

FILING AN APPEAL FROM AN ORDER GRANTING PRETRIAL DETENTION IN eCOURTS APPELLATE

Per 2:9-13 (h), all pretrial detention appeals are required to be filed electronically through eCourts Appellate.

Contact Information

For procedural assistance contact the Appellate Pretrial Detention unit at 609-815-2950 x 52580.

For technical assistance, please contact the eFiling unit at 609-815-2950 x 52590

Documents needed to file a Pretrial Detention Appeal (PDA)

- 1) Notice of Appeal – *this is a system generated document.*
- 2) Pretrial Detention Expedited Form – *document must be uploaded by filer.*
- 3) Transcript Request form if requesting transcripts- *this is a system generated document.*
- 4) Trial court order- *if the eCourts (trial) interface is used, the selected order will be pulled up from the case jacket if available. Otherwise, the filer must upload the trial court order.*
- 5) Public Safety Assessment – *document must be uploaded by filer.*
- 6) Appendix (contains exhibits the trial court reviewed and relied upon) if relying on Expedited form only OR if filing a letter brief, then appendix should be submitted with brief – *document(s) must be uploaded by filer.*

Filing a New Appeal

Once logged in to the Judiciary's Single Sign On portal, select the eCourts Appellate tile from the Enterprise Landing page.

Note: eCourts Appellate and eCourts (trial court) are two different filing applications. Notices of Appeal and Motions for Leave to Appeal should be filed in the eCourts Appellate filing application.

On the eCourts Appellate Welcome page, click File New Case.



Trial Court Case Information

Select the case type and enter the trial court docket information.

File New Case

Once you start your filing, we will automatically save your information for 180 days or it will be deleted.

To file a **NEW** case, use the drop down menu below.

File in **APPELLATE DIVISION**

Click [here](#) to see the Trial Court/AgencT Docket # Formats.

Select the Case Type to start an appeal process and enter the Trial Court/Agency Docket #.

*CASE TYPE: **Megan's Law appeals must be filed as a Civil Case Type and Megan's Law Case Category.**

Enter Indictment/Accusation #: - - -

Example: Atlantic 13 12 12345 I

OR:

Enter Complaint (CDR) #:

Example: S 2010 012345 1111

OR: For municipal, expungement, investigations or extreme risk protective orders click [here](#).

eCourts (trial) Criminal Interface

Select the filing party and trial court order (if available) on appeal.

GETTING STARTED

Trial Court Information

Trial Court Information

1. If more than one number appears below, please select the Promis/Gavel case number that is linked to your case.

CASE NUMBER	CASE CAPTION	JUDGE
<input checked="" type="radio"/> John Doe	STATE OF NEW JERSEY VS TAJINDER P TUNG	NOAH . FRANZBLAU

2. Edit the docket number if you have made a mistake by clicking on the button.

Party Information

3. Choose the appealing party or if the filing is on behalf of State of New Jersey choose the primary defendant.

NAME	SEQ#	SBI#	REPRESENTED BY IN THE TRIAL COURT
<input checked="" type="radio"/> John Doe	1		Attorney Sam Smith (Smith & Assoc LLC)

Document Information

4. Select from the list of the Trial Court order(s) below. If it does not appear, you may upload the order later on the List of Documents page.

Please select the primary order or judgement of conviction for the appeal. The "Entry Date" is the "Date of Final Order/Judgement".

TRANSACTION ID	FILED DATE	DOCUMENT TYPE	JUDGE NAME	ENTRY DATE	ORDER
<input type="radio"/> CRM2022832618	09/01/2022	MOTION ORDER	NOAH FRANZBLAU	09/14/2022	
<input type="radio"/> CRM2021676298	08/11/2021	MOTION ORDER	STEPHEN J. TAYLOR	08/11/2021	
<input type="radio"/> CRM2022632799	07/14/2022	MOTION ORDER	NOAH FRANZBLAU	07/15/2022	
<input type="radio"/> CRM2020914263	11/03/2020	MOTION ORDER	STEPHEN J. TAYLOR	11/05/2020	
<input type="radio"/> CRM2022832308	09/01/2022	MOTION ORDER	NOAH FRANZBLAU	09/14/2022	
<input type="radio"/> CRM2020906690	11/03/2020	MOTION ORDER	STEPHEN J. TAYLOR	11/03/2020	
<input type="radio"/> CRM2022822800	09/01/2022	MOTION ORDER	NOAH FRANZBLAU	09/12/2022	
<input type="radio"/> CRM2020906679	11/03/2020	MOTION ORDER	STEPHEN J. TAYLOR	11/03/2020	
<input type="radio"/> CRM2022832697	09/01/2022	MOTION ORDER	NOAH FRANZBLAU	09/14/2022	
<input type="radio"/> CRM2020906687	11/03/2020	MOTION ORDER	STEPHEN J. TAYLOR	11/03/2020	
<input type="radio"/> CRM2022632647	07/14/2022	MOTION ORDER	NOAH FRANZBLAU	07/15/2022	
<input type="radio"/> CRM2021342826	04/26/2021	MOTION ORDER	STEPHEN J. TAYLOR	04/26/2021	
<input type="radio"/> CRM2022833736	09/01/2022	MOTION ORDER	NOAH FRANZBLAU	09/14/2022	
<input type="radio"/> CRM2022820090	09/01/2022	MOTION ORDER	NOAH FRANZBLAU	09/12/2022	
<input type="radio"/> None of the above, the order/JOC will be uploaded instead					

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Finality Question

Pursuant to 2:9-13 (a), an order **granting** a motion for pretrial detention shall be appealable as of right and a **Notice of appeal** should be filed. The Notice of appeal form is system generated and is prompted by answering the following:

In the finality Question, select #3 Yes for the order/judgment is final.

Filing Progress... 4%
✓ GETTING STARTED
Trial Court Information
Finality Question
Case Related Questions
CASE DATA
Case Details
Additional Case Details
Transcript
PARTY/ATTORNEY
List of Parties
DOCUMENTS
List of Documents
Add Documents
Proof of Service
FEES / PAYMENTS
Fees Charged / Payments
SUMMARY / SUBMIT
Case Summary
Submit

ABOUT THIS PAGE
Not sure if your appeal is final? Click on the word "FINAL" to view definition.
Improperly filed appeals, for example, the Appellate Division does not have jurisdiction, may be dismissed upon review.

GETTING STARTED
Finality Question

PART 1

Read Carefully: Choose Yes or No from one of the options below. The answer determines whether you are creating a Notice of Appeal (R. 2:2-3) or a Motion for Leave to Appeal from an interlocutory order (R. 2:2-4; R. 2:5-6).

IS THE ORDER/JUDGMENT YOU ARE APPEALING FINAL?

1. Yes, the ORDER/JUDGMENT is final (closed below or appealable as of right) and falls under one of the following categories below. (R. 2:2-3). **This will create a system generated Notice of Appeal.**

2. No, the ORDER/JUDGMENT is not final (not closed below or appealing an interlocutory order). **This will create a system generated Motion For Leave to Appeal.**

OR, IS THE ORDER/JUDGMENT YOU ARE APPEALING PRE-TRIAL DETENTION?

3. Yes, the ORDER/JUDGMENT being appealed is from an order **GRANTING** Pre-Trial Detention. **This will create a system generated Notice of Appeal.**

4. No, the ORDER/JUDGMENT being appealed is from an order **DENYING** Pre-Trial Detention. **This will create a system generated Motion For Leave to Appeal.**

PART 2

THE APPEAL IS FINAL PER THE EXCEPTION BELOW:

R.2:9-13 Orders granting pretrial detention, pursuant to N.J.S.A. 2A:162-18 (c).

Return to Case List Previous Continue

Case Details Information

a) Verify the information is correct on the Case Details screen.

b) The date of the pretrial detention order must be within 7 days of filing the Notice of Appeal. If your appeal is out of time - after the case related questions, the system will prompt you to select you are either filing a motion to file as within time or select an exception.

c) If the case caption needs to be edited for a spelling error, you may do that on this screen. If this is not the correct case, go back to the Trial Court Information page and choose the correct party.

d) If additional trial court orders/complaints need to be included, the opportunity to add the information will occur later on the additional trial court information screen.

GETTING STARTED CASE DATA

Case Details - TRIAL COURT

Fields marked with * are REQUIRED.

TRIAL COURT DOCKET# 19-10-00882-1

* DATE OF ORDER/JUDGMENT/DECISION ON APPEAL: 09/20/2022 DATE OF ORDER BEING APPEALED: This date is the date that made the case final or in interlocutory matters it is the date of the interlocutory order. The date is used for the calculation of time. Additional order dates (if different from this date) can be added on the Additional Case Details page. All orders listed must be uploaded.

Note: Full and complete caption as it appears on order being appealed or last amended complaint without et al or abbreviations that include all the parties involved.
If the Trial Court case caption inserted here is not complete or has the incorrect spelling, you must fix the caption here.

For Case Caption samples, [click HERE](#).

*CASE CAPTION

STATE OF NEW JERSEY
v
JOHN DOE

3969 characters left

This is a **SEALED** case based upon court rule, statute, case law or court order.
 COURT RULE, STATUTE, CASE LAW, OR DIRECTIVE COURT ORDER
SEALED DOCUMENTS FOR THE COURT'S VIEWING ONLY MUST BE SUBMITTED IN PAPER FORM.

*CASE TYPE CRIMINAL

*CASE CATEGORY PRE-TRIAL DETENTION

*TRIAL COURT COUNTY MORRIS

*TRIAL COURT JUDGE Type a portion of the first or last name to get a partial list of judges. For a full list click on the arrow.

[Return to Case List](#) [Previous](#) [Save](#) [Continue](#)

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Additional Case Details

GETTING STARTED CASE DATA

Additional Case Details

Additional Trial Court Information

* Are you appealing other trial court orders? Yes No

All order(s), judgment(s) or decision(s) being appealed must be included.

Related Appellate Case Information

The primary trial court docket number you have entered for this case is: 19-10-00882-1

Note: To continue, you are required to search for related cases using the main trial court docket number. This search will review the Appellate Case Management system and will then display any cases for that docket number.

Initially, click on this required [link](#) to determine if there are any cases related to your filing for this trial court docket number.

Click [here](#), if you would like to add the related appellate cases using other parameters (i.e., same issues or co-defendants or prior appeals).

[Return to Case List](#) [Previous](#) [Save](#) [Continue](#)

Transcripts

a) On the Transcript Request Form Verification screen select if transcripts are being ordered.

GETTING STARTED CASE DATA

Transcript Request Form Verification

A certified transcript is required for each hearing date. **All dates must be entered below including those already in your possession.**

If you are not ordering the transcripts, please select the reason from the drop down list.

I am not ordering transcripts because

I am ordering transcripts (unless in my possession) and all dates will be added below.

Return to Case List Previous Continue

b) If you are ordering transcripts, from the **Delivery Schedule** drop-down menu select **expedited** (transcripts are due within 7 days of filing the appeal). Click the **Add Hearing Dates** button. On the next screen enter the **Proceeding date** and **type**. Check the box for **Transcript to be Ordered**. Transcripts should not be ordered separately with the transcript office. The case manager will upload the transcripts to the system when they are received by the transcriber. Filed stamped copies will be available in eCourts Appellate.

I am ordering transcripts or adding the dates of those in my possession.

I am making a motion for transcripts at public expense. (transcript date(s) are entered below.)
Notice to filer-later in this filing process you will need to create a motion on the Document Screen.

Indicate the delivery schedule for your transcript request:

**** These time Frames are for the completion of the transcript. Delivery may add a day or two to your receipt of the transcript. The prices above are effective through June 30,2020. You may request to use a transcript agency that accepts credit cards.**

For Public Defender only: Please add your R.O. #

Instructions for court reporter or agency, or to request a particular transcription agency:

1000 characters left

DATE OF PROCEEDINGS	TYPE OF PROCEEDING	NAME OF JUDGE/AGENCY	TRANSCRIPT TO BE ORDERED	REASON FOR NOT ORDERING TRANSCRIPT	OPERATION	OPERATION

No record found.

To Add New Hearing Dates, click on [Add Hearing Dates](#). You can add maximum of 10 Hearing Dates at a time.

Use the transcript office dropdown to change the county for the transcript request form. See left panel *.

TRANSCRIPT OFFICE:

1. You will be contacted for payment by a transcription agency. Failure to make a payment can result in the dismissal of the appeal.
2. For Trial Court appeals, the transcript request form is sent automatically to the transcript office. No further action is needed and orders are processed through eFiling only.
3. For State Agency and Tax Court appeals, the transcript request form is sent to the agency or the Tax Court. Please reach out to them regarding payment.
4. In Civil Appeals, transcripts at public expense are permitted in very limited circumstances. See [R.2:5-3\(d\)](#) and [R.2:7-1](#) and their comments.

Add New Hearing Date

You can add maximum of 10 Proceeding Dates at a time. All fields are required.

DATE OF PROCEEDINGS (MM/DD/YYYY)	TYPE OF PROCEEDING	NAME OF JUDGE/AGENCY	TRANSCRIPT TO BE ORDERED	REASON FOR NOT ORDERING TRANSCRIPT
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>

When ordering transcripts for appeal through the eCourts appellate eFiling system, it is not necessary to upload those documents. **Do Not** upload your copy of the transcript(s) received from the transcript office into system. The Clerk's office will automatically upload the ordered transcripts when the official certified transcript(s) have been sent to the Appellate Division by the county Court Reporter.

Transcripts already in your possession and not ordered from the system should be uploaded within 30 days of the filing of the notice of appeal, or with the Notice of Appeal.

c) If transcripts are in your possession, from the **Delivery Schedule** drop-down menu select **attorney possession**. Click the **Add Hearing Dates** button. On the next screen, enter the **Proceeding date** and **type**. From the drop-down menu under Reason for Not Ordering Transcript, select Transcript in Attorney Possession. This information will be listed on page two of the notice of appeal. Transcripts can be uploaded later on the List of Documents screen.

Add New Hearing Date

You can add maximum of 10 Proceeding Dates at a time. All fields are required.

DATE OF PROCEEDINGS (MM/DD/YYYY)	TYPE OF PROCEEDING	NAME OF JUDGE/AGENCY	TRANSCRIPT TO BE ORDERED	REASON FOR NOT ORDERING TRANSCRIPT
02/01/2017 <input type="text"/>	MOTION	AIMEE R. BELGARD	<input type="checkbox"/>	TRANSCRIPT IN ATTORNEY POSSESSION

List of Parties

a) If using the interface with the eCourts (trial) case jacket, the parties will automatically populate. They will appear in red - click on the edit button to complete each party.

Note: Check with the county prosecutor to see if someone specific is handling the appeals. Some counties are having their appellate section handle them and prefer service on that attorney as opposed to the regional prosecutor.

b) To edit party information, click on the edit icon under the operation column for the party.

List of Documents

To proceed, documents in draft status (in red) must be completed by clicking on the edit icon under the operation column. This applies to both system generated documents and those required to be uploaded by the filer.

Attorney possession transcripts are to be uploaded on this screen – click the Add Document button, select Transcript for the Category and the applicable transcript type for the Document type.

Add Document

DOCUMENT INFORMATION

*CATEGORY: TRANSCRIPT Category Description

*DOCUMENT TYPE: DECISION

*PROCEEDING DATE:

*VOLUME NUMBER:

SEALED DOCUMENT BASED ON COURT RULE, STATUTE OR COURT ORDER.
SEALED DOCUMENTS FOR THE COURT'S VIEWING ONLY MUST BE SUBMITTED IN PAPER FORM.

*FILING PARTY: TEST

Note: System accepts documents in PDF format only. If your file size exceeds 28 MB, you will need to break it up into multiple smaller files. File size may be affected with briefs and appendices, which must be text searchable. Please make sure your scanner is set to compress and set to black and white, no color. To save your attachment once uploaded, click on "Continue" button.

Upload Documents Cancel Uploads

Pretrial Detention Expedited Information Form (see Instructions for Completing PDA Expedited form)

- a) Ensure that all Yes/No boxes are checked, comments are added and includes signature (electronic signature acceptable).
- b) The PDA Expedited form can be found on the eCourts Appellate Welcome screen and on the eCourts Appellate webpage.

Public Safety Assessment (PSA)

The Public Safety Assessment must be uploaded by the filer. Click the Add Document button, select Exhibit for the Category and Public Safety Assessment for the Document Type.

Supporting Documents

Supporting documents cited in the trial court order must be submitted (i.e., exhibits from hearing).

- a) All documents that were relied upon by the trial court except for the Public Safety Assessment should be filed in the appendix with the letter brief.
- b) If the appellant is relying on the Expedited form only, the following documents should be attached with the Expedited form including a table of contents or as a separate appendix pursuant to R:2:6-1.

- Complaints
- Preliminary Law Enforcement Report
- Affidavit probable cause
- additional documents relied upon by the trial court except for PSA

Briefs

a) Pursuant to Rule 2:9-13(c) In those appeals in which a transcript has been ordered, the appellant shall serve and file a letter brief and appendix within ten days after the delivery to the appellant of the transcripts and should not exceed 8 pages.

b) Briefs must be in OCR Recognizable format (optical character recognition or text searchable - see the July 6, 2015, Notice to the Bar)

c) Pursuant to 2:9-13 (c) letter briefs are limited to 8 pages. See Rule 2:6 for preparation, contents and formatting of brief and appendix.

Note: The procedural history and statement of facts must include page references to the page of the appendix where that document is located.

Appendix

Please note that Pursuant to 2:6-2(a) 1, 4, the appendix needs to be consecutively numbered and the procedural history and statement of facts need to have page references to the page of the appendix where the document is located.

Signatures

Documents that are uploaded (i.e., PSA and briefs) should have a signature - electronic signatures are acceptable.