

HOW DO I MAKE A PORTABLE DOCUMENT FORMAT (PDF) ELECTRONIC COPY OF MY BRIEF?

On December 1, 2002, 5TH CIR. R. 31.1 is amended slightly. The rule requires counsel preparing briefs on a computer to send an electronic copy to the clerk's office on a 3.5 inch diskette. **Briefing notices sent out beginning December 1, 2002, will *require* the electronic copy of the brief to be in Portable Document Format (PDF).** We make this change because the federal judiciary is now implementing a court wide Case Management/Electronic Case Filing (CM/ECF) system which uses PDF for all filings. Many bankruptcy courts already use CM/ECF, and some district courts are testing the district court version. The appellate court version still is being developed, but we need experience in using the standard software.

So how do you make a PDF file that you can copy onto a diskette? This is not a technical paper and we do not have the resources to be your automation "help desk" if you have a problem. However, we want to give you some information which should help you find a way to produce a brief in PDF.

Word Perfect

If you are using Word Perfect versions 9 or 10, you can "publish" Word Perfect documents in PDF. Click on the "File" section on your tool bar and follow the instructions to "Publish to PDF." For additional assistance and more specific instructions, use the "Help" section on the tool bar and enter a query for information on "publishing to PDF."

Microsoft Word and Other Software Applications

Microsoft Word presently does not have an automatic means allowing you to create or "publish" a PDF document. We do not know if other word processing software applications can convert their files to PDF. As a first step we suggest you consult your software documentation, or call the software producer's customer support office to see if you can convert their files directly to PDF.

What Do I Have to Get?

If your word processing application cannot convert directly to PDF, there are some options. If you file briefs regularly, you can purchase Adobe Acrobat 5.0 software from Adobe, or other firms which advertise PDF conversion software on the internet. If you only file briefs with this court occasionally, some firms advertise on the internet that they will convert individual briefs from various word processing software applications to PDF

for a fee. Alternatively, some local “Copying Services” listed in the Yellow Pages, can convert a file to PDF for a relatively nominal fee.

Without implying any indorsement or verifying the advertised products work as claimed, we offer the following non-inclusive internet websites for your information. We hope you find this useful. The first two sites give general information, the later ones contain product information:

<http://pacer.psc.uscourts.gov/documents/imagingWPprint.pdf>

<http://emlab.berkeley.edu/users/chad/pdf.html>

<http://www.adobe.com>

<http://www.neevia.com>

<http://www.pdf995.com>

<http://win2pdf.com>

http://www.sibelius.com/helpcenter/resources/creating_pdf.html

REQUIREMENT TO FILE ELECTRONIC COPIES OF COMPUTER GENERATED BRIEFS

5TH CIR. R. 31.1 WAS AMENDED JANUARY 4, 1999. FOR BRIEFING NOTICES ISSUED ON OR AFTER THAT DATE, COUNSEL PREPARING A BRIEF BY COMPUTER MUST FILE 7 PAPER COPIES AND AN ELECTRONIC COMPUTER READABLE 3.5 INCH DISK OF THE BRIEF WITH THE CLERK. A SECOND COMPUTER READABLE DISK MUST BE SERVED ON COUNSEL FOR ALL SEPARATELY REPRESENTED PARTIES. THE DISK MUST CONTAIN NOTHING MORE THAN THE BRIEF. THE DISK'S LABEL MUST INCLUDE THE CASE NAME AND DOCKET NUMBER, IDENTIFY THE BRIEF, I.E. APPELLANT'S BRIEF, AND SPECIFY THE WORD PROCESSING SOFTWARE AND VERSION USED TO PREPARE THE BRIEF. BRIEFING NOTICES ISSUED ON AND AFTER DECEMBER 1, 2002 WILL NOTE A RULE CHANGE WHICH REQUIRES THAT THE ELECTRONIC COPY MUST BE IN ADOBE ACROBAT PDF FORMAT, SEE INFORMATION SHEET. THE CERTIFICATE OF SERVICE MUST INDICATE SERVICE OF THE BRIEF IN BOTH PAPER AND ELECTRONIC FORM.

AMICUS CURIAE BRIEF REQUIREMENTS

5TH CIR. R. 29 WAS AMENDED ON JANUARY 4, 1999. THE TIME FOR FILING A MOTION FOR LEAVE TO PARTICIPATE AS AN AMICUS AND TO FILE A BRIEF IS 7 DAYS AFTER THE FILING OF THE PRINCIPAL BRIEF WHOSE POSITION AMICUS WILL SUPPORT. THIS CHANGE PUTS THE 5TH CIR. R. IN CONFORMANCE WITH FED. R. APP. P. 29.

AMICI SHOULD NOTE ALSO THAT AMICUS BRIEFS MUST COMPLY WITH 5TH CIR. R. 31. THIS SPECIFICALLY INCLUDES ANY REQUIREMENT TO FILE AN ELECTRONIC COPY OF A COMPUTER GENERATED AMICUS BRIEF WITH THE CLERK'S OFFICE AND UPON OPPOSING PARTIES REPRESENTED BY COUNSEL.