

# Supreme Court of Florida

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No. 74,700

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IN RE: AMENDMENT TO THE FLORIDA  
RULES OF JUDICIAL ADMINISTRATION,  
RULE 2.055 (PAPER SIZE)

[October 19, 1989]

PER CURIAM.

In response to numerous suggestions and requests, this Court recently addressed the question of the size of paper to be used in Florida's court system. In our Administrative Order of April 17, 1989, we noted the lack of uniformity in the size of paper used within the court system. We recognized that pursuant to Florida Rule of Appellate Procedure 9.210(a), typewritten appellate briefs are required to be produced on paper measuring 8 1/2 by 11 inches. By contrast, there is no rule designating the paper size of pleadings and motions filed in Florida courts. Such filings have been traditionally presented on what is commonly referred to as legal-size paper, measuring 8 1/2 by 14 inches. There is also no rule or established policy designating a specific size of paper to be used for official documents issued by the various trial and appellate courts of the state. While it is common practice for trial courts to issue orders and judgments on the traditional legal-size paper (8 1/2 by 14 inches), several of the district courts of appeal issue their orders and opinions on letter-size paper (8 1/2 by 11 inches). This variability of

practice contrasts with the uniformity of practice on the part of the federal courts with jurisdiction within this state. To ensure that the business of the Florida court system is conducted using a single, uniform size of paper, it was proposed that beginning January 1, 1990, all official court documents issued and all papers filed with any Florida court shall be on paper measuring 8 1/2 by 11 inches.

After carefully considering numerous comments and suggestions made in response to the administrative order by members of the bar and the judiciary, the Association of Court Clerks, various legal organizations, and the several Florida Bar rules committees, we adopt the appended Florida Rule of Judicial Administration 2.055 which becomes effective January 1, 1990. The new rule 2.055 aligns our court system with the federal court system and the majority of our sister state court systems. Subdivision (a) of rule 2.055 requires that all pleadings, motions, notices, orders, judgments, opinions, and all other papers or documents be filed on paper measuring 8 1/2 by 11 inches. An exception is recognized in subdivision (b) for exhibits or attachments which are not in the required size. At the request of the Florida Association of Court Clerks, subdivision (c) was added to reserve a 1 1/2 by 1 1/2 inch square at the top of all papers filed for use by the clerk. Subdivision (e) sets forth a transition period from January 1, 1990 to January 1, 1991, during which time filings which traditionally have been accepted on legal-size paper will be accepted on either legal- or letter-size paper. This one-year transition period will allow for the depletion of inventories of legal-size paper and forms. Subdivision (d) ensures that all documents

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Pursuant the Federal Rule of Appellate Procedure 32, all typewritten filings in appellate proceedings in United States courts must be submitted on paper measuring 8 1/2 by 11 inches. By local rules, the United States Court of Appeals for the Eleventh Circuit and the three United States District Courts in Florida require all filings to be on paper measuring 8 1/2 by 11 inches.

will be considered filed regardless of paper size; although, subsequent to January 1, 1991, noncomplying documents are to be resubmitted on letter-size paper.

The appended rule 2.055 is new in its entirety. The comment which follows the rule is provided for explanation and guidance only and is not adopted as an official part of the rule. Rule 2.055 shall become effective 12:01 a.m., January 1, 1990.

It is so ordered.

EHRlich, C.J., and McDONALD, SHAW, BARKETT, GRIMES and KOGAN, JJ., Concur

oVERTON, J., Concur in part and dissents in part with an opinion

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED. THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVED DATE OF THIS RULE.

RULE 2.055 SIZE OF PAPER

(a) All pleadings, motions, petitions, briefs, notices, orders, judgments, decrees, opinions, and other papers and official documents filed in any court shall be filed on paper measuring 8 1/2 by 11 inches. Xerographic reduction of legal-size (8 1/2 by 14 inches) documents to letter size (8 1/2 by 11 inches) is prohibited.

(b) Any exhibit or attachment filed with pleadings or papers may be filed in its original size.

(c) A 1 1/2 inch square (1 1/2 by 1 1/2 inches) in the upper right-hand corner of all papers filed shall be left blank for use by the clerk of court.

(d) No clerk of court shall refuse for filing any document or paper because of noncompliance with this rule. However, subsequent to January 1, 1991, upon request of the clerk of court, noncomplying documents shall be resubmitted in accordance with this rule.

(e) This rule shall become effective January 1, 1990. There shall be a one-year transition period from January 1, 1990 to January 1, 1991 during which time documents which heretofore were accepted for filing on legal-size (8 1/2 by 14 inches) paper will be accepted for filing on either legal- or letter-size paper. Effective January 1, 1991 all filings in any court must be in compliance with this rule.

COMMENT

Rule 2.055 is new. This rule aligns Florida's court system with the federal court system and the court systems of the majority of our sister states by requiring in subdivision (a) that all pleadings, motions, petitions, briefs, notices, orders, judgments, decrees, opinions, or other papers filed with any Florida court be submitted on paper measuring 8 1/2 by 11 inches. Subdivision (e) provides a one-year transition period from the effective date of January 1, 1990 to January 1, 1991 during which time filings which traditionally have been accepted on legal-size paper will be accepted on either legal- or letter-size paper. The one-year transition period was provided to allow for the depletion of inventories of legal-size paper and forms. The one-year transition period was not intended to affect compliance with Florida Rule of Appellate Procedure 9.210(a)(1) which requires that typewritten appellate briefs be filed on paper measuring 8 1/2 by 11 inches. Nor was it intended that the requirement of Florida Rule of Appellate Procedure 9.210(a)(1) that printed briefs measure 6 by 9 inches be affected by the requirements of subdivision (a).

Subdivision (b), which recognizes an exception for exhibits or attachments, is intended to apply to documents such as wills and traffic citations which traditionally have not been generated on letter-size paper.

Subdivision (c) was adopted to ensure that a 1 1/2 inch square at the top right-hand corner of all filings is reserved for use by the clerk of court. Subdivision (d) was adopted to ensure that all papers and documents submitted for filing will be considered filed on the date of submission regardless of paper size. Subdivision (d) also ensures that after the one-year transition period of subdivision (e), filings which are not in compliance with the rule are resubmitted on paper measuring 8 1/2 by 11 inches.

OVERTON, J., concurring in part, dissenting in part.

I would apply the rule to appellate proceedings beginning January 1, 1991, and to trial court proceedings beginning January 1, 1992. I am not personally convinced that this will be administratively beneficial, primarily because lateral filing cabinets now in use in most legal offices are designed to handle either letter or legal size files and the effect of this rule will be to make the files thicker, resulting in the utilization of more file space, rather than less.

Original Proceeding - Florida Rules of Judicial Administration