

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 30th day of October, 2015.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be and they hereby are amended to become effective January 1, 2016.

Amend Rule 5:13A to read as follows:

Rule 5:13A. Digital Appellate Record: Preparation and Transmission.

(a) *Preparation.* -- A Digital Appellate Record may be created instead of a paper record, with substantially the same content as its paper counterpart. The clerk of the tribunal in which the proceeding originated shall be responsible for preparing the digital record, if the clerk chooses to transmit a digital record in place of the paper version.

(b) *Form of Record.* -- The digital record shall comply with the Digital Appellate Record Standards posted on the Supreme Court of Virginia website.

(c) *Exhibits.* -- Original exhibits should be imaged and retained by the clerk of the tribunal. The omission of any exhibit that cannot be scanned or imaged must be noted in a descriptive list of exhibits. On motion or sua sponte, this Court may order the tribunal to transmit any retained exhibit.

(d) *Transmission.* -- The clerk of the tribunal shall transmit the record to the clerk of this Court, in a manner prescribed by the Digital Appellate Record Standards, using the Digital Records System created for this purpose. The same timing and dismissal rules apply to transmissions of digital records as apply to their paper counterparts in Rule 5:13.

(e) *Disposition of Record.* -- When the mandate is issued by this Court, the clerk of this Court shall return all tangible items, if any, to the clerk of the tribunal in which the proceeding originated. The digital record will not be returned. If necessary, the record shall be re-sent by that clerk upon the request of the clerk of this Court.

(f) *Public Record.* -- The publicly available digital record shall be the digital document prepared by the tribunal clerk with all information that is sealed or protected from public disclosure by law redacted or excluded.

Amend Rule 5A:10A to read as follows:

Rule 5A:10A. Digital Appellate Record: Preparation and Transmission.

(a) *Preparation.* -- A Digital Appellate Record may be created instead of a paper record, with substantially the same content as its paper counterpart. The clerk of the tribunal in which the proceeding originated shall be responsible for preparing the digital record, if the clerk chooses to transmit a digital record in place of the paper version.

(b) *Form of Record.* -- The digital record shall comply with the Digital Appellate Record Standards posted on the Supreme Court of Virginia website.

(c) *Exhibits.* -- Original exhibits should be scanned or imaged and retained by the clerk of the tribunal. The omission of any exhibit that cannot be scanned or imaged must be noted in a descriptive list of exhibits. On motion or sua sponte, this Court may order the tribunal to transmit any retained exhibit.

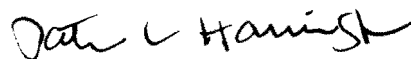
(d) *Transmission.* -- The clerk of the tribunal shall transmit the record to the clerk of this Court in the manner prescribed by the Digital Appellate Record Standards, using the Digital Records System created for this purpose. The same timing and dismissal rules apply to transmissions of digital records as apply to their paper counterparts in Rules 5A:10 and 5A:11.

(e) *Disposition of Record.* -- When the mandate is issued by this Court, the clerk of this Court shall return all tangible items, if any, to the clerk of the tribunal in which the proceeding originated. The digital record will not be returned. If necessary, the record shall be re-sent by that clerk upon the request of the clerk of this Court.

(f) *Public Record.* -- The publicly available digital record shall be the digital document prepared by the tribunal clerk with all information that is sealed or protected from public disclosure by law redacted or excluded.

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Teste:



Clerk