatically have the court's time/date stamp and seal electronically affixed to the upper right-hand corner of the first page of the document. Filers should leave the upper right-hand corner of the first page of filings empty to accommodate the court's time/date

stamp and seal (approximately 1 inch by 2 inches). Filers must submit pleadings so that they are properly oriented to be read without needing to be rotated (such as on their side or upside-down).

10. All court orders, opinions, and mandates will be issued to all registered users in a case at the same time electronically through “Casemail.” A link will allow the registered user to view and print an electronic copy of the court’s order, opinion, or mandate. Those documents can also be viewed at any time after release by registered users through the eDCA docket.
11. Shortly, paper copies of court orders, opinions, and mandates will no longer be mailed to registered users. Users are responsible for keeping their email address with the court up-to-date and are responsible for disabling any spam filters or other programs which would prevent emails from the court from reaching their email systems. Non-attorneys not registered with eDCA will continue to receive all orders, opinions, and mandates of the court in paper through the United States Postal Service.
12. Pleadings filed electronically with the court are not required to contain an original signature as provided in Florida Rule of Judicial Administration 2.515. However, when electronically filing pleadings, as disclosed in the notice provided the user prior to submission through the eDCA web-site and by use of the secure password, the registered user is required to confirm his

or her intent that the filing be accepted by the court and the agreement by the user that submitting the document for filing creates the same obligations as the original signature creates on a paper document.

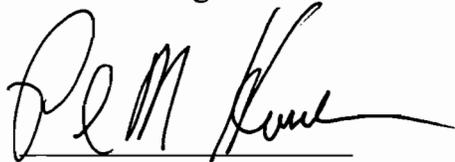
13. All registered users filing a document through eDCA shall include on the document their (business) email address as well as physical address, phone number and Florida Bar number (if applicable).

14. Pleadings are still required to contain a certificate of service pursuant to Florida Rule of Appellate Procedure 9.420. If a pleading is served on the opposing side electronically by email or some other electronic means, the certificate of service must state the electronic means used as well as the date of service. Electronic filings which do not contain a date of service may be rejected.

15. The date an electronic filing is received by the court through eDCA will constitute the date of filing of that pleading; up to 11:59 p.m. Eastern Time on the date the document is electronically filed. Any filing on or after midnight will be deemed to be filed the next business day. Filings on a weekend, a holiday, or any other day the court is closed will be deemed to be filed on the next business day. It is the responsibility of filers to ensure filings are properly submitted to the court through eDCA and that time-

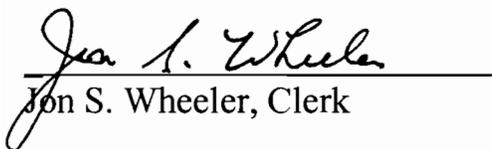
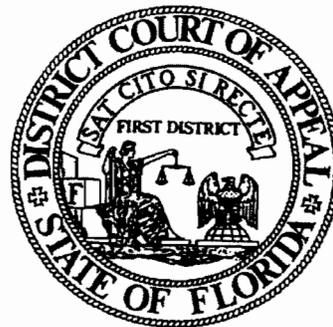
sensitive electronic filings are submitted to and received by the court in a timely manner.

16. Once an electronic filing has been submitted to the court through eDCA, it becomes a filing with the court. Court filings will be docketed in the case after processing by the clerk's office during regular business hours unless the electronic filing is rejected as deficient. If the filer discovers after submitting the document that there is a mistake, he or she must file an amended filing as well as a motion requesting that the court accept the amended filing. To avoid multiple filings of the same document, filers should carefully review their filings before submitting them to the court through eDCA.



Paul M. Hawkes, Chief Judge

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order dated August 2, 2010.



Jon S. Wheeler, Clerk

Copies: Chief Justice Charles T. Canady, Florida Supreme Court

Florida First District Court of Appeal Judges
Lisa Goodner, Florida State Courts Administrator
John F. Harkness, Jr., Executive Director of The Florida Bar
West Publishing Company (for publication in the Southern Third
Reporter)
Judicial and Administrative Research Associates, Inc. (for publication in
The Florida Law Weekly)