



ARKANSAS JUDICIARY

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Rule 1-8. Courtesy electronic copies.

[Rendered obsolete by per curiam order June 21, 2018.]

Comment Text:

Reporter's Notes to Rule 1-8 (2013 adoption): Rule 1-8 serves several purposes: (1) by requiring that motions, petitions, writs, briefs, responses, and replies filed in the appellate court also be submitted in electronic PDF format, the rule allows the members of the appellate courts and court personnel to review those documents and other documents submitted in PDF format with modern computer and other portable electronic equipment; (2) the burden on the Supreme Court Clerk's staff to scan paper documents into electronic PDF format is significantly relieved; and (3) electronic filing of the prescribed documents and other documents as provided in the rule serves as a transitional step toward the anticipated requirement of electronic filing of documents in the Arkansas appellate courts (see Administrative Order No. 21?Electronic Filing).

The rule imposes a minimal burden on parties submitting the documents to which the rule applies. The motions, petitions, writs, briefs, responses, and replies required to be filed in PDF format are often created in PDF contemporaneously with the original composition of those documents or the documents can easily be converted into PDF format by the word processing program in which they were originally composed. The rule encourages, but does not require, that the case record be submitted in PDF format. The rule also encourages, but does not require, that PDF documents be submitted in text-searchable format by which electronic searches may be made for particular words or data within the documents.

Subsection (b) applies the same redaction standards for confidential information contained in the PDF documents that are applicable to the original paper documents filed with the court. PDF files must be assigned names in accordance with the file naming convention standards of the rule established by subsection (c). A helpful guide to applying the file naming convention standard is provided by an example of a file name that follows immediately after the explanation of the file naming convention standard requirement. Subsection (c) also requires that PDF files in excess of 10 megabytes in size be divided into separate parts each of which must be no larger than 10 megabytes with each part identified in the file name as required by the file naming convention standard.

Subsection (d) clarifies that submission of PDF documents does not constitute filing or serving the documents as required by the Rules of the Supreme Court and Court of Appeals. Filing and service of the original paper documents in accordance with the rules are still required for

the filing and service to be legally effective. In addition, the PDF files submitted must not contain material not included in the original paper documents and subsection (e) requires that the files be free of computer viruses.

Subsection (f) prescribes that PDF documents are to be submitted only on a Compact Disk (CD), Digital Video Disk (DVD), portable ?flash? or ?thumb? drive, or other similar electronic media. Because of the risks associated with opening email attachments, submission of documents by email is not allowed. Under subsection (h) the paper filing for which PDF documents are submitted must include a certification that the PDF documents have been submitted and served as required by the rule, that the PDF documents are identical to the corresponding paper documents, and that to the best of the knowledge, information and belief of the person submitting the PDF documents they are free of computer viruses after having been scanned by an antivirus program. The person submitting the PDF documents must also identify original paper documents filed in connection with the appeal that are not in PDF format.

History Text:

Adopted June 6, 2013, effective August 1, 2013; amended September 12, 2013; rendered obsolete by per curiam order June 21, 2018.

Associated Court Rules:

Rules of the Supreme Court and Court of Appeals of the State of Arkansas

Group Title:

Article I. General Rules and Proceedings

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