

# **SUPREME COURT OF NEW JERSEY**

## **NOTICE TO THE BAR**

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### **Electronic Filing of Notices of Appeal with the Appellate Division**

Starting May 1, 2000, attorneys will be permitted, at their option, to file electronically with the Appellate Division Clerk's Office and to serve electronically the trial court and trial judge, via the Internet, notices of appeal in cases where the filing fee is waived or the attorney has a collateral account with the Finance Section of the Superior Court and instructs that the account be charged for the filing fee. In order for the appeal to be accepted, the notice of appeal and all of the documents required by R. 2:5-1 to accompany same, i.e., case information statement, transcript request, the order, judgment or decision being appealed, the proof of service and, where necessary, a certification, must be simultaneously electronically transmitted. This will generally require scanning into the attorney's computer the order, judgment or decision.

Please note that, except for electronically providing copies of the appeal documents to the trial court and trial judge, nothing herein relieves attorneys from the non-electronic service and notice requirements otherwise set forth in Rule 2:5-1.

Notices of appeal transmitted electronically before 5:00 p.m. on an Appellate Division regular business day will be deemed received as of the time sent by the attorney's Internet Service Provider. Notices of appeal transmitted electronically after 5:00 p.m., on holidays or weekends will be deemed received on the next business day.

Attorneys wanting to electronically file an appeal should go to the Appellate Division web site [www.judiciary.state.nj.us/appdiv/index.htm](http://www.judiciary.state.nj.us/appdiv/index.htm). The notice of appeal, civil and criminal case information statements and transcript request forms will be available there, along with specific instructions on how to electronically transmit same to the Appellate Division Clerk's Office and the trial court and trial judge.

Sylvia B. Pressler  
Presiding Judge for Administration  
Appellate Division

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### **Supreme Court Order**

Pursuant to N.J. Const. Art. VI, § 2, ¶ 3, it is ORDERED that the Rules of Court be relaxed, as set forth below, to permit attorneys to file electronically with the Appellate Division Clerk's Office and to serve electronically the trial court and trial judge, via the Internet, notices of appeal and accompanying required documents in cases where the filing fee is waived or the attorney has a collateral account with the Finance Section of the Superior Court.

1. Rule 1:4-4 is relaxed to permit an original signature otherwise required by the rule to be typed, and if possible digitized, if the document is electronically filed with the Appellate Division Clerk's Office and electronically served on the trial court and trial judge.
2. Rule 1:4-5 is relaxed to permit the use of the individual attorney's typed, and if possible digitized, signature on all documents electronically filed with the Appellate Division Clerk's Office and electronically served on the trial court and trial judge that would otherwise require the attorney's handwritten signature.
3. Rule 1:4-9 is relaxed to permit attorneys to file papers in an electronic format prescribed by the Appellate Division and to so serve the trial court and trial judge.

4. Rule 1:5-3 is relaxed to permit an original signature otherwise required by the rule to be typed, and if possible digitized, if the document is electronically filed with the Appellate Division Clerk's Office and electronically served on the trial court and trial judge.

5. Rule 2:5-1(a), (b), (e) and (f) and Rule 2:5-3(a) are relaxed to permit attorneys to file the required documents (namely notice of appeal, case information statement, transcript request, proof of service, the order, judgment or decision being appealed and, where necessary, a certification) with the Appellate Division Clerk's Office and serve them on the trial court and trial judge in an electronic format prescribed by the Appellate Division. Said paragraphs of these rules are further relaxed to permit the use of the individual attorney's typed, and if possible digitized, signature on all documents electronically filed with the Appellate Division Clerk's Office and electronically served on the trial court and trial judge that would otherwise require the attorney's handwritten signature.

6. Rule 2:6-10 is relaxed to permit attorneys to file papers in an electronic format prescribed by the Appellate Division and to so serve the trial court and trial judge.

It is further ORDERED that notices of appeal transmitted electronically before 5:00 p.m. on an Appellate Division regular business day will be deemed received as of the time sent by the attorney's Internet Service Provider; and

Notices of appeal transmitted electronically after 5:00 p.m., on holidays or weekends will be deemed received on the next business day; and

Except for electronically providing copies of the appeal documents to the trial court and trial judge, nothing herein relieves attorneys from the non-electronic service and notice requirements otherwise set forth in Rule 2:5-1.

The terms of this Order become effective May 1, 2000 and will remain in effect until further Order of the Court.

For the Court  
Chief Justice  
Dated: April 4, 2000

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