

THE SUPREME COURT OF VIRGINIA



**DIGITAL APPELLATE  
RECORD STANDARDS**

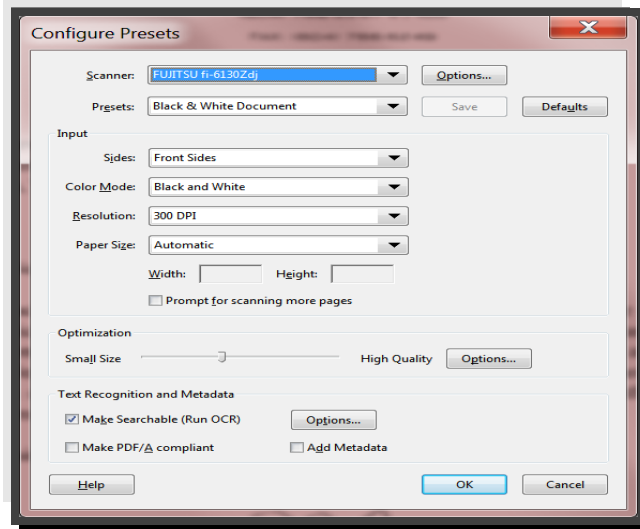
THE COURT OF APPEALS OF VIRGINIA

# **Digital Appellate Record Standards for the Supreme Court of Virginia and Court of Appeals of Virginia**

## **A. The Digital Appellate Record ("DAR").**

1. The Digital Appellate Record is a collection of Portable Document Format (PDF) files and documents.
  - a. A PDF file is a document that may include multiple pages.
  - b. The DAR may contain multiple PDFs, e.g. Manuscripts, Transcripts and Exhibits.
2. The DAR will be separated into the following PDF files with an individual Table of Contents and a number designation preceding each PDF file name.
  - a. 00 Master Table of Contents
  - b. 01 Manuscripts
  - c. 02 Transcripts
  - d. 03 Exhibits
3. Depositions will be included in the DAR either 1) in the manuscript or 2) as an exhibit, if filed as such.
4. All DARs will be submitted via a Digital Record System (DRS). Any file larger than 150MB will be automatically rejected.
5. Tribunals should retain a copy of each DAR submitted to an Appellate Court. Tribunals are also required to retain the original documents filed in the case until (1) the expiration of 70 days from the date of the final order, if no notice of appeal has been filed, or (2) all appeals to the Court of Appeals of Virginia and the Supreme Court of Virginia are final, if a notice of appeal has been filed.
6. Scanning specifications – the scanned page should be a complete and accurate representation of the original. (Adobe Acrobat 8 Standard or above is suggested):
  - a. Color Mode
    - i. Most documents will be scanned in black and white.
    - ii. Handwritten pleadings and papers submitted in pencil may need to be scanned in greyscale in order to be readable.
    - iii. Documents submitted on color paper may also need to be scanned in greyscale in order to be readable.
    - iv. Photo exhibits should be scanned in color.
  - b. Resolution should be dependent upon what is necessary to make the image easily readable, generally 300 DPI or higher.

- c. Sides – Front Sides (unless the document is two sided).
- d. Paper size – Automatic.
- e. Make Searchable (Run OCR).

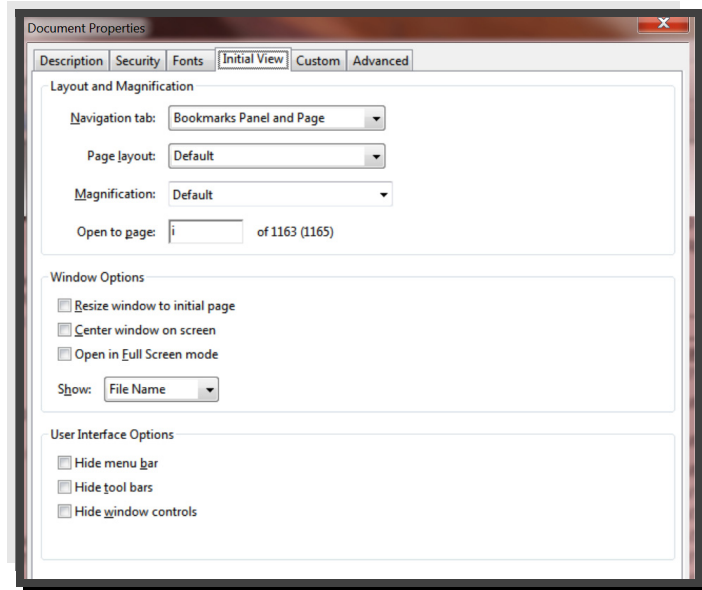


7. DAR Name Format.

- a. Consolidated cases should be included in one DAR. The name displayed should reflect the first party to file a Notice of Appeal. The case number displayed should reflect the record number of the case after consolidation.
- b. Cases in which there are multiple cases that were not consolidated, but consist of only one record, should be named according to earliest sequentially assigned case number.
- c. Naming Conventions.
  - i. Table of Contents – Master: 00 TOC 001.pdf
  - ii. Manuscripts Vol I: 01 MAN 001.pdf
  - iii. Manuscripts Vol II: 01 MAN 002.pdf
  - iv. Transcripts: 02 TRN 001.pdf
  - v. Exhibits: 03 EXH 001.pdf
  - vi. Sealed Documents: 01 MAN SLD 001.pdf  
02 TRN SLD 001.pdf  
03 EXH SLD 001.pdf
  - vii. Addenda.
    - (a) 00 TOC ADD 001.pdf
    - (b) 01 MAN ADD 001.pdf
    - (c) 01 MAN ADD 002.pdf
    - (d) 02 TRN ADD 001.pdf
    - (e) 03 EXH ADD 001.pdf
    - (f) 01 MAN ADD SLD 001.pdf
    - (g) 01 MAN ADD SLD 002.pdf
    - (h) 02 TRN ADD SLD 001.pdf
    - (i) 03 EXH ADD SLD 001.pdf

8. DAR View Format.

- a. The document properties must be set for the Initial View. The DAR must be saved after the initial view is set. (In Adobe Acrobat):
  - i. Navigation tab: Bookmarks Panel and Page
  - ii. Page layout: Single Page
  - iii. Magnification: Fit Width
  - iv. Open to page: Insert a “i” (Opens to the Table of Contents)



- b. The OCR (Optical Character Recognition) text recognition option should be applied to all scanned PDFs that contain text to make the PDF searchable. In Adobe Acrobat, OCR must be applied before page numbering, because during the OCR process some pages will be rotated and the page number will not display in the proper location.
- c. PDFs in the DAR should be aligned properly for viewing without rotation.
- d. Date stamps should be readable on documents, particularly on the Notice of Appeal and transcripts.
- e. Every document must be date stamped on the front of the document, including cover letters and any document received with a cover letter. Please do not date stamp over text, if possible.
- f. All documents should be scanned such that the entire page is digitized and no part of the page is missing from the record.
- g. The clerk's certification paragraph accepted by the Clerk of the Supreme Court and the Clerk of the Court of Appeals should be used. See Example I on page 7.

B. Table of Contents ("TOC"), Bookmarks and Page Numbering (Thumbnail & Page Footer).

1. A transmittal sheet generated by the DRS will replace the cover sheet in the DAR.
2. The DAR must include a Master Table of Contents; see Example I on page 7 for TOC format.
3. A TOC must accompany each part of the DAR.
4. The TOC must be listed in chronological order.
5. The TOC should be as descriptive as possible. For example, the Final Order should be labeled as such; a Motion to Vacate Void Judgment should not simply be labeled as "Motion"; the Notice of Appeal should not just be labeled "Notice." Also, please avoid using abbreviations.
6. Entries in the TOC must be bookmarked to the appropriate location in the DAR.
7. Each page of the DAR, except the TOC, must have a page number located in the bottom right of the page, beginning at page 1.
8. The thumbnail page numbers should correspond with the page number of each page in the DAR. The thumbnail page number style for the TOC should be set: i, ii, iii, etc.

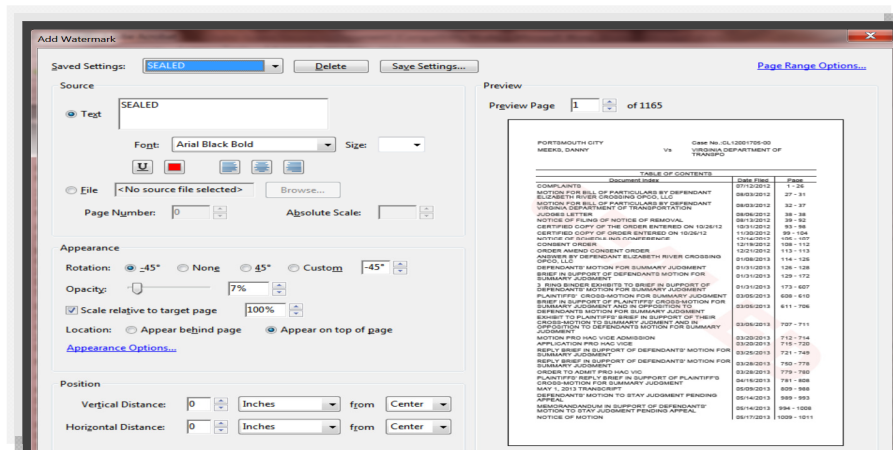
C. Transcripts and Exhibits.

1. Transcripts should be indexed separately, by hearing date.
2. If transcripts consist of more than one volume, do not end a volume or begin a new volume in the middle of a document.
3. Exhibits in the DAR that contain information on the front and back must be scanned on both sides.
4. Photographs in the DAR should be aligned properly for viewing without rotation.
5. Exhibits in the DAR originally scanned in color should be maintained in color.

6. Whenever possible, if an exhibit is retained by the Tribunal due to its nature, a photo of that exhibit should be scanned and saved in the digital record. See Rules 5:13 (b) (4) and 5A:10 (b) (4) of the Rules of the Supreme Court of Virginia.
7. All exhibits must be labeled with descriptive language. See Example III on page 9.

#### D. Sealed PDFs.

1. By way of naming convention and in the Master TOC, each Tribunal must identify to the Clerk’s Office of the Supreme Court or the Clerk’s Office of the Court of Appeals all PDFs that are required to be sealed. The Appellate Courts will address the actual sealing of the documents.
2. All sealed documents must be in a separate PDF with its own Table of Contents and bookmarks.
3. If an entire record is sealed, it follows the same rules, organization and name formatting of an unsealed DAR. The Tribunals must note on the transmittal sheet that the entire record is sealed and follow the naming conventions in Paragraph 7 (c) (vi).
4. Each page of a sealed document must be watermarked as SEALED. If an entire record is sealed, then the entire DAR should be watermarked.
  - a. Utilize the following settings to watermark (In Adobe Acrobat):
    - i. Document: Watermark: Add
    - ii. Font: Arial Black Bold
    - iii. Font Color: Red
    - iv. Rotation: -45°
    - v. Opacity: 10%
    - vi. Scale relative to target page: 100%
    - vii. Appear on top of page



## E. Addenda.

1. If a document is filed with a Tribunal after submission of a DAR to the Appellate Court, then a DAR Addendum should be filed with the Appellate Court.
2. If an addendum is required, only the addendum for that section will be submitted. See Example IV on page 10.
  - a. Manuscripts Addendum
  - b. Transcripts Addendum
  - c. Exhibits Addendum
  - d. Sealed Manuscripts Addendum
  - e. Sealed Transcripts Addendum
  - f. Sealed Exhibits Addendum
3. A Table of Contents must accompany an Addendum. See Example V on page 11.
4. Naming Conventions for Addenda. See Paragraph 7(c)(vii) above for naming conventions.

## F. Exclusions.

1. Returns of Service
2. Witness Subpoenas

## G. Rejections.

1. If a record does not comply with these standards, the appellate courts will reject it.
2. Rejections will be sent via email to the contact(s) as noted on the transmittal memo.
3. A quality assurance checklist will accompany the rejections email, indicating the reason that the record was rejected.
4. If a record is rejected, the lower Tribunal shall resubmit the entire record, not just the portion of that record that was defective.
5. Resubmissions shall be completed as soon as possible after the rejection has been received.

# Example I: Master Table of Contents.

00 TOC 001.pdf - Adobe Acrobat

File Edit View Document Comments Forms Tools Advanced Window Help

Create Combine Secure Sign Forms Comment Find

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Case No.: CL [REDACTED]

[REDACTED] vs. [REDACTED]

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Document Index	Date Filed	Page
<b>Manuscripts:</b>		
INITIAL FILING - DECLARATORY JUDGMENT	08/07/2014	1 - 42
ANSWER - [REDACTED]	08/28/2014	43 - 89
ANSWER - [REDACTED]	08/29/2014	90 - 99
DEMURRER - MOTION TO DISMISS	09/08/2014	100 - 104
ORDER - CATCH ALL - EXTEND TIME FOR RESPONSES	09/16/2014	105 - 106
OTHER - CATCH ALL - CERTIFICATE OF DOCUMENT	09/17/2014	107 - 109
DEMURRER - TO COUNTERCLAIM	09/18/2014	110 - 114
NOTICE OF HEARING - 10/20/14	10/02/2014	115 - 117
NOTICE OF HEARING - 11/10/14	10/03/2014	118 - 120
BRIEF - SUPPORT DEMURRER & MOTION	10/07/2014	121 - 125
OPPOSITION - TO DEMURRER	10/14/2014	126 - 137
FINAL ORDER - DISMISSED W/PREJ	10/27/2014	138 - 139
MOTION - FOR RECONSIDERATION	11/10/2014	140 - 173
APPEAL NOTICE	11/24/2014	174 - 176
NOTICE - COPY OF TRANSCRIPT FILED	11/24/2014	177 - 229
APPEAL NOTICE - AMENDED NOTICE OF APPEAL	11/26/2014	230 - 232
NOTICE - FILE ORIGINAL TRANSCRIPT	12/01/2014	233 - 235
<b>Transcripts:</b>		
TRANSCRIPT - 10/20/14	12/01/2014	236 - 284
<b>Exhibits:</b>		
EXHIBITS - P1 - RECEIPT	10/01/2014	285 - 287
(SEALED) EXHIBITS - P2 - STILL PHOTO	10/01/2014	288 - 288

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I, [REDACTED] Clerk of [REDACTED] certify that the contents of the record listed in the table of contents constitute the true and complete record, except for exhibits whose omission are noted in the table of contents, and are hereby transmitted to the Supreme Court of Virginia on [REDACTED]



**Example II: Table of Contents Accompanying a Manuscript Volume.**

██████████  
██████████

Case No.: ██████████  
██████████

v.

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<b>Manuscripts:</b>		
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ANSWER - ██████████	08/29/2014	90-99
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ORDER - CATCH ALL - EXTEND TIME FOR RESPONSES	09/16/2014	105-106
OTHER - CATCH ALL - CERTIFICATE OF DOCUMENT	09/17/2014	107-109
DEMURRER - TO COUNTERCLAIM	09/18/2014	110-114
NOTICE OF HEARING - 10/20/14	10/02/2014	115-117
NOTICE OF HEARING - 11/10/14	10/03/2014	118-120
BRIEF - SUPPORT DEMURRER & MOTION	10/07/2014	121-125
OPPOSITION - TO DEMURRER	10/14/2014	126-137
FINAL ORDER - DISMISSED W/PREJ	10/27/2014	138-139
MOTION - FOR RECONSIDERATION	11/10/2014	140-173
APPEAL NOTICE	11/24/2014	174-176
NOTICE - COPY OF TRANSCRIPT FILED	11/24/2014	177-229
APPEAL NOTICE - AMENDED NOTICE OF APPEAL	11/26/2014	230-232
NOTICE - FILE ORIGINAL TRANSCRIPT	12/01/2014	233-238

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I, ██████████, Clerk of ██████████, certify that the contents of the record listed in the table of contents constitute the true and complete record, except for exhibits whose omission are noted in the table of contents, and are hereby transmitted to the Supreme Court of Virginia on Mar 30, 2015.

**Example III: Table of Contents Accompanying an Exhibit Volume.**

██████████  
██████████

Case No.: ██████████  
██████████

v.

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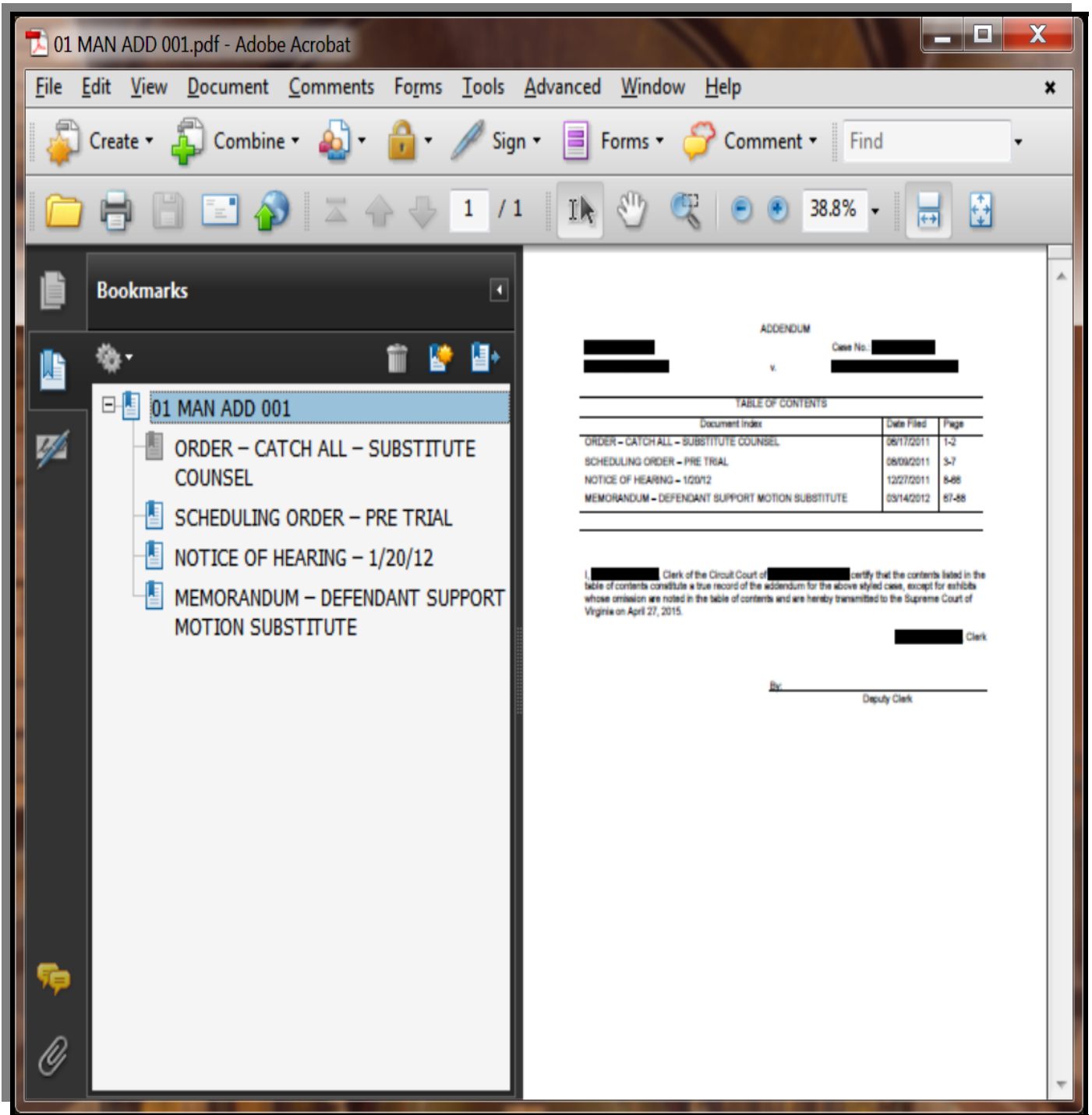
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<b>Exhibits:</b>		
PLAINT EXH 1 – ADVICE TO DEF	08/07/2014	1-2
PLAINT EXH 3 – PLEA AGREEMENT	08/28/2014	42-89
PLAINT EXH 4 – PHOTO APPELLANT	08/29/2014	90-99
PLAINT EXH 5 – PHOTO – FRONT DOOR	09/08/2014	100-104
PLAINT EXH 6 – PHOTO – CRACK COCAINE	09/16/2014	105-106
PLAINT EXH 7 – CERTIFICATE OF ANALYSIS	09/17/2014	107-109
PLAINT EXH 8 – PHOTO – GUN	09/18/2014	110-114
PLAINT EXH 9 – PHOTO – LINEUP	10/02/2014	115-117
PLAINT EXH 10 – WAIVER OF RIGHTS	10/03/2014	118-120
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PLAINT EXH 13 – PRESENTENCE REPORT	10/27/2014	138-139
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DEF EXH 5 - AFFIDAVIT	12/01/2014	233-238

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I, ██████████, Clerk of ██████████, certify that the contents of the record listed in the table of contents constitute the true and complete record, except for exhibits whose omission are noted in the table of contents, and are hereby transmitted to the Supreme Court of Virginia on Mar 30, 2015.

**Example IV: Format Accompanying an Addendum.**



**Example V: Table of Contents for Addenda.**

█

ADDENDUM

█  
█

█

Case No.: █  
█

v.

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NOTICE OF HEARING – 1/20/12	12/27/2011	8-66
MEMORANDUM – DEFENDANT SUPPORT MOTION SUBSTITUTE	03/14/2012	67-88

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I, █, Clerk of █ certify that the papers listed above and filed herein are the original papers entered in the above-styled case and constitute a true and complete addendum to the record.

█, Clerk

By: \_\_\_\_\_  
Deputy Clerk