

Appellate Rules -- fonts and page limits

ewheeler to Sanchez, Eduardo (USAFLS)

05/02/2014 05:34 PM

C
c: "Heather Telfer"

At a seminar this week Pam Masters, Clerk at the 5th DCA, said that court strongly prefers **Verdana** or **Georgia** fonts over Times New Roman. I used those fonts in typing their names, and I can see where they might be more readable on a computer screen.

Federal Rule 32(a)(5) does not specify a particular font but says only that "either a proportionally spaced or a monospaced face may be used." The rule also specifies the minimum size for both types of fonts.

Federal Rule 32(a)(7) imposes a page limitation for briefs but also has a type-volume limitation. A principal brief has a page limitation of 30 pages or a type-volume limitation of no more than 14,000 words or uses a monospaced face and contains no more than 1,300 lines of text. Reply briefs are limited to 15 pages or no more than half of the type volume specified in rule 32(a)(7)(B)(i).

Now that we are in the computer age with electronic filing, I would like to propose that ACRC consider amending rule 9.210(a)(2) and (5) to conform to the federal rule. Anything we can do to make electronic briefs more reader-friendly would benefit both readers and writers. By changing length limitations to words rather than pages, folks would be encouraged to use wider margins and perhaps even larger font sizes, thereby creating more "white space" for tired eyes.

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Board Certified by
The Florida Bar:
Appellate Practice
Civil Trial

RECEIVED, 04/24/2020 02:43:34 PM, Clerk, Supreme Court

From: "Sanchez, Eduardo (USAFLS)" <Eduardo.I.Sanchez@usdoj.gov>
To: Heather Telfer <HTelfer@flabar.org>
Date: 05/14/2014 09:32 AM
Subject: Re: ACRC- Electronic Filing Subcommittee

Ok. Let's send it as a new referral from Electronic Filing to General Practice. Did they already address the binding issue? If not, can they send the referral with a recommendation regarding the binding and their recommendation for a more complete revision? Are most of them on General Practice? If not and they are interested, maybe they can participate on this issue on an ad hoc basis with General Practice. I just think that, given the scope of the issue, it should be considered by the greater numbers serving on General Practice, but I also think it would be good if those who originated the idea were involved in the drafting of a proposed rule.

Please note: Florida has very broad public records laws. Many written communications to or from The Florida Bar regarding Bar business may be considered public records, which must be made available to anyone upon request.

Your e-mail communications may therefore be subject to public disclosure.

On May 14, 2014, at 8:15 AM, "Heather Telfer" <HTelfer@flabar.org<<mailto:HTelfer@flabar.org>>> wrote:

No, the original referrals were to remove the binding requirement from 9.210 and to add a numbering requirement to 9.210. This is definitely an expanded approach, which is why I thought we should consult you. The issue the subcommittee is concerned with is that 9.210 does not apply to motions, or anything other than briefs filed with the court. So, the question arose, do we need a consistent rule on documents. The subcommittee understands that this may not stay within the electronic filing subcommittee, and may be referred to the general practice subcommittee, since the scope is now so broad.

Thanks,

Heather

Heather S. Telfer
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From: "Sanchez, Eduardo (USAFLS)" <Eduardo.I.Sanchez@usdoj.gov<<mailto:Eduardo.I.Sanchez@usdoj.gov>>>

To: Heather Telfer
<HTelfer@flabar.org<<mailto:HTelfer@flabar.org>>>
Date: 05/13/2014 03:14 PM
Subject: RE: ACRC- Electronic Filing Subcommittee

Was it a referral that included all of that? I don't remember any referral with such a broad scope.

From: Heather Telfer [<mailto:HTelfer@flabar.org>]
Sent: Tuesday, May 13, 2014 10:32 AM
To: Sanchez, Eduardo (USAFLS)
Subject: ACRC- Electronic Filing Subcommittee

Good Morning,

The Electronic Filing subcommittee has been working on an amendment to get rid of the binding requirement in 9.210 and add a numbering requirement. Having looked at the rules, the subcommittee is leaning towards creating a new rule for Documents, which would apply to briefs, motions, etc. It would likely include requirements on font size, font choice, etc. Should this remain with Electronic Filing, or be sent to General Practice?

Thanks,

Heather

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Appellate Rule Change for Briefs

Dorothy DiFiore

To: Heather Telfer

Cc: Hon. T. Kent Wetherell, II

07/13/2015 09:40 AM

Heather and Judge Wetherell:

1.

Given that the courts are requiring direct correlation between page numbers and .pdf page numbers, I think it's time to modify the way we paginate briefs so that they have this correlation as well (i.e., no more lower case roman numerals). But to accomplish that, I think we also need to change the page limitation to a word number limitation, like the federal appellate rules do. The federal rules (Rule 32) limit the party to 14,000 words or 1300 lines of text, and the initial sections don't count toward that limit.

2.

Given the ability to enlarge .pdf documents, I question whether it is necessary to retain a type size requirement and also think that offering more sans-serif font types (such as Calibri, arial, verdana, and the like) would not cause legibility problems. If the limitation were based on words, then using different fonts would not provide any size advantage. I note that the federal rules do retain font size limits and limit the font to "plain, Roman style", but I think having other options such as those would be good.

Yes, some of us really do have preferred fonts – we are that level of geek.

Thank you.

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