



Appellate Courts E-filing Frequently Asked Questions for Attorneys



September 2024

GENERAL INFORMATION

What setup do I need to e-file?

A computer, an internet connection, and an Appellate e-filing account. Request an e-filing account at: <https://appellatefiling.utcourts.gov:8443/utappeal/efile/login.jsp>

- Read and accept the User Agreement
- Select “Attorney” User Role
 - » There is no need to create a new organization for your firm
- Under “Existing” organizations select “Attorney”
- Input account information
 - » A valid Utah Bar Number is required to e-file

What are the most important things I should know about e-filing?

1. All documents bearing the signature of the filer must be submitted in searchable PDF format of no more than 7 megabytes. Large PDF documents must be divided into multiple files of no more than 7 megabytes each.
2. The filer must retain the original document.
3. All e-filers on a case may retrieve and view all documents related to that case. Public documents are available through the case history.
4. It is the responsibility of counsel and the parties to redact personal identifiers that are visible within the body of an electronically filed document. (See [UCJA Rule 4-202.09\(10\)](#).) Court staff will not review any e-filed document to determine whether it includes personal information. Personal information not protected will be accessible by the public.
5. It is important that you accurately enter data in e-filing. For example, be sure to select the correct document type when e-filing a document. The document type selected determines how the document is routed for follow-up by the court; choosing the correct document type ensures that your document will be processed as efficiently as possible.

COMMON QUESTIONS

If I have a district court e-filing account, do I need to request an Appellate E-filing account?

Yes, the Appellate E-filing system is separate from the district court e-filing system.

Who can use Appellate e-Filing?

As of now, only attorneys are able to file using Appellate E-filing.

When can I use Appellate E-filing?

Appellate E-filing is available beginning May 1, 2024. Mandatory attorney e-filing is effective on August 1, 2024. The system is available for filing 24 hours a day, 7 days a week. Timely filing of a document is governed by [URAP Rule 21](#).

Where do I file a notice of appeal?

The process for filing a notice of appeal has not changed. Pursuant to [URAP Rule 3](#), a notice of appeal must be filed with the district or juvenile court that order entered the order being appealed.

The district court and juvenile court will transmit the notice of appeal to the appellate courts. A new appellate case will be initiated by the appellate staff and a notice providing the appellate case number will be sent to all parties.

Where do I file a petition for writ of certiorari?

The filer will need to create a **new case** in the Supreme Court to e-file a petition for writ of certiorari. Under “eFile” select New Case → Utah Supreme Court → Writ of Certiorari, then add the case participants.

NOTE: Creating a new case is only necessary when you are filing the actual petition. A motion to extend the time to file a petition for writ of certiorari can be e-filed through the underlying Court of Appeals case.

How do I e-file to an appellate case?

See “How Do I” document. From your e-filing account, select the “Existing Cases” button. Enter the appellate case number and click the “e-file” button.

- » Choose document type (use additional text field to clarify filing if needed)
- » Mark applicable box if filing is non-public or sealed
- » Upload PDF file(s) and add to submission
- » Click the “Submit the Filing” button and confirm submission

Where do I find the appellate case number?

The appellate case number is indicated on the first notice sent to the parties by the court. It is also included on all other documents sent by the court. Cases initiated by Appellate E-filing and e-filed document submitted to an existing case will also have the appellate case number listed on the receipt notification.

Will anything be accepted by mail or in person when e-filing is mandatory?

Yes. The hard copies of briefs required by [URAP Rule 26](#) must still be filed by mail or in person. Any physical portions of the record on appeal will still need to be obtained and returned in person.

What happens if the e-filing system is temporarily unavailable or my filing fails because of a technical problem?

The filer is responsible for timely filing. Best practice is to allow adequate time to file a time-sensitive document. If a technical failure of the e-filing system interferes with a case deadline, you may wish to file a stipulation or motion. Contact the appropriate appellate court at supremecourt@utcourts.gov or courtofappeals@utcourts.gov with questions.

How does service work with e-filing?

Service of documents under [URAP Rule 21](#) can be accomplished via e-filing **if all parties are e-filers**. When an e-filed document is accepted and received by the Appellate E-filing system, a notice of electronic filing is generated and sent all parties that have e-filing accounts. Recording and storing the receipt of the message constitutes valid service. The filer will receive notification of parties not participating electronically to allow the filer to use another method of service.

How does an attorney associate with a case in the Appellate E-filing system?

The attorney should e-file an “Appearance of Counsel.” That action will allow the attorney to be added party through the system. If the attorney has already filed and appearance, look up a case history by selecting the “Cases” tab, entering the case number, then clicking the “History” button.

If my document is private, how should I submit the public version?

Per [URAP Rule 21\(g\)](#), a redacted version of the non-public document must also be submitted. E-file the public version using the document type: “Public Version of Brief or Filing” and put the title of the document in the additional text box.

Who do I call for technical support?

Please contact Tybera, the E-filing Service Provider, at (801) 802-0662 for technical support or open a support tickets. Support is available Monday-Friday (excluding legal holidays) from 6:00 a.m. until 10:00 p.m.

- » Use the links on the login page to obtain your username or reset password

If a technical issue occurs at the courts, the courts will communicate with Tybera and if applicable, a notice will be displayed on the e-filing home page.

Who do I call if there is a problem with my electronic filing at the appellate courts?

Please contact the Appellate Clerks' Office during business hours:

Phone: (801) 578-3900

Email: supremecourt@utcourts.gov or courtofappeals@utcourts.gov

PREPARING DOCUMENTS FOR E-FILING SUBMISSION

In what format must documents be efiled?

All documents bearing the signature of the filer must be submitted in searchable PDF format.

Are all PDFs searchable?

No. PDFs are "searchable" when you can search for words or data within the document. Most word processing applications like Word and Word Perfect allow you to convert your text document to a searchable PDF. When you scan a document, the scanner creates an image of the document. The image can be converted to a PDF file, but the result is only an image or picture of the document. An image-only PDF is not searchable.

Are there guidelines for the formatting I use in my documents?

The documents you e-file must still comply with [URAP Rule 27](#). Additionally, using a standard font, like Times New Roman, decreases the likelihood of technical problems with your document. Wherever possible, try to avoid the use of drawing tools, special tabs, or headers and footers in your document. These elements can cause problems with the way your document appears in e-filing, especially if the document is being submitted to the court for signature. Additionally, the Court has identified the following recommendations:

- Do not include punctuation or special characters (§) in entry of document titles
- Use tables (instead of tabs) for document setup and formatting
- Disable "auto date" feature in word processing software

Can I submit color documents?

While not recommended, a document can contain color if it meets the file size requirements.

NOTE: The colored cover of a brief is only necessary for the hard copies.

My address has changed. Should I put my new address on my documents?

Yes. You should also submit a notice of address change with the court and change your address with the Utah State Bar.

Do e-filed documents need the case number in the caption?

Yes. Case numbers are required on e-filed documents. The only exception to this requirement is when the court has not yet assigned a number to the case, such as when a case-initiating petition is filed.

Is there a limitation on the size of documents that can be filed electronically?

The Appellate E-filing system will accept documents with an electronic file size of up to 7 MB. Larger documents must be filed in sections. Colored documents and colored paper increase the size of your documents.

If your document is over 7MB, split the document into sections less than 7MB each. Use the exact name of the document for the first section. For the remaining sections, use "Other" as the document type and enter the section number and document title in the "Additional Docket Text" box (ex: Part 2 of 3, Appellant's Brief)

How do I file a document with exhibits?

E-filing does not currently allow you to associate separate exhibits to a particular document. For this reason, it is best to submit your document with the exhibits already attached, as you would typically file a paper document. If exhibits cause your document to exceed the 7 MB file size limit, follow the procedure outlined in the FAQ above for splitting large documents. If there is a compelling reason to separate your exhibits from the document they support, please use the following procedure:

- File the document itself as you normally would, with the appropriate document type and title (e.g. "Appellant's Brief")
- File each exhibit with the document type "Exhibit/Addendum," with a complete and accurate document title (e.g. "Exhibit to Appellant's Brief, 1 of 4")

Note that if you follow this procedure, each exhibit will appear as a separate document on the court's docket.

Do I need to sign the documents I file?

Yes, but not in the way you typically sign a document. A person may sign a document using any form of signature recognized by law as binding ([URAP Rule 40](#)). To electronically sign a document, the document must contain your typed or printed name.

Do I need to do anything else before submission?

Before submission, you should review each document to ensure it is the correct document, contains the case number, is readable, displays right-side up, contains only pages that are part of the filing, and complies with the redaction of personal identifying information requirements of [UCJA Rule 4-202.09\(10\)](#).

SUBMITTING DOCUMENTS FOR E-FILING

I want to submit a motion and order for an over length brief or memorandum.

How do I file it in e-filing?

Submit the proposed over length filing as a separate document using the “proposed over length filing” document type. If the motion for over length filing is granted, the over length document will be accepted as filed.

I have chosen the document type, but what is the “Additional Docket Text” box for?

The additional text box is used along with the document type to display the document title in the court docket. For example:

Document type: *Motion*

Additional Text: *Motion for Stay Pending Judicial Review*

NOTE: Use the Document Type and/or Additional text to include the entire title of your efiled document. Please do not shorten, abbreviate or summarize the document title.

Please note that using special characters in the title (e.g. §) can cause technical problems in e-filing that may delay the processing of your document. Avoid special characters wherever possible. Similar issues result from copying and pasting a document title into the Additional Docket Text field. To avoid these issues, type your document title into the filed rather than using the paste shortcut.

The “Additional Docket Text” box may also be used to alert the court to special circumstances.

How do I submit a document with non-public information?

If a document was previously designated as “private” or “sealed” by the district court it will carry that designation in the appellate courts. If an appellate filing contains non-public information, check the “non-public” indicator box when e-filing.

NOTE: The filer will also need to submit a redacted version of the non-public document per [URAP Rule](#)

21(g). E-file the public version using the document type: “Public Version of Brief or Filing.”

AFTER YOU’VE SUBMITTED YOUR DOCUMENTS

Is my e-filing automatically approved when it is received?

Barring any technical issues, most documents bearing the signature of the filer (filed in PDF) are automatically approved and entered into the court record.

Once an e-filing is approved, a notification receipt is generated and emailed to the filer. Please review these receipts. They may contain information affecting this filing or future filings.

What will the filed date of my e-filed document be?

When an e-filed document bearing the signature of the filer is received by the court, the date and time it was received is recorded as the filed date and time. For example, if an e-filed document is received on April 4 at 7:30 pm, the date and time recorded is April 4 at 7:30 pm.

Will I receive notification if my e-filing is rejected?

E-filed documents are occasionally rejected by the system if a serious error is found. For example, your e-filing may be rejected if required data is missing, if there is a problem with payment information, if the case has been transferred, etc. If this happens, you will receive notification of the rejection and the reason(s) for the rejection through your e-filing account.

Why am I not receiving e-filing notices on one of my cases?

You must be attached to a party on a case to receive e-filing notices. When you file an appearance of counsel you are automatically attached to that party. If you wish to associate multiple attorneys with a party, be sure to enter all attorney information in e-filing before you file your appearance of counsel or other document.

Can I delete documents e-filed in error?

The e-filing system does not have the ability to delete efiled documents after they are approved. Please review your document to ensure it’s the correct document, contains the case number, is readable, displays right-side up, contains only pages that are part of the filing, and complies with the redaction of personal identifying information requirements of [UCJA Rule 4-202.09\(10\)](#). If the document contains non-public information that was not protected, you may file a motion to classify the document as private.

If I submit a document and realize that it is incorrect or illegible, what can I do to correct it?

The best practice is to check your document for content and format before e-filing it. If it

becomes necessary to correct a document, do not just re-file the document as is. File it with the same name but add "Corrected" to the title (ex: Corrected Motion to Continue). If your problem requires a more complicated solution (e.g. data is incorrect, document was filed in the wrong case, etc.), consult these FAQs to determine if a remedy is already outlined for you. Otherwise, contact the Appellate Clerks' Office.

Can I amend a document I e-filed?

An e-filed document may be amended through the same process used to amend a document filed over the counter. The document will be added to the docket as an amended version. The original filing will remain on file as part of the court record.

If my filing is rejected and I resubmit it, what will the filing date be?

If an e-filing is unsuccessful, the attempted filing date does not carry over. The filed date will be the day the document was resubmitted, if approved.

What if my filing has data errors and is accepted by the court?

When a case with data errors is identified, you may be directed to formally submit corrected data. For example, if you e-file a case and spell the defendant's name incorrectly, you will be asked to file a Motion to Correct Error, along with a proof of service. The court will not change incorrect data until this request is filed. This process ensures that neither party is prejudiced in the event that initiating data is entered incorrectly.

What if a case initiation document is submitted multiple times?

If a case is filed multiple times, a motion to dismiss the additional cases is required from the e-filer. If a filing fee is paid multiple times, a motion to have the filing fee refunded should be submitted to the court.

What are the most common problems with e-filings?

1. The submitted document(s) belong to a different case.
2. The filing is a duplicate of a document or case that has already been filed.
3. Party data is entered incorrectly at case initiation. (Common errors include: misspellings, individual's entire name entered in last name field, company titles abbreviated)
4. Document type is not appropriately identified. Please read through the list of available document types and select the one that applies.
5. Courtesy copies submitted via e-filing. (Note: Courtesy copies should never be efiled)
6. Attorney notes which may be considered ex parte communications are submitted with the filing.

E-FILING CASE INITIATION DATA ENTRY STANDARDS

The data entry standards are provided to assure that the data submitted to the court is properly displayed in the court case history.

NAMES OF INDIVIDUALS

Leave out any punctuation marks. Professional titles, such as MD, should not be entered.

<i>Name of Individual</i>	<i>Enter As</i>
MR. DONALD P. SMITH II	Last Name: SMITH Middle Name: P First Name: DONALD Suffix: II
MIGUEL LOPEZ-HERNANDEZ	Last Name: LOPEZ-HERNANDEZ Middle Name: First Name: MIGUEL
CLAIRE T. SMITH-TODD	Last Name: SMITH-TODD Middle Name: T First Name: CLAIRE
KATE M. O'BRIEN	Last Name: OBRIENT Middle Name: M First Name: KATE
FRANK KRAMER DOING BUSINESS AS FRANK KRAMER TRUCKING	Last Name: KRAMER Middle Name: First Name: FRANK Add Alias/DBA and Address for Last Name/Business: FRANK KRAMER TRUCKING

NAMES OF BUSINESSES OR COMPANIES

Spell out the first two words in name. Always use Dept for Department. Use abbreviations from the common abbreviations list, UNLESS they are the first or second words in the name. Omit all punctuation except for hyphens. Omit the word THE whenever possible.

Name of Business	Enter As
RENT-A-WRECK	RENT-A-WRECK
MR. T'S AUTO	MR TS AUTO
THE FIRST NATIONAL BANK	FIRST NATIONAL BANK
THE STATE OF UTAH	STATE OF UTAH
UTAH TAX COMMISSION	TAX COMMISSION
UTAH LABOR COMMISSION	LABOR COMMISION
DEPARTMENT OF WORKFORCE SERVICES	DEPT OF WORKFORCE SERVICES
STATE DEPARTMENT OF CORRECTIONS	DEPT OF CORRECTIONS
UTAH BOARD OF PARDONS AND PAROLE	BOARD OF PARDONS