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 <u>eCourts Appellate</u> 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.

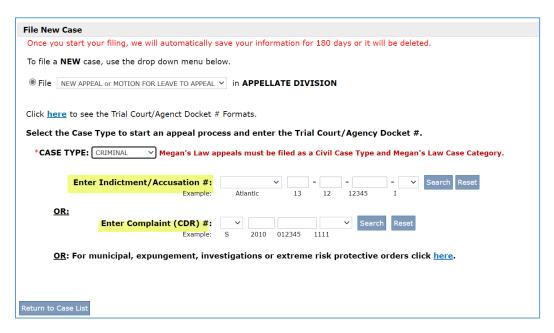
On the eCourts Appellate Welcome page, click File New Case.



Revised 9/2022 Page **1** of **8**

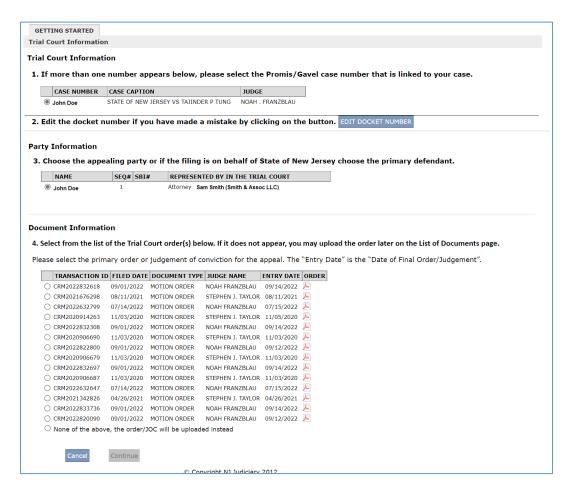
Trial Court Case Information

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



eCourts (trial) Criminal Interface

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

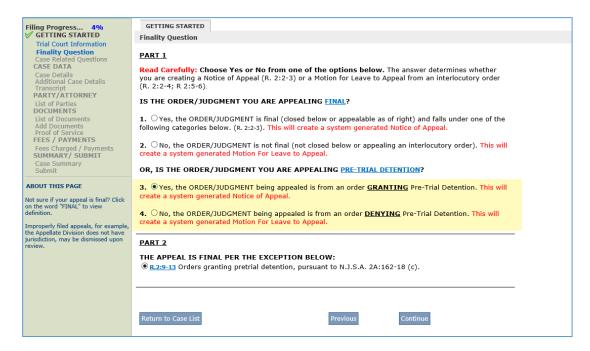


Revised 9/2022 Page **2** of **8**

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.



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.

Revised 9/2022 Page **3** of **8**

GETTING STARTED CASE DATA	
Case Details - TRIAL COURT	
Fields marked with * are R	EQUIRED.
TRIAL COURT DOCKET#	19-10-00882-I
*DATE OF ORDER/JUDGMENT/DECISION ON APPEAL:	final or in interlocutory matters it is the date of the interlocutory order. The
Note: Full and complete caption include all the parties inv	as it appears on order being appealed or last amended complaint without et al or abbreviations that olved.
If the Trial Court case cap	otion inserted here is not complete or has the incorrect spelling, you must fix the caption here.
For Case Caption samples, cli	ck HERE.
*CASE CAPTION	STATE OF NEW JERSEY V JOHN DOE
COURT RULE, STATUTE, CASE	
*TRIAL COURT COUNTY	
*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 © Copyright NJ Judiciary 2012.

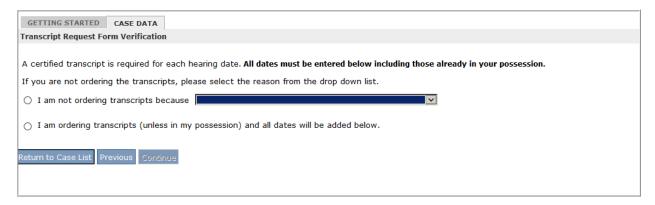
Additional Case Details



Revised 9/2022 Page **4** of **8**

Transcripts

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



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.



Revised 9/2022 Page **5** of **8**



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 × (□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□	MOTION	AIMEE R. BELGARD V		TRANSCRIPT IN ATTORNEY POSSESSION +	
	Cancel	Save			

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.

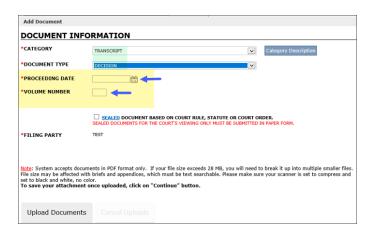
b) To edit party information, click on the edit icon under the operation column for the party.

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.

Revised 9/2022 Page **6** of **8**

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.



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 <u>Exhibit</u> 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

Revised 9/2022 Page **7** of **8**

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.

<u>Note</u>: 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.

Revised 9/2022 Page **8** of **8**