Creating a Civil Appeal in eCourts Appellate Manual



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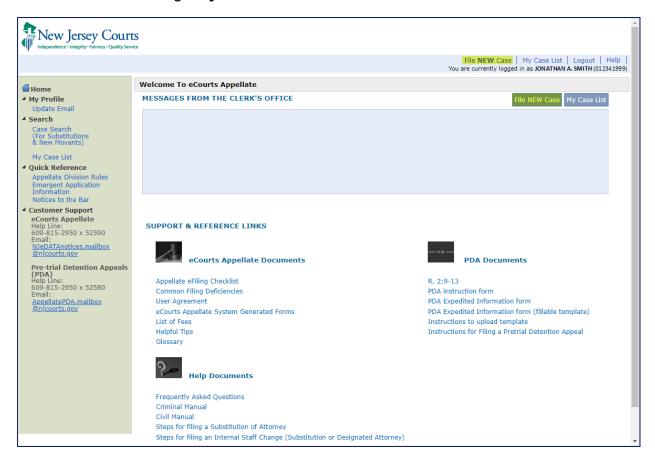
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Creating a Civil Appeal

To file an appeal:

- Select File New Case.
- *NOTE* If you have previously created a draft Appeal without submitting, it can be accessed through My Case List.

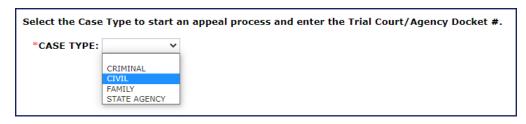


File New Case Page

Select the type of filing you are creating from the drop-down menu.



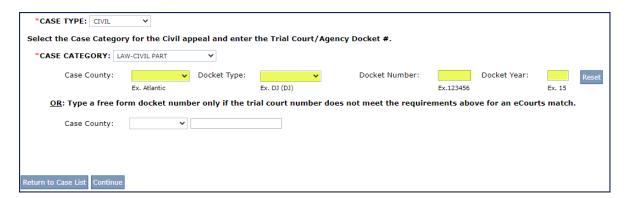
Select from Case Type: "Civil"



Select from Case Category: Chancery, Commitment, Law-Civil Part, Megan's Law, Sexual Violent Predator, Special Civil Part, or Tax Court



- > Enter the docket number in the corresponding fields.
- Click continue.



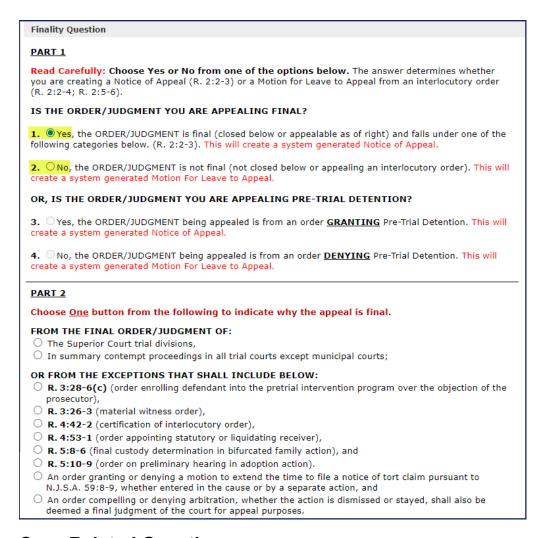
Finality Question

Is the order you are appealing from FINAL?

- Select Yes if you have a final order/judgment
- > Select **No** if the order/judgment is **not final**.

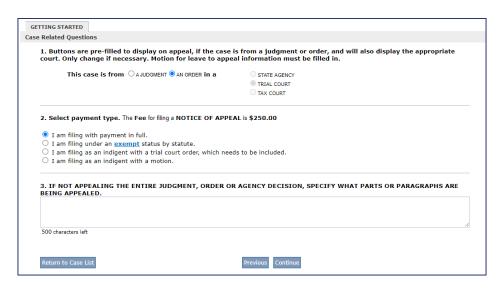
NOTE If you chose **Yes** the ORDER/JUDGMENT is final, select why the appeal is final in Part 2.

** **Finality Rule**: A case in the trial court is considered final, and can be appealed, when a decision or decisions (order, judgment, dismissal, etc.) are filed concluding the actions against all involved parties (you must be able to produce a copy of these decisions for the Appellate Division). If there is anything scheduled before the trial court judge or waiting to be scheduled, or you do not have a decision affecting each party, then your case is not ready to be appealed and you must file a **MOTION FOR LEAVE TO APPEAL**.



Case Related Questions

- 1. Select whether you are appealing a Judgment or an Order.
- 2. Select Payment Type from the list of options.
- 3. If not appealing the entire judgment, use the box provided to specify those portions in detail.

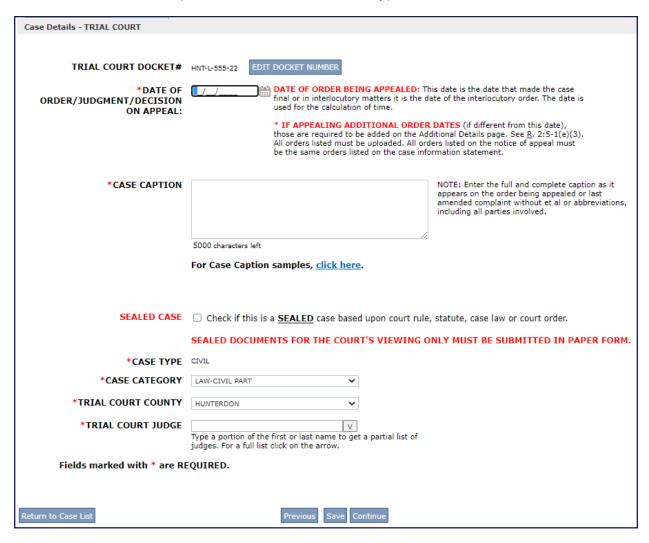


Case Details Page

This covers the creation of the front page of the Notice of Appeal.

➤ Enter all required Trial Court information. Some fields are pre-filled based on information entered on previous screens.

NOTE CASE CAPTION - Fill in the full and complete caption **as it appears on the trial court order.** For examples as to format, click the hyperlink below the text box.



Additional Case Details

Additional Trial Court Information

You **must** select Yes or No to continue with your filing.

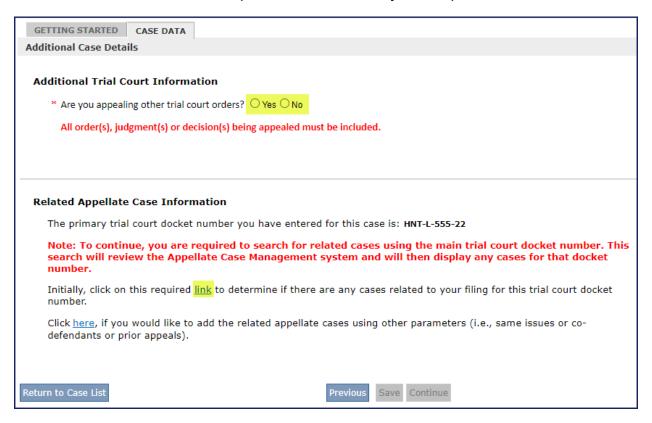
- Select Yes IF you are appealing an additional trial court order(s).
 - Enter the additional trial court information in the popup. You can add up to 10 trial court orders at a time using the popup.

Related Appellate Case Information

You must search for possible related appeals.

Click on the link to determine if there are any related appeals. If none exist, click continue on the pop-up.

You will not be able to continue past this screen until you complete the search.



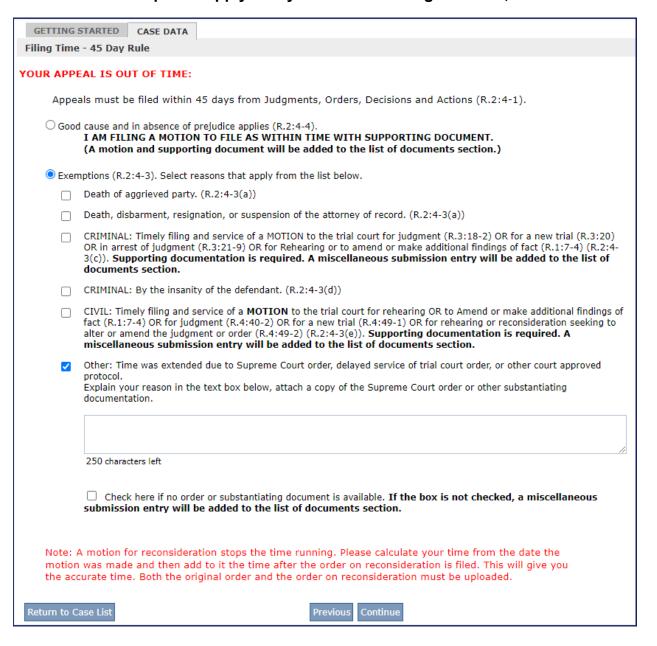
Filing Time

* PLEASE NOTE THAT THE FILING TIME OF 45 DAYS IS STRICTLY ENFORCED. THE COUNTING OF 45 DAYS INCLUDES WEEKENDS AND HOLIDAYS.

If the appeal is filed after 45 days, a required Notice of Motion form will be system generated and will automatically be inserted on the List of Documents section on a later screen.

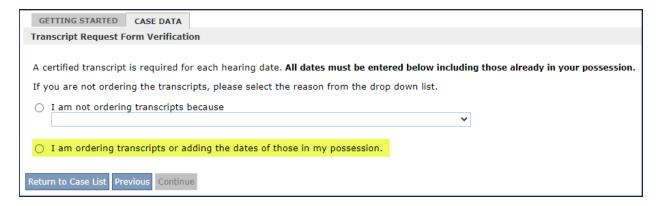
Unless the case falls under one of the exceptions below, you will check the radio button indicating that good cause applies and that a motion to file As Within Time is being filed.

If none of the exceptions apply or if you are not making a motion, choose "Other."



Transcript Request Verification Form

Select the option that applies. **All transcript dates must be entered** either showing they are ordered or in your possession, click the radio button to enter dates.



If ordering transcripts **OR** they are in your possession select delivery speed or Attorney Possession from drop down.



Click Add Hearing Dates.



On the pop-up enter the **Proceeding Date**, **Type**, and **Name of Judge**. Check the box **to Order Transcript** or select reason for not ordering from the drop-down menu. Click the plus (+) sign to add additional dates (up to 10).

The form is automatically sent to the Appellate Division's Transcript Unit. You will be contacted by the transcript agency for payment.



Transcripts in Attorney Possession

When you indicate that transcripts are in attorney possession you must upload the transcripts within 30 days and submit 3 copies of the filed stamped version of the original upload. Therefore, you will need to wait for your uploaded copy to be filed stamped by the Clerk's office and forward 3 copies of the same.

Further information on filing the transcripts can be found in the Transcripts section.

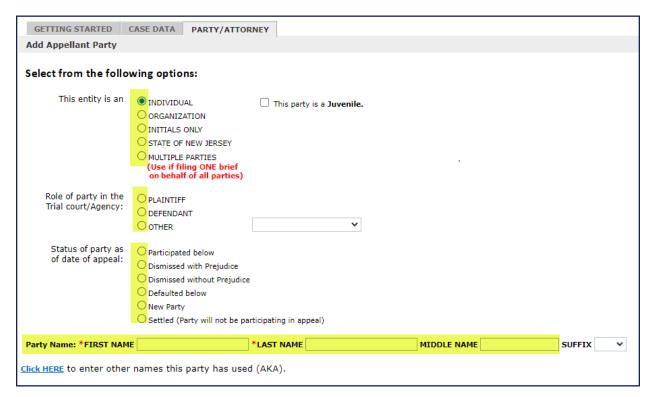
List of Parties

From the List of Parties page you will add each party using the respective buttons for each party type. The list will populate as you add parties. To edit a party you have already entered, click the edit button on the same line as the party entered.



Add Party

Enter all Party information using the radio buttons and text boxes provided.



Multiple Parties

The Multiple Parties option is only for those attorneys that are representing multiple parties within the case <u>and</u> who will be filing **ONE** brief for all parties. The field has a 400-character limit and commas must be used to separate party names. If you have

more parties than 400 characters then use et al. Your brief should reflect the additional parties that you represent.

Appellant - Attorney Information

- a. For the first Appellant added, Attorney Name is prefilled based on your Bar ID and cannot be changed.
- b. eCourts Appellate interfaces with the Central Attorney Management System (CAMS) for the attorney's associated firm address. If the attorney is associated with multiple firms in CAMS, a list of the firms will display in this section and the filer is required to select the correct firm address in order to proceed with the filing.
- c. Case Specific Email → Case Specific Email address(es) can be added for interested parties for this case only. These parties will receive the initial filing and notices but will not have access to the case.

When finished, click Continue to add the next party.



Add Co-Counsel

To add Co-Counsel, Designated Counsel, Of Counsel, Consolidated Counsel, Counsel On the Brief or Argument, click the Add button to add a new field.

Use the search tool to add the additional attorney. Search by Attorney Name or Firm Name, double click on the attorney you want to add from the search results.



Select the attorney's role from the Attorney Role dropdown menu. If the attorney does not have a confirmed email entered in eCourts, eCourts Appellate or eCourts Supreme, you are required to enter their email address in the case specific email field.



Respondent - Attorney Information

Search for the attorney using either the Search by Attorney Name or Search by Firm Name. If the attorney is not registered with eCourts Appellate or has not updated their email in their profile, you are required to enter their email address in the case specific email field.



List of Documents

Documents listed on this page are required to file your appeal.

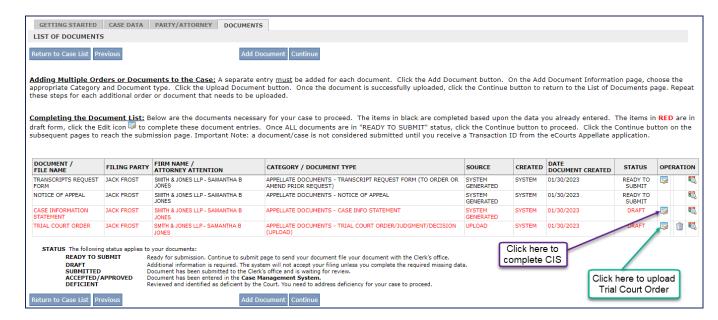
Documents in **black** have been generated/created by the system using data previously entered and are ready to be submitted.

Documents in **red** are in Draft form and need to be reviewed, need additional information, or need a document to be added.

Click on the edit button to complete a document that is in Draft form.

Click on Add Documents button if you want to add additional documents to the filing.

When documents are complete the status will reflect "Ready to Submit."

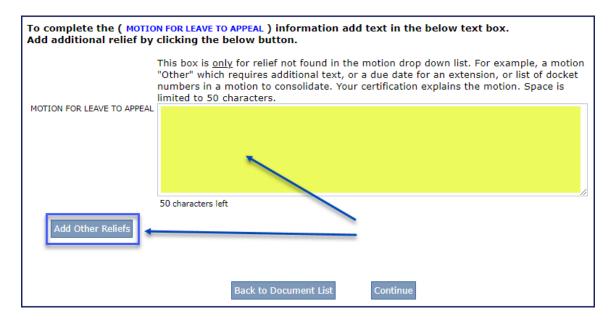


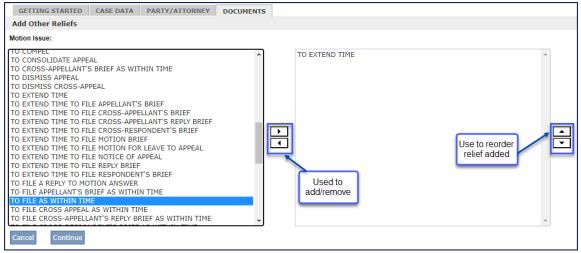
Motions

If a motion is required for your filing, the system will add it to the List of Documents (e.g., Motion to File as Within Time or Motion for Leave to Appeal). The system will add two documents, a Notice of Motion and a place to add the supporting document. Click on the edit button for each entry to review the Notice of Motion and to upload the supporting document.



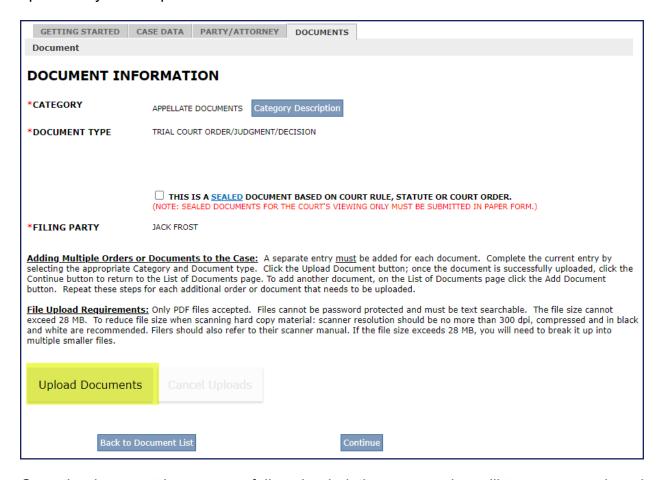
When reviewing the Notice of Motion, if appropriate, you may add additional reliefs and/or additional text. To add additional reliefs, click the button Add Other Reliefs and choose the additional reliefs from the list. The text box should be used for adding specific text not found in the list such as a due date in a request for extension or a list of docket numbers in a motion to consolidate.



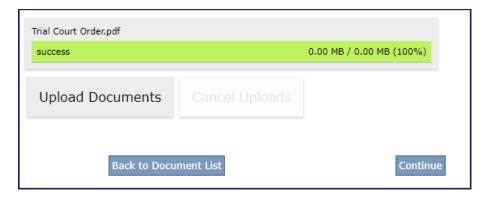


Uploading Documents

Click the Upload Documents button then locate and select the document you want to upload on your computer.



Once the document has successfully uploaded, the progress bar will turn green and read "success."



Click Continue to return to the list of documents screen to upload additional documents.

DO NOT CLICK the Upload Documents button again

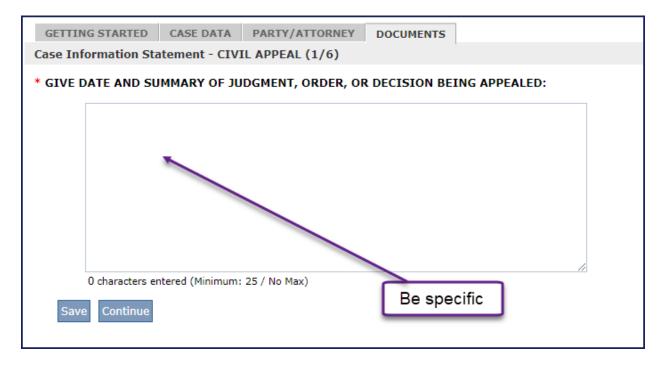
Clicking the Upload Documents button will override any document you have previously uploaded. You must return to the List of Documents screen to add additional documents.

Forms and Fillable PDFs

The system has upload requirements that include restricting fillable pdf's from being uploaded. This is necessary to prevent form fields from being edited. If you require further assistance, please refer to the "Instructions to upload template" under PDA Documents on the eCourts Appellate home page.

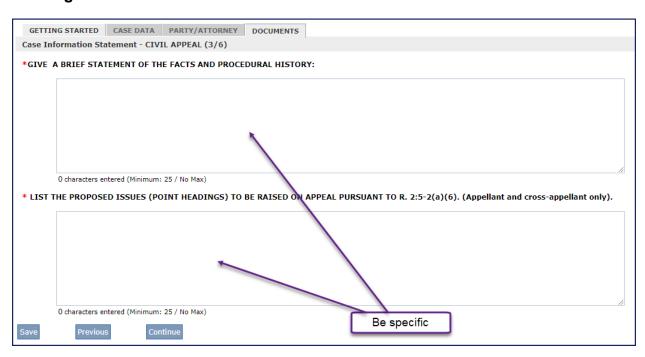
Case Information Statement

While completing the Case Information Statement section, if you are working on a page, you may click the save button to save your work to return to it later. The continue button will always save the page.

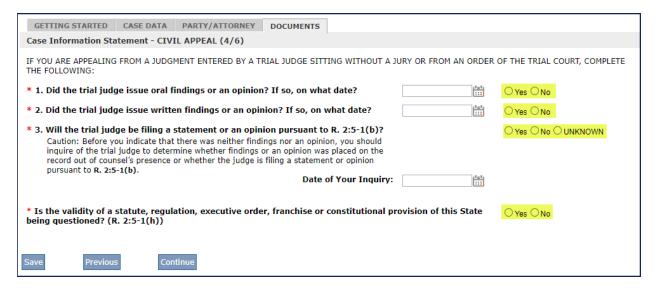


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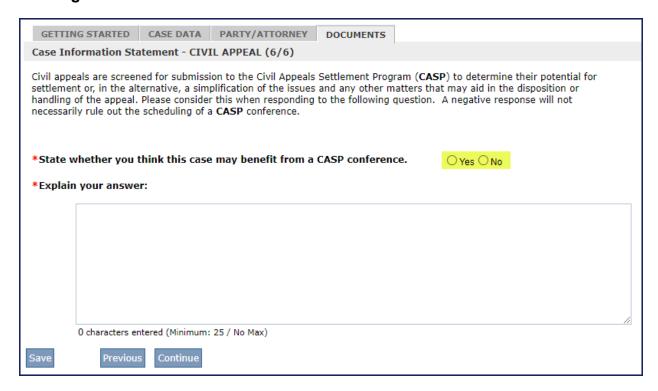




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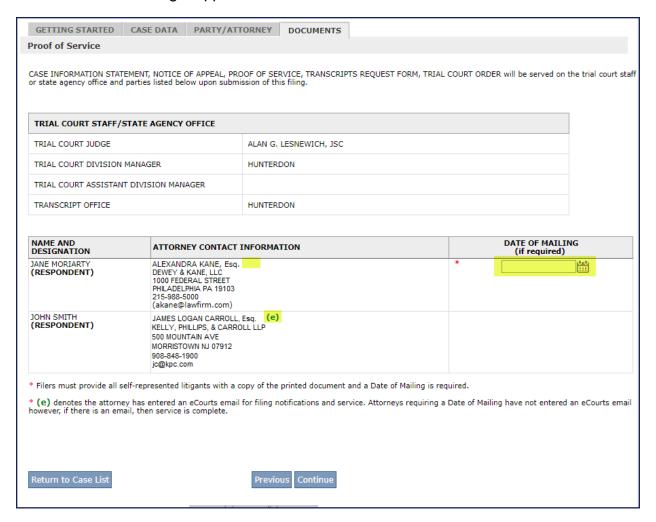


Proof of Service

The system will create a Proof of Service and will electronically serve the trial court judge, the division manager/state agency. If transcripts have been ordered, the transcript request form will be sent electronically; the Transcriber will contact the requester directly with the applicable amount due.

If the adversary has entered an eCourts email address for court notices, the system will display an (e) next to their firm name on the Proof of Service page. They will be served electronically.

If the adversary has <u>NOT</u> entered an eCourts email address for court notices and you had to enter a case specific email in the attorney section of the party information page, the Date of Mailing field is required. The party **must** be served in paper. The system generated Proof of Service will reflect both the email address for electronic notification and the date of mailing if applicable.



Fees / Payments

The **Fees/Payments** page lists the fee incurred for your filing. Select either **Judiciary Account Charge System** or **Credit Card**. If you select to pay via credit card, you are required to accept the service fee by checking the applicable box. Click on the <u>Service</u> Fees for Credit Cards link for a list of fees. Click **Continue**.

Your filing is not considered submitted until payment is successfully processed on a later page.



Case Summary Page

From this screen you may view and/or print all the documents.

To View or Print Case Summary report, click $\underline{\text{here}}.$

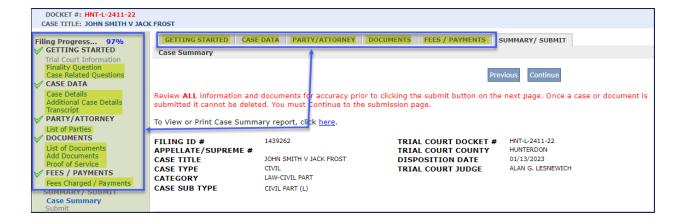
Or to view individual documents, scroll down to on the far right of the document of each document.

MAKE SURE THE DOCUMENTS ARE CORRECT BEFORE SUBMISSION. ALL DOCUMENTS SUBMITTED ARE A PART OF THE RECORD. DEFICIENT DOCUMENTS CANNOT BE REMOVED UNLESS THEY WOULD CAUSE IRREPARABLE HARM. ANY CORRECTIONS WOULD REQUIRE THE FILING OF AN AMENDED DOCUMENT. TO MAKE ANY NECESSARY CORRECTIONS, REFER TO THE NEXT SECTION FOR RETURNING TO A PRIOR PAGE.

Returning to a Prior Page

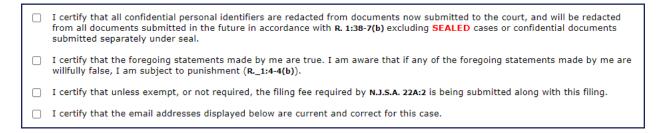
If corrections are required and you have <u>not</u> submitted your filing, you can return to prior sections by clicking on the tabs at the top or the blue links in the left navigation bar to edit. Once your changes have been made, click **Continue** through the remaining screens.

If you have already submitted your filing and received a filing Transaction ID number, you will <u>not</u> be able to go back to edit information.



Submit

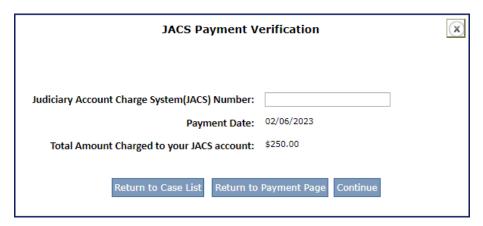
Check the four-(4) certification boxes and click Submit. A Transaction ID will be generated and you will receive an email confirmation of your filing after you have entered your payment information. If you are exempt from filing fees, a Transaction ID will be generated after clicking Submit and you will receive an email confirmation of your filing.



JACS Payment Screens

Unless the filer has exempt status, they must pay the fees at the time of filing. The filing is not considered submitted until payment is successfully processed.

Enter your account number on the JACS Payment Verification popup. Click **Continue**.



The **Confirmation** page will provide your Transaction ID and the JACS account number charged. You will also receive email confirmation of your filing. Click the **Return to Case List** button.

Confirmation Your case has been submitted for review and docketing on Jun 15 2023 12:36PM. Your Transaction ID is E1563600-06152023. Case Caption: SMITH V JONES Your JACS ACCOUNT has been accepted, JACS # 24800 Account Name: DOWNS IV, THOMAS E. You will receive a docketing notice once your case has been reviewed by the Clerk's office. You can track the status of your case in the CASE LIST page. To View or Print Case Summary report, click here. Return to Case List

Credit Card Payment Screens

Unless the filer has exempt status, they must pay the fees at the time of filing. The filing is not considered submitted until payment is successfully processed.

Enter the required information on the Payment Details page. Click Next

Note: The credit card payment service is unavailable from 11:30 pm until midnight daily. All filings must be submitted prior to 11:30 pm in order to receive the same date of filing.

The system will return a message indicating if your payment was successful. Click **Continue**. If payment is not successful, please provide the Filing ID number listed when contacting the Appellate eFiling unit.



The **Confirmation** page will provide your transaction ID and the E-Pay Transaction #/Order ID. You will also receive email confirmation of your filing. Click the **Return to Case List** button.



Email Notification of Case Activity

Following any case activity, an email notification with a brief description is sent to all valid email addresses in the case. To view specifics, you will need to log in to eCourts Appellate.

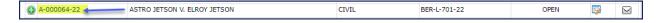
Updating a Draft Filing

A draft filing is any case or document that has not been submitted to the court. To complete a case or document in draft status, click the **Edit** button with under Operation and then the Edit Draft button in the Edit Draft popup.

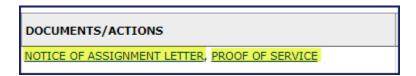


Viewing documents in a Case

From "My Case List" page, click on the docket number link to view filings in a case that have been accepted.



Click on the document link under Documents/Actions to view actual documents.



Amending an Appeal

If you receive notification that your appeal is deficient due to an error in the case data or details, you will need to amend the Notice of Appeal.

Click on My Case List button.



Select Case to Edit

Click edit button py by the case for which you want to add the Amended NOA.

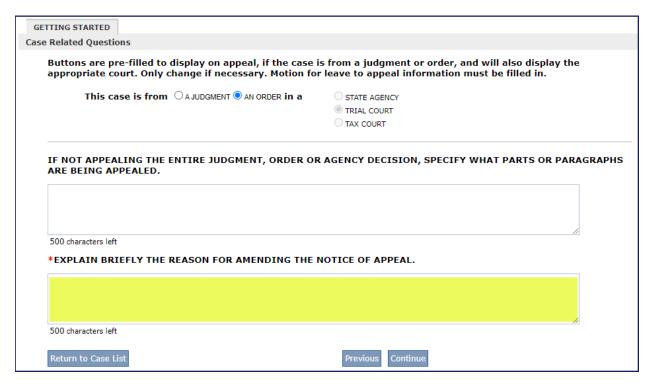
Select the Filing Type

Click on the radio button for **File an AMENDED NOTICE OF APPEAL**. Click continue with your filing.

If you represent multiple parties, the system will allow you to select only one party name. If the document you are filing applies to both parties, select the radio button for the lead party (the first party entered) in the case. Select **File an AMENDED NOTICE OF APPEAL** and click continue with your filing.



Explain Reason for Amended Appeal



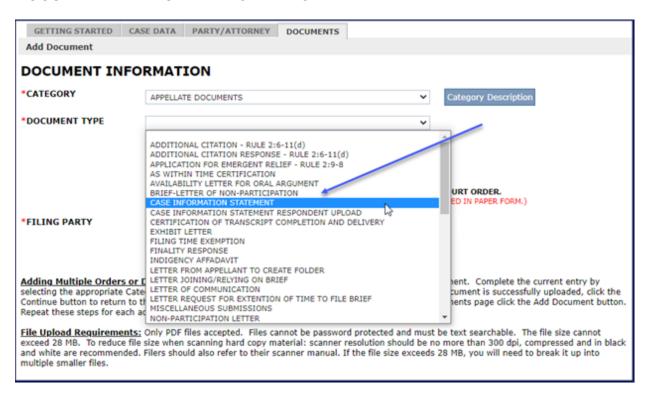
After entering a short explanation for filing the Amended Notice of Appeal, hit Continue. The application will then take you through the same screens as the initial Notice of Appeal where you will make the necessary edits.

Amended Case Information Statement

Any changes made to the case details and/or party names require an amended CIS. To file an amended CIS, on the Documents page, click the Add Document button.



From the dropdown lists provided choose CATEGORY: APPELLATE DOCUMENTS and DOCUMENT TYPE: CASE INFORMATION STATEMENT.



Check off that this is an Amended Document and provide an explanation in the box provided.



Once you have entered an explanation, hit continue. The application will then take you through the same screens as the initial Case Information Statement where you will make the necessary edits.

Transcripts

Filing Transcripts

Transcripts that are ordered with the notice of appeal through a transcript request form are submitted to the Clerk's office by the court reporter or transcription agency. The Clerk's office will automatically upload the ordered transcript when the official certified transcript has been sent to the Appellate Division. You will be notified by your case manager when to submit the filed stamped copies to the Appellate Clerk's office. Your adversary will have access to the transcripts through eCourts Appellate.

If transcripts are in your possession, upload them through the add document function in eCourts Appellate. You will be notified by your case manager when to submit the filed stamped copies to the Appellate Clerk's office.

To upload transcripts, go to My Case List My Case List

Click edit button by the case you want to add the transcript(s).



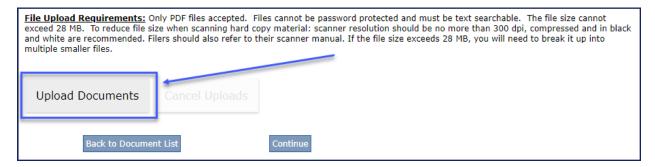
Click Add Document at the top of the screen.



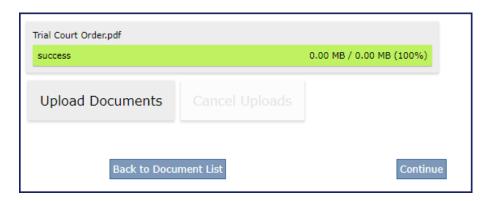
Under Category, choose Transcript. Under Document Type, pick the type of transcript you are uploading. **You must fill out the 2 required fields**: "Proceeding Date" and "Volume Number" as shown below.



Click the Upload Documents button towards the bottom of the screen, then locate and select the transcript you want to upload from your computer.



Once the document has successfully uploaded, the progress bar will turn green and read "success."



Click Continue to return to the list of documents screen to continue filing or upload additional transcripts.

DO NOT CLICK the Upload Documents button again

Clicking the Upload Documents button will override any document you have previously uploaded. You must return to the List of Documents screen to add additional documents/transcripts.

Ordering Transcripts After Appeal is Submitted

Select Case to Edit

Go to My Case List My Case List

Click on Edit button for the case you want to order transcripts and choose Add DOCUMENTS on the popup. If you represent multiple parties, the system will allow you to select only one party name. If the document you are filing applies to both parties, select the radio button for the lead party (the first party entered) in the case. Select Add DOCUMENTS and click continue with your filing.

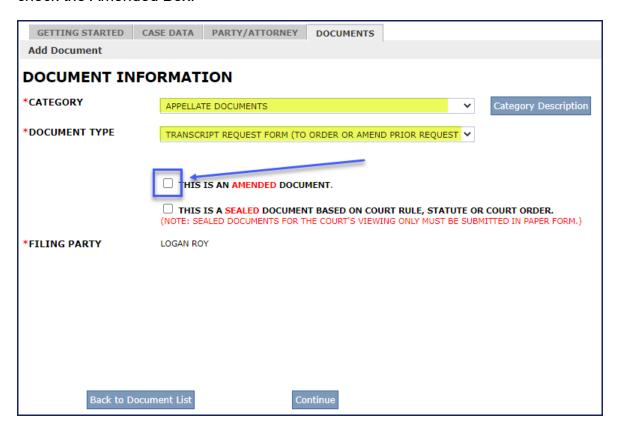


On the list of documents page, click Add Document at the top of the screen.



Document Information

From the Document Information screen, choose Category: Appellate Documents and Document Type: TRANSCRIPT REQUEST FORM (TO ORDER OR AMEND PRIOR REQUEST). **IF** you are amending a previously submitted Transcript Request Form, check the Amended Box.



Hit continue button. The application will then take you to a similar screen as described in the <u>Transcript Request Verification Form</u> section. After you fill out the form, hit continue. You will be returned to the List of Documents page, click Continue through to the submission page.