



STATE OF CONNECTICUT

SUPREME COURT APPELLATE COURT

CAROLYN C. ZIOGAS
CHIEF CLERK

SUSAN C. REEVE
DEPUTY CHIEF CLERK

231 CAPITOL AVENUE
HARTFORD, CT 06106

TEL. (860) 757-2200
FAX (860) 757-2217

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Optional Appellate E-briefing Program

Introduction:

In response to the COVID-19 pandemic and pursuant to the Emergency Preparedness Plan, the Appellate Division has approved an optional program that allows for the filing of a more readable and functional electronic brief. This guide was created to assist filers who elect to participate in this program.

Much has been written in the past several years about the pros and cons of paper and electronic briefs. A common agreement in discussions on this topic is that reading a conventionally formatted brief on an electronic device is more difficult than reading the same brief on paper. Formatting changes are absolutely essential to making it easier to engage in comprehensive reading on an electronic device. The experiences and recommendations counsel of record, the justices, judges and staff will share with the e-briefing committee after either preparing or reading and working with these briefs will be the foundation for crafting final rule changes. While flexibility is necessary to achieve optimum results, there must be some parameters and limitations on flexibility to start in order to obtain the valuable feedback we need from the program.

- Filing briefs in this program is optional. Each brief submitted under the program will contain at the top center of the brief the words "Filed Under Optional E-briefing Program."
- The time for filing the optional briefs will continue to be in accordance with the rules of appellate procedure. If additional time to format the optional brief is needed, the party filing the optional brief should include this information in its statement of good cause for a motion for extension of time under Practice Book Section 66-1.
- If counsel of record participates in the optional e-briefing program and the appeal is in the Supreme Court, only 11 legible copies of each brief and appendix shall be filed with the appellate clerk and if the appeal is in the Appellate Court, only 8 legible copies of each brief and appendix, shall be filed with the appellate clerk.
- If counsel of record for one side opts to participate in program, opposing counsel of record is not required to participate and can continue to file briefs fully in accordance with the rules of appellate procedure.
- The rules of appellate procedure as to organization, content and format when not specifically addressed in these guidelines shall continue to apply.
- All briefs and appendices will be filed as a text searchable single PDF. (This is a necessary requirement to facilitate the use of bookmarks and internal hyperlinks to provide automated links between citations in the brief and key record materials.)
- Word limits will replace the page limit requirements currently required under the rules of appellate practice in order to allow filers to incorporate

other recommended format changes for better readability and comprehension without sacrificing substantive content. Headings, footnotes and quoted material count toward the word-count limitation. The front cover, table of contents, table of authorities, appendices, certifications and the signature block do not count toward the word-count limitation. The word count approximates the current brief pages and preserves the current ratios.

- Appellant briefs will be limited to 14,000 words
 - Appellee briefs will be limited to 14,000 words
 - Appellant reply briefs will be limited to 6,500 words
 - For cross-appeals, the appellee's combined cross-appellant/ appellee brief will be limited to 18,000 words and the appellants cross-appellee/reply brief will be limited to 16,000 words. The cross-appellant's reply will be limited to 6,500 words.
 - When cases are consolidated or a joint appeal has been filed, the briefs shall not exceed the word limitations provided above.
 - When a claim relies on the state constitution as an independent ground for relief, the clerk shall, upon request, grant an additional 2,000 words for the appellant and appellee briefs, and an additional 800 words for the reply brief, which words are to be used for the state constitutional argument only.
 - Any requests to exceed the word limitations set forth above can be made by filing a request as a "Correspondence to Court" which is listed under the "Preliminary Paper/Appeal Document" section in Appellate E-filing stating the reasons and the number of additional words.
- Line spacing should be 1.3x. or 1.4x
 - Margin Requirement is 1.5" on all sides

- Font for substantive text should be Century Schoolbook or New Century Schoolbook. Embedded fonts in the documents are required to avoid any risk of font substitution.
- Font size is 12 for substantive text
- Footnotes are required to be in the same font and font size as body text.
- Headings should be in a different font and larger font than the text. The preference is for other proportionally spaced serif fonts. Recommended fonts are New Baskerville Book, Book Antiqua, Century Expanded, Bookman Old Style and Georgia.
- Left aligned text should be used in place of justified
- Block quotes should be formatted in the following ways:
 - Single indent
 - Left justified
 - 1.3 or 1.4 line spacing
- Smart quotations marks and apostrophes should be curly rather than straight
- **Bold face** or *italic* emphasis tools should be used in place of underlining.
- Sections should be numbered consecutively throughout the document.
- Pagination should be in a single pagination scheme that starts on the first page of the document and not on the first page of the substantive text and should use numbering Page 1 of 10, rather than just Page 1, Page 2 of 10, rather than just Page 2 etc.

- Increased use of Sub headings is recommended.
- Bullets should be used to delineate examples or support for argument.
- Bookmarks are required so that reader can move easily to different sections of the brief. Instructions on creating bookmarks are contained in the "Guide to Electronic Briefing in the Supreme and Appellate Courts" which can be found on the Supreme Court and Appellate Court home pages.
- Avoid use of consecutive capital letters in headings or text and capitalize only the first word of titles.
 - The preferred method is to capitalize only the first word (ex: "The trial court's decision"). The use of all capital letters and the use of all initial capital letters in headings is discouraged except that filers should continue to capitalize proper names such as titles of books, journals, etc.
- An additional brief certification is required which shall include the word count of the brief, a statement that the e-brief is filed in compliance with the optional e-briefing guidelines and a list of approved deviations, if any.
- Any requests to deviate from the recommended format shall be made by filing a "Correspondence to Court" which is listed under the "Preliminary Paper/Appeal Document" section in Appellate E-filing

Optional item:

- Internal Hyperlinks - to allow reader to move from one part of the brief to another by clicking on an object on the page.

Items NOT allowed at this time

- External Hyperlinks
- Visual images