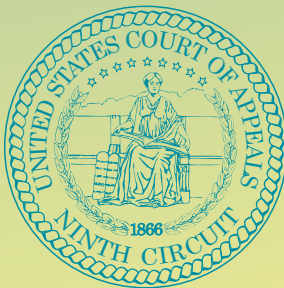


Technical Guide to Working with PDF Documents



Prepared by the
Ninth Circuit Appellate Lawyer
Representatives

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INTRODUCTION

This Ninth Circuit Guide to Electronic Briefs is designed to help attorneys, self-represented parties, and law firm staff prepare briefs and accompanying documents in portable document format (PDF) for electronic filing. Judges and other court staff increasingly review briefs and accompanying documents exclusively electronically. By preparing documents that are easy to navigate, search, and annotate, you will help the judges and court staff get the most from your filings.

This Guide covers:

- The basics of creating PDFs
- Managing PDFs, including combining documents and organizing pages
- Compiling the Addendum and Excerpts of Record
- Adding page numbers and bookmarks
- Special considerations for redactions and sealed materials
- Filing tips

* * *

This Guide shows the steps and screenshots for the current versions of Microsoft Office 365 and Adobe Acrobat Reader DC at the time the Guide was prepared (November 2020). Future updates to the software may change how to perform these tasks. The Court does not endorse any particular product.

Some tasks cannot be completed using the free version of Adobe Acrobat Reader DC. In those circumstances, the Guide refers to Adobe Acrobat Pro DC. In many instances, free or low-cost software is also available to perform the tasks.

* * *

Several other resources are available, including:

- [FRAP and Circuit Rules](#)
- [Forms and Instructions](#)
- [CM/ECF User Guide](#)
- [Appellate Lawyer Representatives' Guide](#)
- [Shell Brief](#)
- [Excerpts of Record shell](#)

* * *

This Guide was prepared by the following Appellate Lawyer Representatives and court staff:

Eric M. Fraser, Brian P. Goldman, Nancy M. Olson, Christopher Pooser, and Cynthia A. Stein, and was advised by Molly Dwyer, Clerk of Court, and Susan Gelmis, Chief Deputy Clerk. Portions of this Guide were drawn from the Massachusetts Appeals Court Clerk's Guide to Electronic Briefs.

This Guide is a work in progress, and we welcome any suggestions for its improvement. Please email any suggestions or comments to ALRPracticeGuide@ca9.uscourts.gov. We will do our best to keep the guide up to date, but the Court's rules, general orders, electronic filing systems, and CM/ECF User Guide can and do change. **In the event of conflict or possible confusion, the Court's official rules, orders, and guidelines control.**

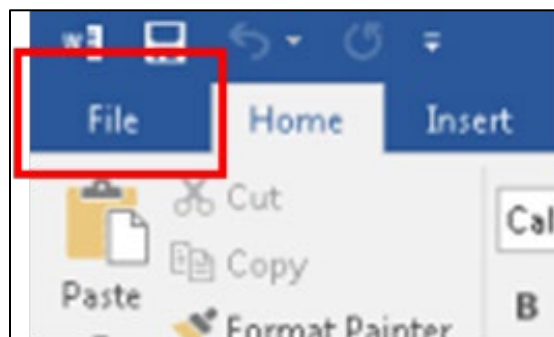
I. Basics: creating PDFs.

A. PDF creation methods.

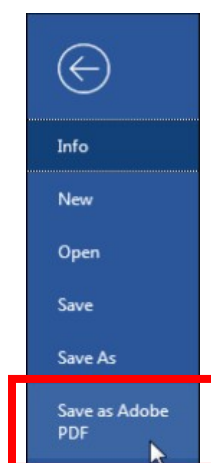
1. Converting your brief to a PDF.

Your brief must be generated from the original word processing file to permit the electronic version of the document to be searched and copied. Cir. R. 25-5(d). PDF files created by scanning paper documents are prohibited, except in certain situations. *Id.* Thus, do not print your brief to paper and scan it. Instead, convert it to PDF format directly from your word processing software, or convert it to PDF format using Adobe Acrobat. This section shows how to do so using Word.

Step 1: Go to the **File** tab.



Step 2: Select Save as Adobe PDF.



Step 3: In the dialog box, click **Save**. Be sure you save a copy in Word as well.

2. Scanning paper documents.

(a) Avoid scanning documents wherever possible.

Any document that exists in electronic form should be converted directly into a PDF. Documents that exist in electronic form should not be scanned. Occasionally you may need to scan a document that exists only in paper form (e.g., a trial exhibit). This section addresses how to manage scanned documents.

(b) Option 1: Free scanning software.

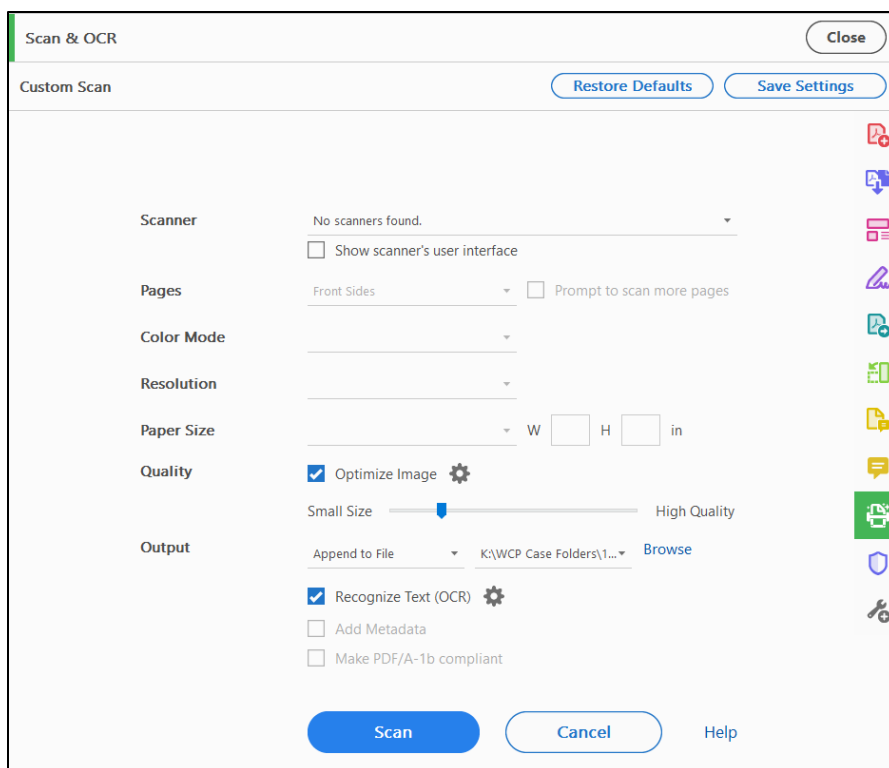
Your scanner may have come with software to scan documents to PDF. If so, you may use that. You may also search online for various free applications that support scanning paper documents to PDF.

(c) Option 2: Scanning using Adobe Acrobat Pro DC.

One commonly used PDF creation application is Adobe Acrobat Pro DC. To scan a paper document into a PDF with Adobe:

Step 1: Go to the **File** tab > select **Create** > select **PDF from Scanner**.

Step 2: In the **Scan & OCR** dialog box, go to **Scan using** and click on the **Settings icon** next to **Default Settings** > under **Resolution**, select **300 dpi** > under **Output**, check the **Recognize Text (OCR)** box > select **Save Settings** at the top right corner of the screen to maintain these settings as your default.



Step 3: Place the document in your scanner > select **Scan**.

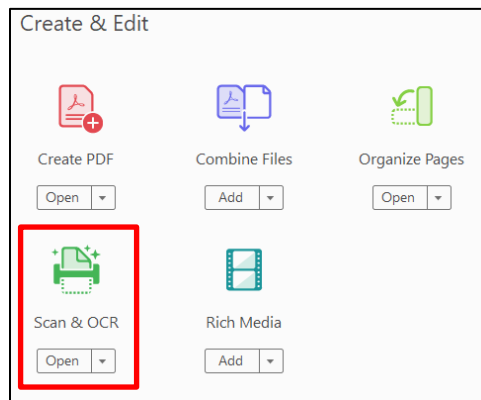
B. Making your PDF text-searchable.

All documents submitted for electronic filing (including briefs, excerpts of record, motions, and forms) must be in text-searchable format. See Cir. R. 25-5(d). Text-searchable PDFs allow users to search for keywords, highlight text, insert notes, and copy and paste material within the PDF. Making your Brief, Addendum, and Excerpts of Record OCR searchable is a critical step because it allows judges and court staff to effectively and efficiently review and annotate the documents. The Clerk may reject your electronic filing if it is not OCR compliant.

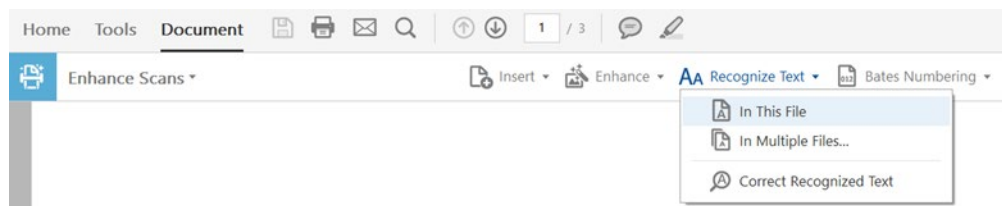
Some PDFs—including those generated directly from the Microsoft Word file (*see supra* § I.A.1)—already contain searchable text. For PDFs that do not contain searchable text, you must run an OCR (optical character recognition) process. This section describes how to run OCR on your documents.

This function is not available in the free version of Adobe Acrobat Reader. Various free websites and applications will add searchable text to a PDF. Alternatively, the steps below apply to Adobe Acrobat Pro DC.

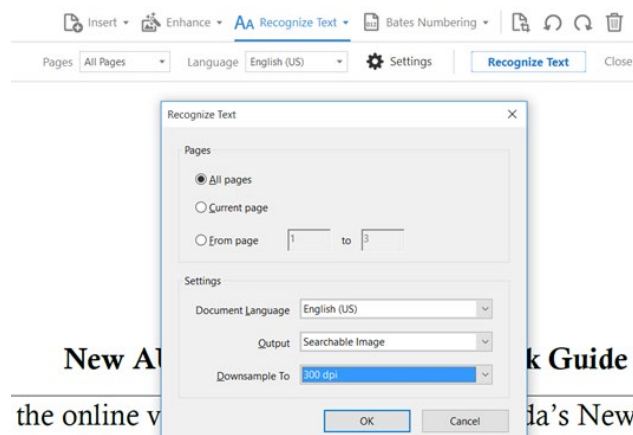
Step 1: Go to the **Tools** menu > select **Scan & OCR** > select **Scan & OCR** or **Enhance Scans** > click **Open**.



Step 2: In the **Enhance Scans** toolbar, select **Recognize Text** > select **In This File**.



Step 3: Under the **Pages** dropdown, select **All Pages** > click on **Settings**, we recommend setting the **Downsample To** box to 300 dpi > click **OK**.



Step 4: If an alert appears stating that Acrobat could not perform OCR because the page contains renderable text, this means the page is already searchable.

Step 5: Click **Ignore future errors in this document** > click **OK** > click **Save**.

II. Managing PDFs: combining documents and organizing pages.

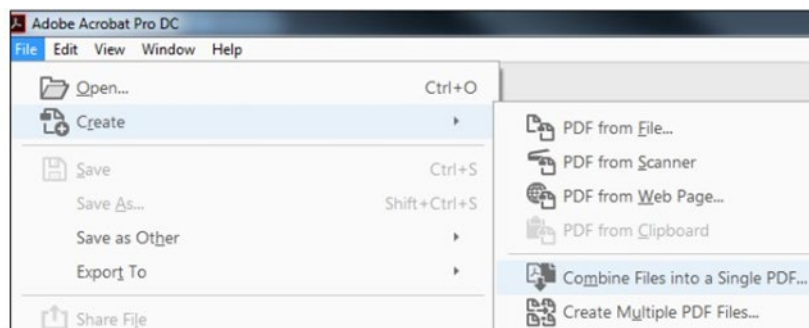
You may need to combine multiple documents into one PDF, or add, delete, or replace pages—for example, when assembling PDFs of district court filings into the excerpts of record. This section addresses how to do these tasks.

The free version of Adobe Reader does not support performing some of these operations. This section refers to Adobe Acrobat Pro DC. There is also a selection of free and low-cost software that offers this functionality that may be found online.

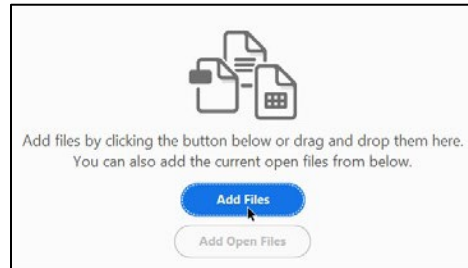
A. Combining multiple documents into a single PDF.

Your brief, required certificates, and any appendix must be submitted as one document. Each volume of the excerpts of record should be submitted as one document. (See § III.B below.) This section discusses how to combine multiple PDFs into one document.



Step 1: Choose **File > Create > Combine Files Into a Single PDF**.



Step 2: Select **Add Files** to select files from a folder on your computer. If the documents you wish to combine are currently open, you can select **Add Open Files** instead.

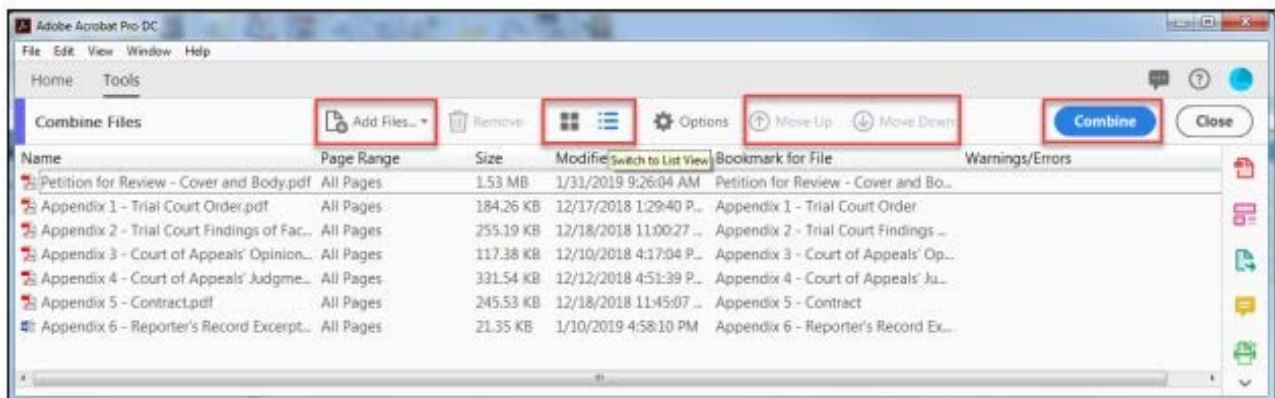


Step 3: In the dialog box, highlight all the files or folder of files that you want to combine into a single PDF. The files can be a mix of formats (i.e. Word, Excel, PDF, etc.). Click **Open**.

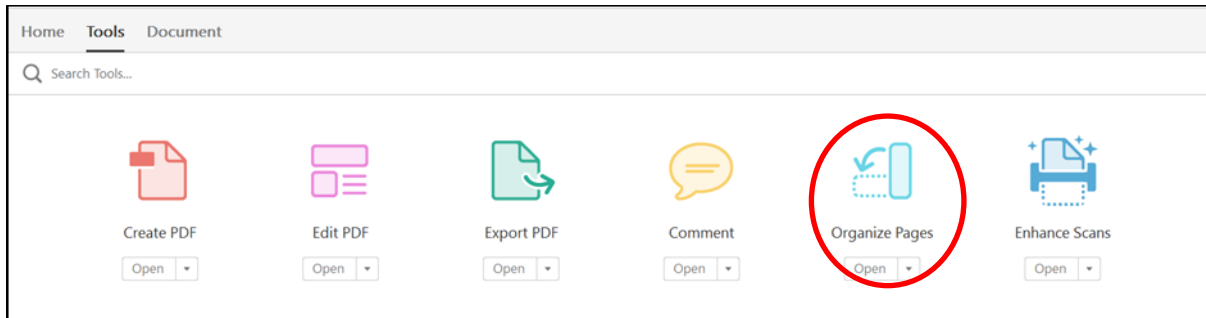
Step 4: Choose between **Thumbnail View**  and **List View** . Arrange the files in the order that you want them to appear using the **Move Up** and **Move Down** buttons or by dragging and dropping the file names.

Step 5: If you forgot a file, you can add it using the **Add Files** button.

Step 6: Select the **Combine** button in the dialog box and save the resulting combined file to your computer.

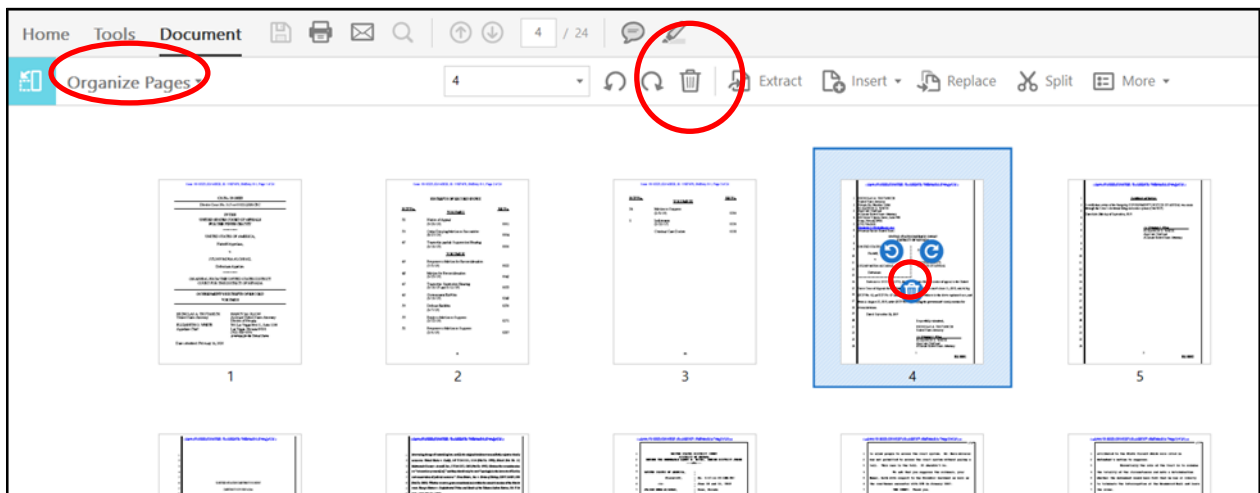


B. Deleting a page.

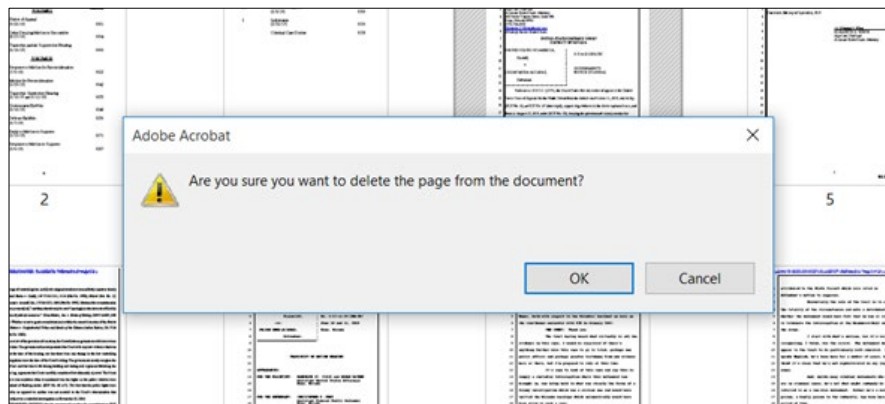


Step 1: Select **Tools > Organize Pages**.

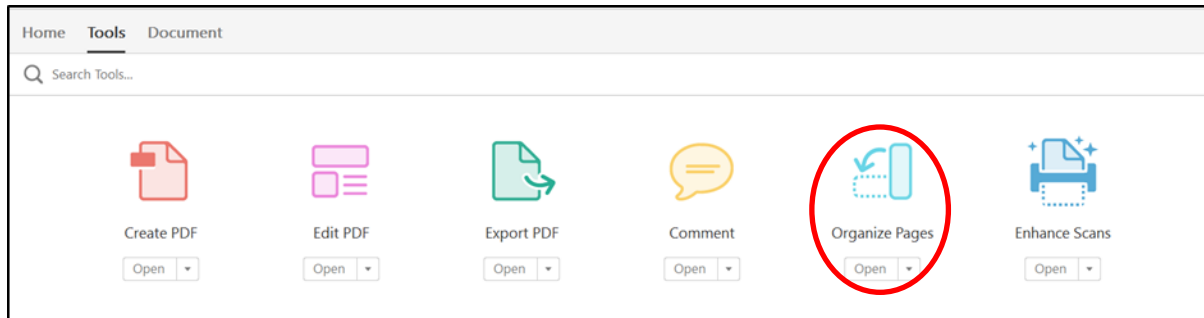
Step 2: Click the thumbnail of the page or pages you want to delete, then click on the **Trashcan** button to delete.



Step 3: Click **OK** to remove the pages.

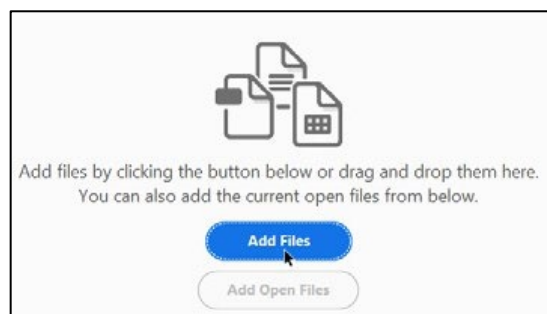
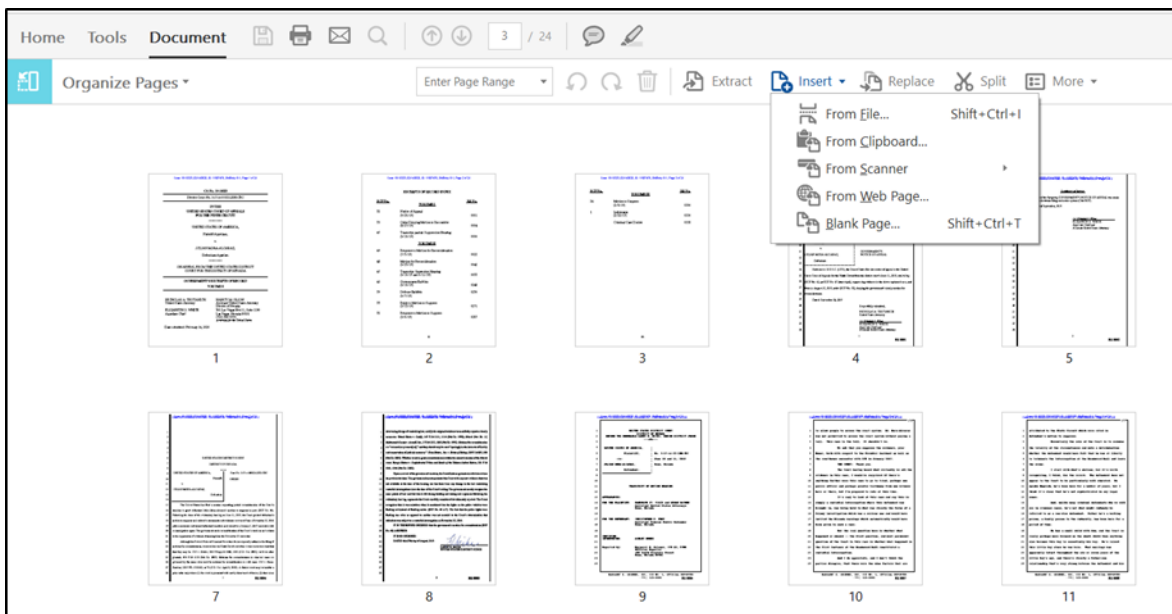


C. Adding a page.

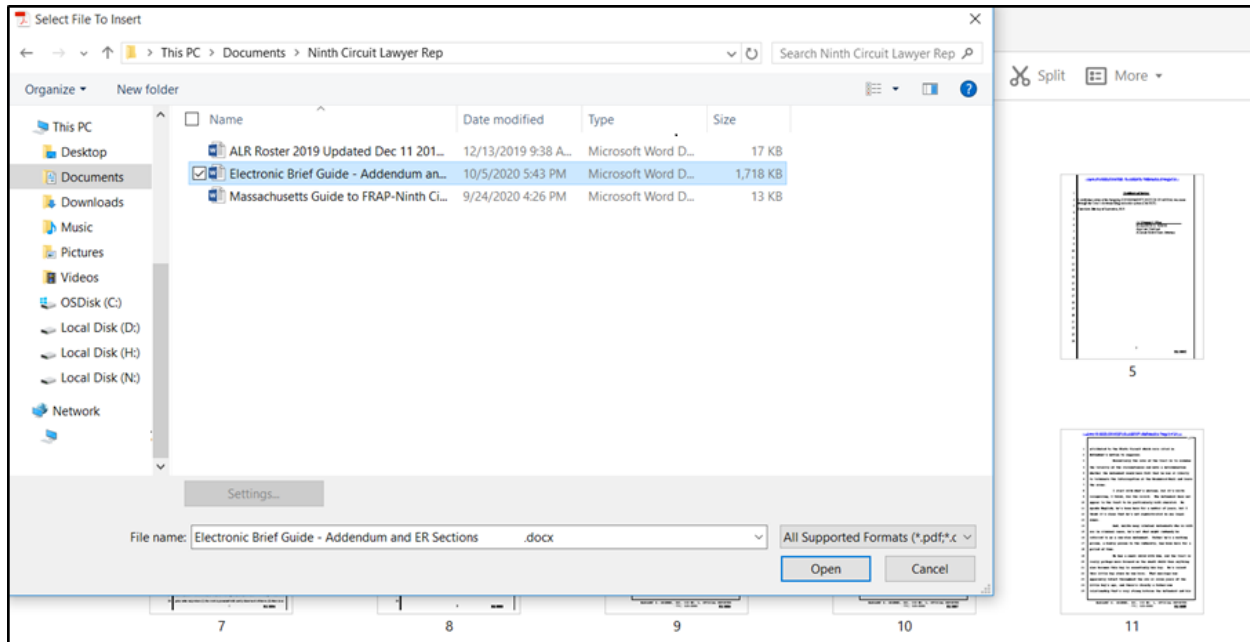


Step 1: Select **Tools > Organize Pages**.

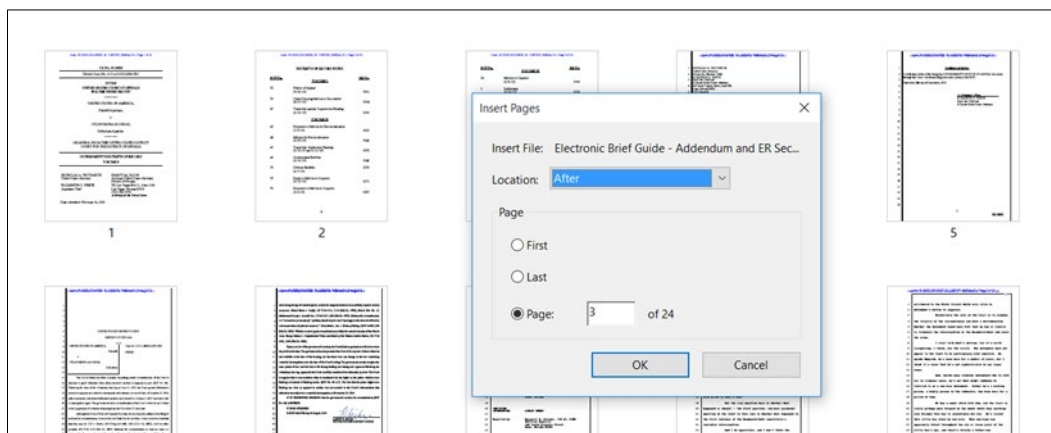
Step 2: Select **Organize Pages > Insert > From File** to select files from a folder on your computer.



Step 3: In the dialog box, highlight the file you want to add, then click **Open**. If the file you select has multiple pages, all pages will be added. You can delete any unwanted pages following the instructions to delete a page above.

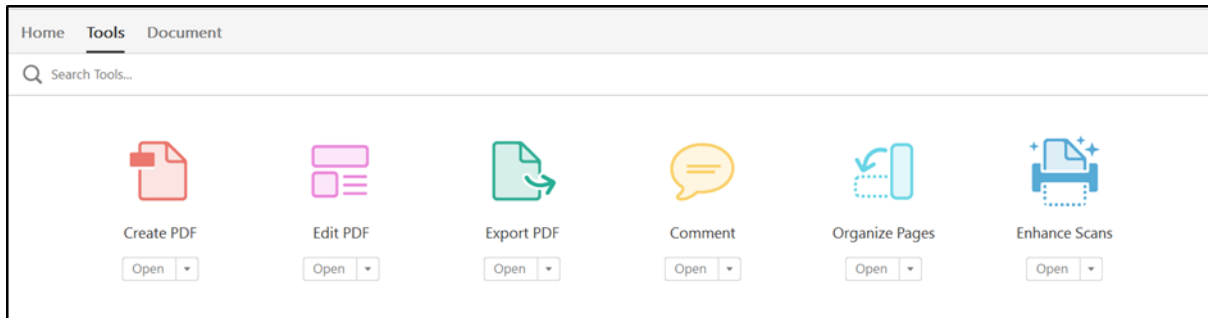


Step 4: In the next dialog box, select **Before** or **After** from the **Location** option, then select from the **Pages** option where you want the new page(s) to be added. Then click **OK**.

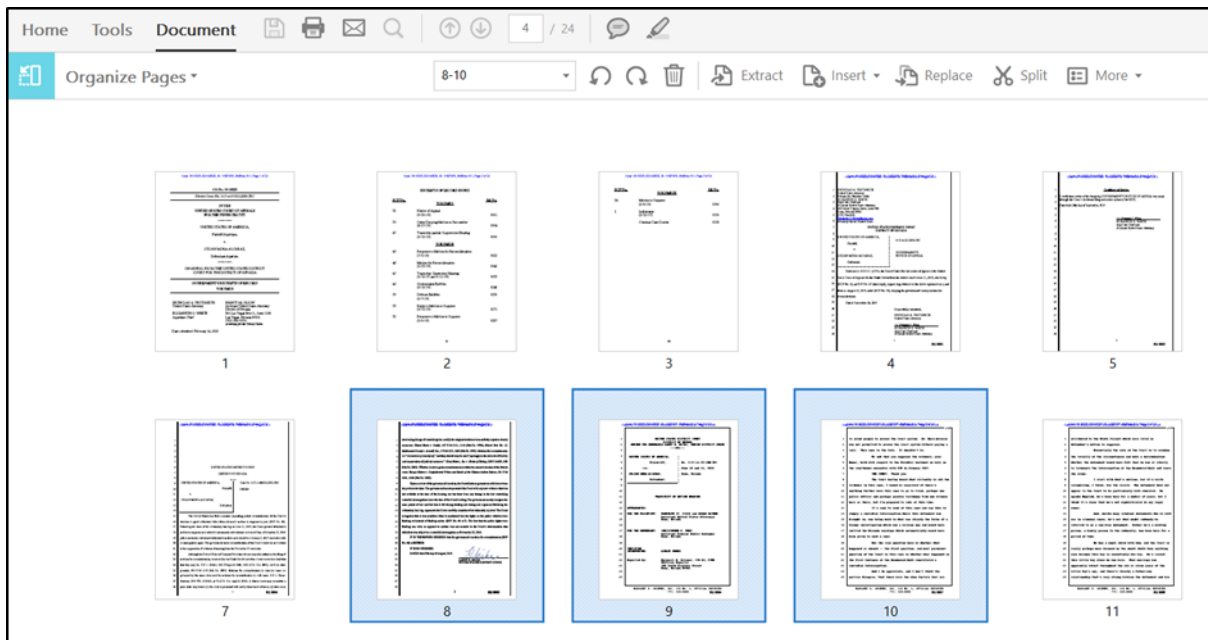


D. Replacing a page.

Step 1: Select **Tools > Organize Pages**.

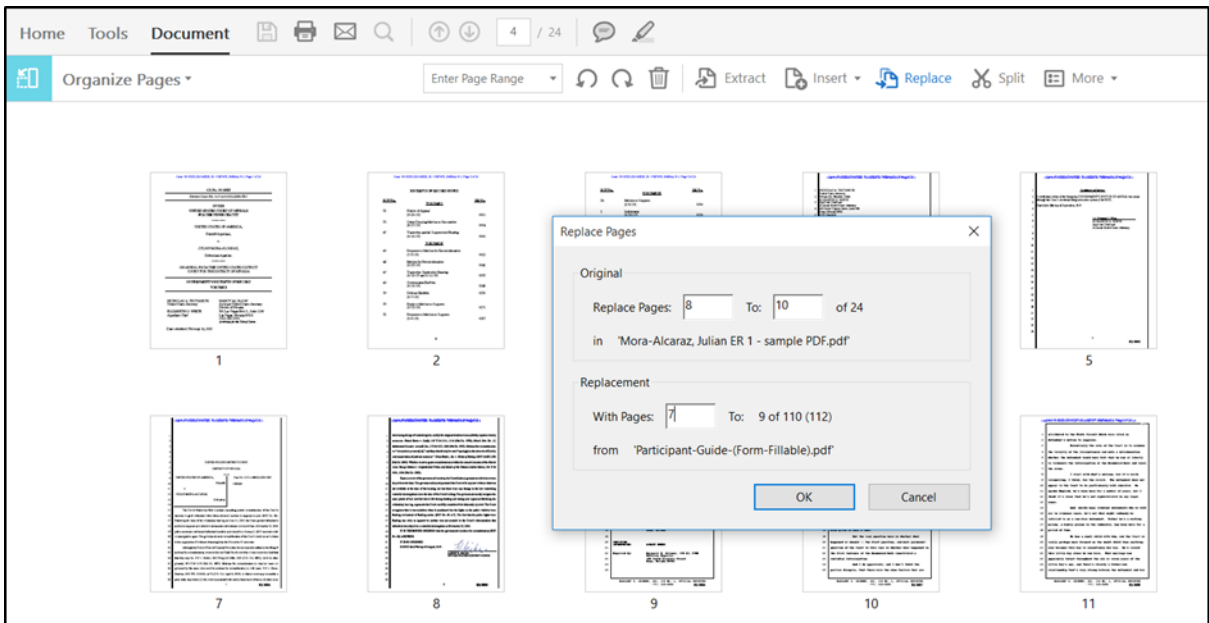


Step 2: Click the thumbnail of the page(s) you want to replace, then click **Replace**.



Step 3: In the dialog box, highlight the file that contains the replacement page(s), then click **Open**.

Step 4: In the next dialog box, under **Original**, verify that the page(s) you want to replace are correct. Next, under **Replacement**, type the page number that corresponds to the first page to be used as the replacement. Acrobat will automatically select a page range that mirrors the number of pages you chose to be replaced in the original. For example, suppose you elected to replace pages 5 through 7 (three pages) of the original file. If you elect to start with page 2 of the replacement file, Acrobat will automatically select a range of pages 2 through 4 (three pages) in the replacement file. Click **OK** when you are done.



III. Compiling the addendum and excerpts of record.

A. Converting your addendum to PDF.

Some briefs will include an addendum. Immigration cases require specific documents to be included in an addendum. See Circuit Rule 28-2.7. And in all cases, pertinent constitutional provisions, treaties, statutes, ordinances, regulations and rules may be included in an addendum containing a table of contents, which may be bound with the brief or filed separately. *Id.* (The text of those provisions may also be provided verbatim

within the brief, directly after the statement of issues presented for review.)

1. Using Websites to Obtain Electronic Copies of Legal Authorities.

To begin, you should collect the pertinent statutes, rules, etc. in electronic format. Do not scan materials for the addendum unless you cannot obtain them in electronic format. Scanning results in file sizes that may be too large for the Court's filing system, and often results in illegible documents. If you must scan a document that is unavailable online, please make it OCR searchable, as detailed below in § I.B. See Circuit Rule 25-5(d).

Many federal authorities are available online. For example, the following resources may be useful.

- U.S. Code search tool: <https://uscode.house.gov/search/criteria.shtml>
- Federal Rules of Procedure, Evidence, etc.:
<https://www.uscourts.gov/rules-policies/current-rules-practice-procedure>
- Various primary sources, including state law materials, through Cornell Legal Information Institute: <https://www.law.cornell.edu/>
- Online legal search databases such as Westlaw and Lexis

2. Converting electronic sources to PDF.

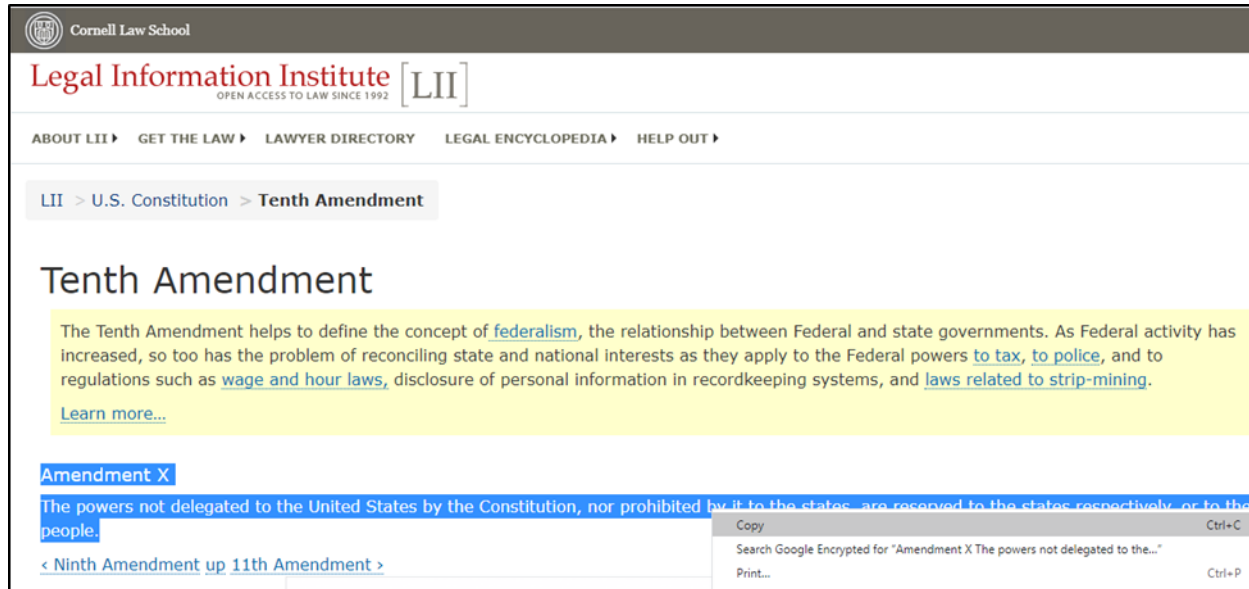
(a) Option 1 (preferred method): Create addendum with word processing program, and convert to PDF.

To provide a clean copy of all required addendum materials, the Court suggests copying and pasting the text of pertinent materials into a word processing program, which will also allow you to add the required table of contents, and then convert the document into PDF.

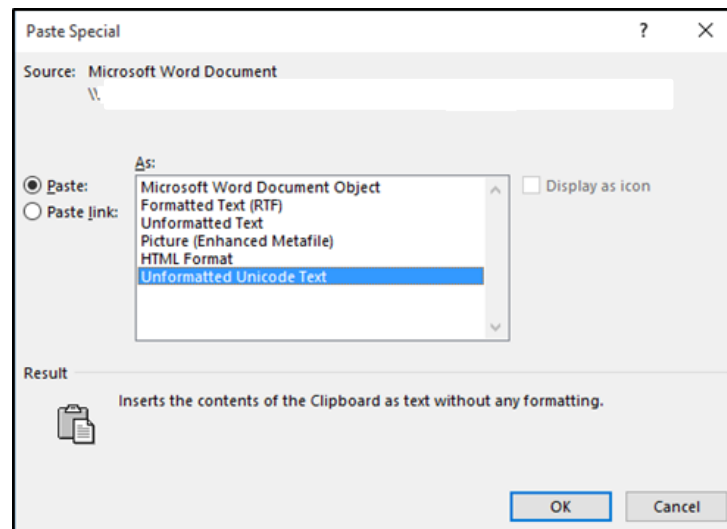
Step 1: Open a blank document in your word processing program.

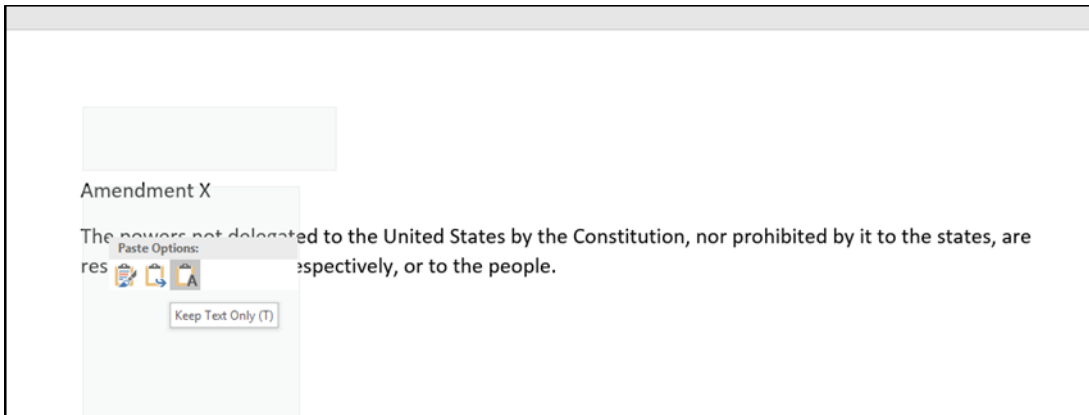
Step 2: Conduct an internet search for the legal authorities needed for your addendum.

Step 3: For example, if one of the pertinent legal authorities for your brief is the Tenth Amendment, after finding the text of that amendment online, copy the text. Do not include accompanying material such as commentary.



Step 4: Move to your word processing program. Start a new page for each source included in your addendum. On a new page, right-click and mouse over **Paste Special**, selecting **Unformatted Unicode Text**, or if the version of the word processing program you are using provides paste icons, select the third icon, **Keep Text Only**.





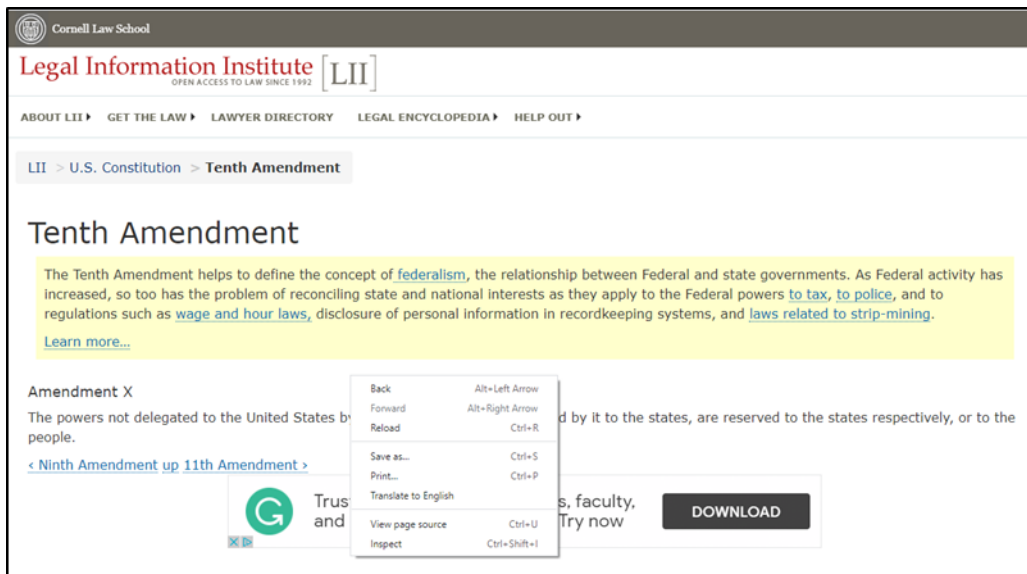
- Step 5: Continue this process until you have copied and pasted each pertinent authority into your addendum.
- Step 6: Adjust the typeface, spacing, margins, indentation, and other formatting to ensure that your addendum is easy to read and use.
- Step 7: When you are finished adding authority, add the required table of contents at the beginning of your addendum.
- Step 8: After you have added a table of contents and applied required formatting, convert your addendum into PDF, as described above in § I.A.1.

(b) Option 2: Convert webpages to PDF by printing to PDF.

If you are unable to create your addendum by pasting pertinent authority into a word processing program, you may also print each electronic authority to PDF, and then combine the authorities into a single PDF.

This option is not preferred because it often results in a longer and less-organized Addendum, and often includes extraneous material.

Step 1: After finding your pertinent authority online, right-click and select **Print** (or using your keyboard, type **Ctrl + p**).



Step 2: When the print dialog box opens, set the printer destination to **Save as PDF** or **Print to PDF**, depending on your browser.

Step 3: Repeat steps 1 and 2 for all pertinent authorities. After you have finished finding pertinent authorities and printing to PDF, create a table of contents and print that to PDF. Finally, combine the table of contents along with the authorities into a single PDF, as detailed above in § II.A.

B. Creating electronic Excerpts of Record.

Before creating your electronic Excerpts of Record, you should review in detail the current version of Circuit Rule 30-1. Notably, the Ninth Circuit requires Excerpts of Record rather than an Appendix as described in FRAP 30. You must follow this rule closely or risk having your excerpts rejected by the Court. If your excerpts are rejected, you will have to correct them and refile the corrected version. In addition, consider reviewing the [Excerpts of Record shell](#).

You should compile your excerpts by using electronic documents (e.g., the relevant portions of the district court record downloaded from PACER). Avoid scanning paper copies to PDF, which creates larger and often illegible

files. If you must scan a document that is unavailable online, please make it OCR searchable, as described above in § I.B. See Circuit Rule 25-5(d).

The excerpts must be submitted electronically, separately from the brief, and in one or more volumes, depending on size.

Notes: In social security appeals, the complete certified administrative record should be submitted by the appellant under an entirely separate CAR filing event at the time the opening brief and any other excerpts are filed.

Neither party need file an Excerpts of Record in any petition for review challenging an order of removal in an immigration case.

1. Contents of the Excerpts of Record.

The excerpts must contain the following, and be ordered in the following manner.

Volume I:

- Each volume must contain a caption (cover) page, as described in FRAP 32(a), and the cover page shall include the volume number (e.g., Volume 2 of 6). See Circuit Rule 30-1.5(d).
- Volume I must contain all decisions being appealed. See Rule 30-1.4(a) for a description of what to include in Volume I.
- Unless the entire set of excerpts will not exceed 300 pages, the decisions being appealed are the *only* materials that should be placed in Volume I.
- If the entire excerpts will not exceed 300 pages, then include a table of contents, the decisions being appealed, and the other relevant parts of the record, generally arranged by file date in reverse chronological order.

Volume II and subsequent volumes:

- Cover page (as described above)
- The subsequent volumes should include all other parts of the record relevant to deciding the appeal, generally arranged in reverse chronological order.
- No volume may contain more than 300 pages, including the caption (cover) page.
- The notice of appeal and lower court docket sheet shall be included at the end of the last volume in the non-sealed Excerpts of Record.
- All volumes of multi-volume Excerpts of Record (except the index volume described below) must be numbered consecutively across all volumes in a set, beginning with the caption page of the first volume as page number 1. Every page (including blank pages, cover pages, etc.) must be numbered.

Trial Transcript Volume:

- If your excerpts will include a complete trial transcript, you may submit the trial transcript as a separate volume(s), paginated consecutively to the other ER volumes.
- All documentary and other exhibits capable of production in PDF format may also be placed in this volume at the end of the transcript, at the end of the final volume of the unsealed Excerpts of Record, just before the notice of appeal and docket sheet, or, if appropriate, in the final volume of sealed Excerpts of Record.

Separate Index Volume:

- For multi-volume Excerpts of Record, you must submit a table of contents, as a separate PDF file, that covers all volumes of your excerpts. The Index Volume must be paginated separately from the numbered volumes, and all other volumes must not include a table of contents. See Circuit Rule 30-1.5(a) for detailed instructions.

Separate Sealed Volume:

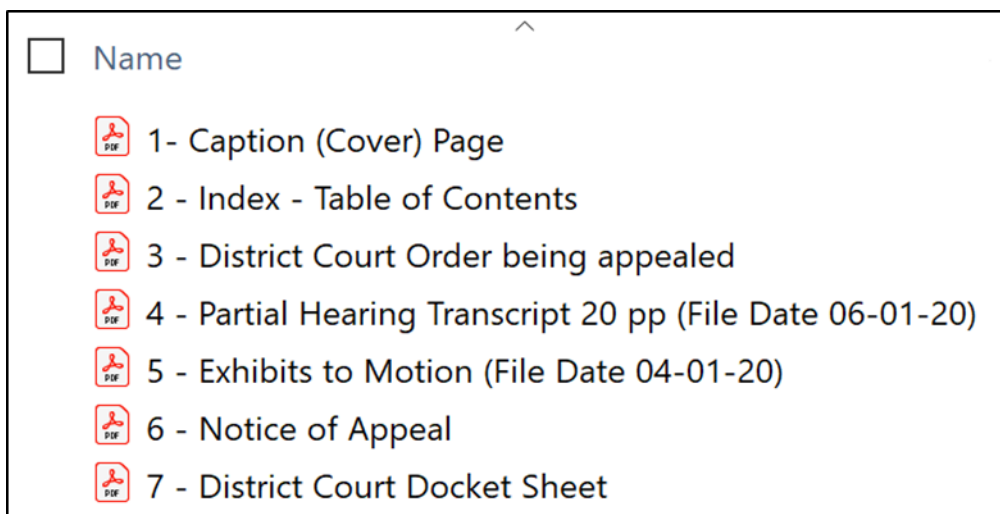
- Documents that need to be sealed must be submitted in a separate, final volume. See Circuit Rule 30-1.4(d). For additional discussion about sealed documents, see § V, below.

2. Collecting your documents.

After you have determined what to include in your Excerpts of Record and how many volumes will be needed based on the 300-page-per-volume limit, you should organize your documents before combining them into a single PDF.

It is helpful to place all of the necessary PDF files into a folder, numbering them to match the order in which they will appear in the excerpts, so you can visually check to ensure you are not forgetting something, and to make sure the documents appear in the correct order.

In the below example, all documents will be in Volume I because they do not exceed 300 pages. Refer to § II.A, above, for instructions on how to combine multiple PDF files into a single file.



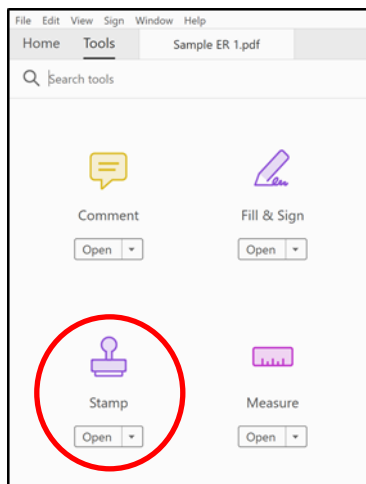
Note that the table of contents PDF is a placeholder until you apply pagination. After applying pagination, as explained immediately below, return to your table of contents document in the word processing program where you created it, add the applicable Excerpts of Record starting page

number to each item in the excerpts, save or print it to PDF, and then replace the relevant page(s), as described above in § II.D.

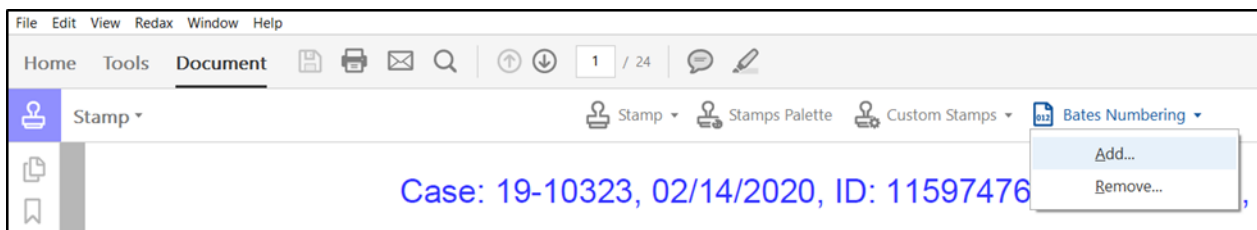
3. Adding page numbers (Bates stamping).

When you have combined all of the files into a single PDF, you may now apply ER page numbers to the entire file. The free version of Acrobat Reader does not support this task. This section describes how to use Adobe Acrobat Pro DC, but there are also free or low-cost options available.

Step 1: Click on **Tools** and then **Stamp**.



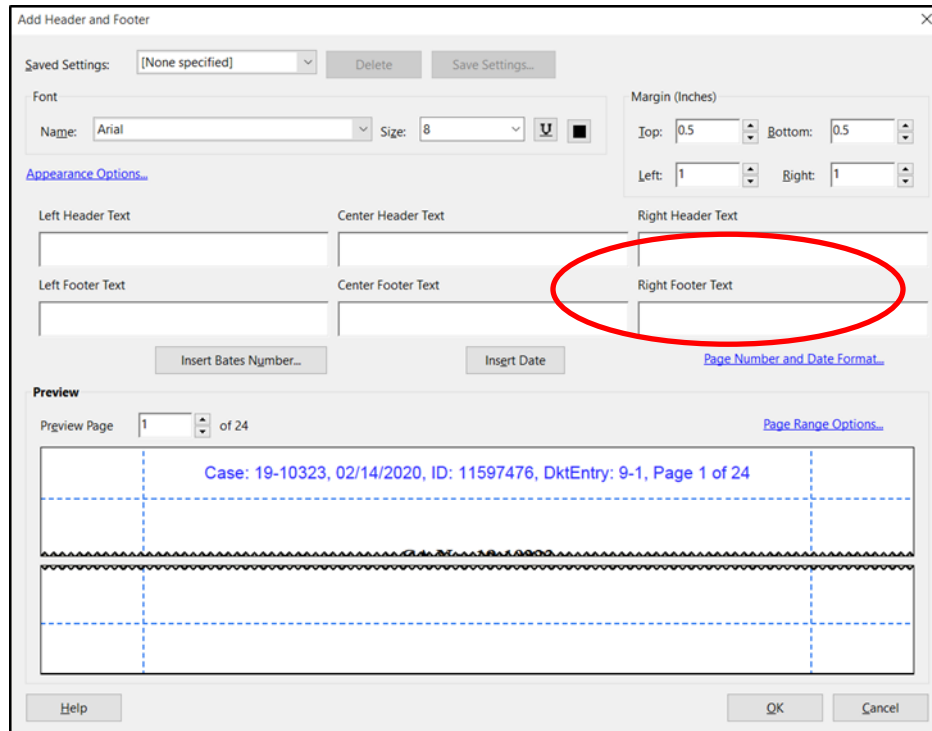
Step 2: On the ribbon at the top of the document, additional Stamp options will appear. Click on **Bates Numbering** and choose **Add**.



Step 3: Select your document and click **OK**. (Note that for creating multi-volume Excerpts of Record, at this step, you may click **Add Files** and add all of the volumes you would like to consecutively Bates stamp, except the index volume.)

Step 6: When the **Add Header and Footer** box appears, you may change the font, size, style, color, margins, etc. in the upper boxes.

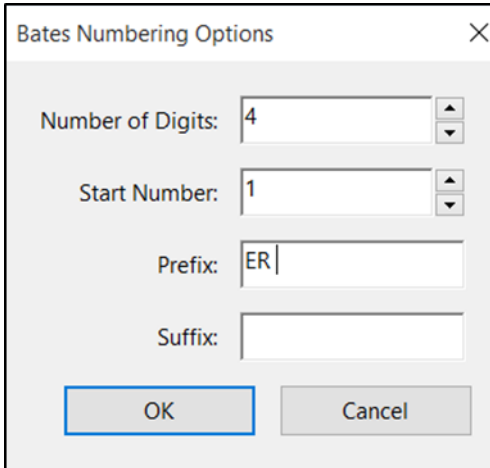
Step 7: To place your ER Bates Stamps in the bottom right corner, click inside the cursor box below **Right Footer Text**, then click the button labeled **Insert Bates Number**.



Step 8: Enter the Number of Digits, Start Number, and Prefix.

- The Number of Digits will vary depending upon how voluminous your Excerpts of Record will be.
- For Start Number, choose 1 if you are numbering your first volume. For subsequent volumes, a Start Number that is one page higher than the last page in the preceding volume.
- For Prefix, use "ER" for the Excerpts of Record (ER), which accompany the opening brief. Use "SER" for the Supplemental Excerpts of Record (SER), which accompany the answering brief. Use "FER" for a Further Excerpts of Record (FER), which may accompany a reply brief.

- Leave **Suffix** blank, and click **OK**.



Bates Numbering Options

Number of Digits: 4

Start Number: 1

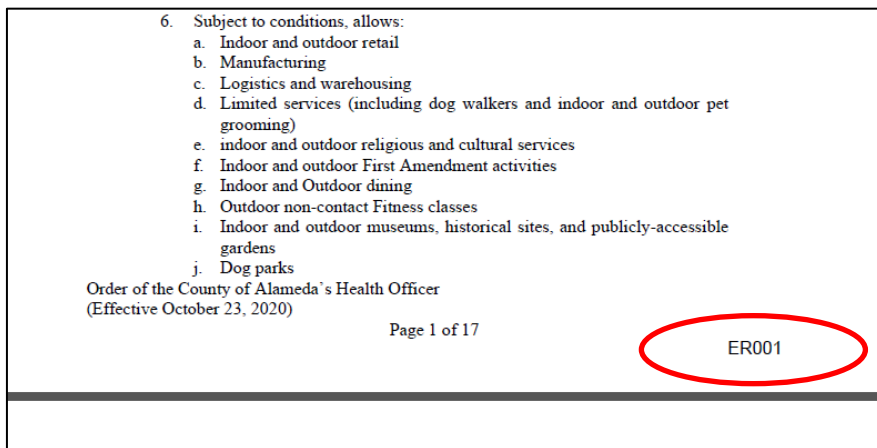
Prefix: ER

Suffix:

OK Cancel

Step 9: You should now see a preview of your Bates Stamp on the bottom right corner of the preview pane. You can adjust the position (if needed) by changing the **Margin (Inches)** settings near the top right of the dialog box.

Step 10: Click **OK**, and your Bates Stamps will be added to the document(s) you selected.



6. Subject to conditions, allows:

- a. Indoor and outdoor retail
- b. Manufacturing
- c. Logistics and warehousing
- d. Limited services (including dog walkers and indoor and outdoor pet grooming)
- e. indoor and outdoor religious and cultural services
- f. Indoor and outdoor First Amendment activities
- g. Indoor and Outdoor dining
- h. Outdoor non-contact Fitness classes
- i. Indoor and outdoor museums, historical sites, and publicly-accessible gardens
- j. Dog parks

Order of the County of Alameda's Health Officer
(Effective October 23, 2020)

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ER001

IV. **Bookmarking a PDF.**

A. **General advice on bookmarks.**

Although bookmarks are not required for electronically filed Briefs, Addendums, Excerpts of Record, and other filings, the Court strongly encourages parties to add bookmarks. Bookmarks are a type of link visible in the **Bookmarks** pane of PDF viewers. They allow a judge to quickly locate different areas of your argument or particular documents in the record. Judges frequently comment that bookmarks are helpful and encourage their use in a brief and excerpts of record.

If you choose to bookmark your document, you should use descriptive labels (i.e., Table of Contents, Table of Authorities, Issues Presented, etc.) rather than simply indicating page numbers. The Shell Brief accompanying the Court’s Appellate Practice Guide has a helpful Table of Contents that should give you an idea of what sections to bookmark separately. See https://cdn.ca9.uscourts.gov/datastore/uploads/guides/Shell_Brief.pdf.

If a section heading is very long, consider shortening the bookmark to summarize the heading. Long headings frequently get truncated in the bookmarks pane. For example, consider the heading “The government’s argument fails because the Court lacks jurisdiction to consider it.” In a narrow bookmarks pane, that might get truncated to “The government’s argument fails bec...” Instead, leave the long section heading in the brief, but shorten the PDF bookmark to something like “Lack of jurisdiction.”

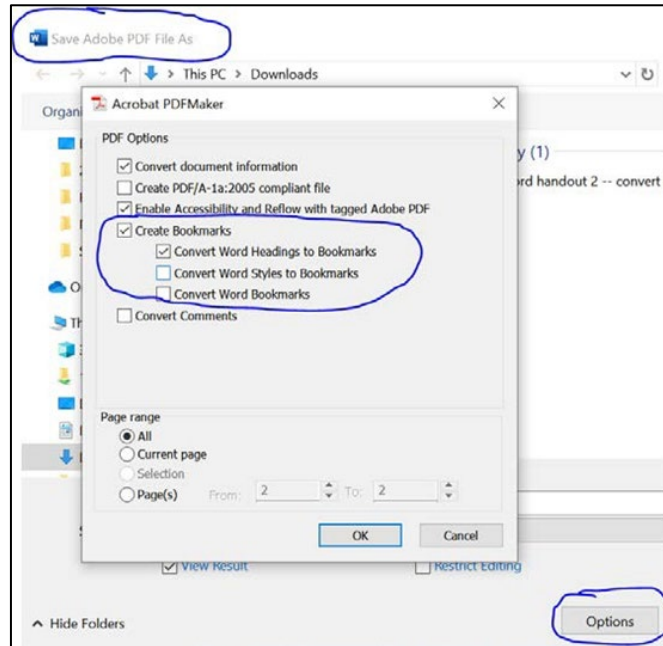
B. **Creating bookmarks.**

1. **Option 1: Create bookmarks in Microsoft Word.**

Using Word, you can automatically generate bookmarks in your PDF if you use the **Styles** feature to label headings within your document. The document will automatically include bookmarks based on the headings when you generate the PDF using the built-in Adobe Acrobat features in Word. The [Shell Brief](#) uses styles that will automatically generate bookmarks.

To use Word to create bookmarks, you must follow certain instructions when converting the Word file to PDF.

- Step 1: See the instructions above at § I.A.1 for converting a Word document to a PDF.
- Step 2: Once you have selected **Save As Adobe PDF**, select the **Options** button at the bottom of the dialog box.



- Step 3: In the **Options** dialog box, go to **PDF Options** > check the **Create Bookmarks** box > check **Convert Word Headings to Bookmarks** under **Create Bookmarks** > click **OK**.
- Step 4: Click **Save**.

2. Option 2: Creating bookmarks in Adobe Acrobat Pro DC.

When using the **Combine Documents** feature, Adobe Acrobat automatically creates bookmarks by merging file names of the PDFs. When naming your files, choose short names that allow them to be easily identified so that you will not have to do the extra work of renaming your bookmarks (e.g., Notice of Appeal, Judgment, etc.)

To manually add bookmarks, use the following steps.

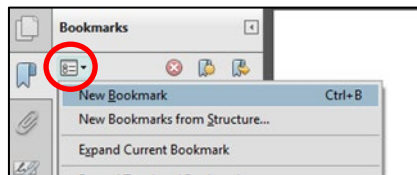
- Step 1: Click on the **Bookmarks** button on the left to open the **Bookmarks** panel. *Tip:* if you do not see the bookmarks panel,

click the small arrow on the left-hand side of your PDF to expand the **Bookmarks** panel.

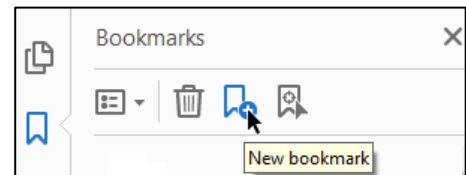


Step 2: Navigate to the section you would like to bookmark. Using your mouse cursor, click to highlight the heading you want to bookmark

Step 3: In the **Bookmarks** panel, click on the **Options** pulldown > select **New Bookmark** > or click on the **New Bookmark** button. If you would like to add a new bookmark in relation to an existing bookmark, select the bookmark under which you want the new bookmark to appear. If you don't select a bookmark, the new bookmark will appear at the end of the list.



OR



Step 4: Go to the new bookmark that appears in the **Bookmarks** panel > if you selected text, the text becomes the name of the new bookmark > edit the name as necessary.

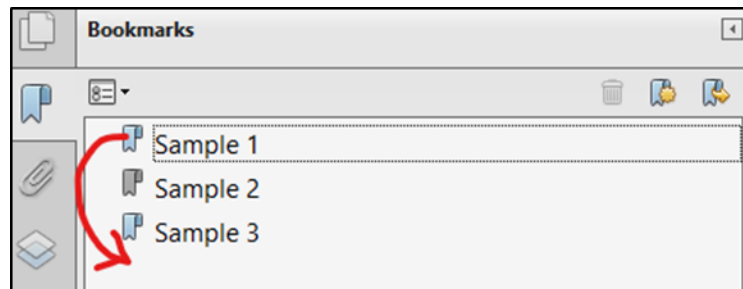
C. Editing bookmarks.

To edit the name of a bookmark, double click the bookmark > retype the name > click outside the bookmark or press the **Enter** or **Return** keys on your keyboard.

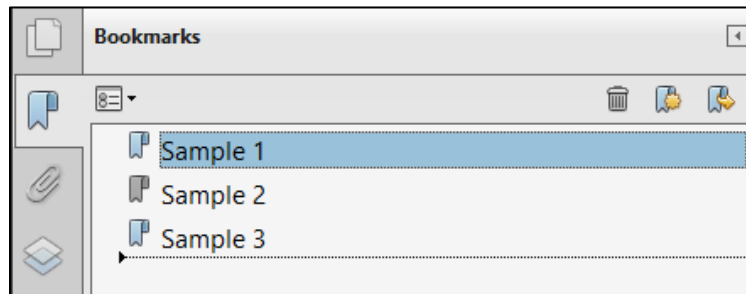
To delete a bookmark, select the bookmark > press the **Delete** button at the top of the **Bookmarks** panel.

D. Moving bookmarks.

Step 1: In the **Bookmarks** panel, click and hold on the **Bookmark** icon next to the bookmark's name > drag the **Bookmark** icon to the desired location. For example, clicking and dragging the first bookmark icon to the bottom of the bookmarks list will move that bookmark to the end.



Step 2: A **Line** icon will appear to show the new location.



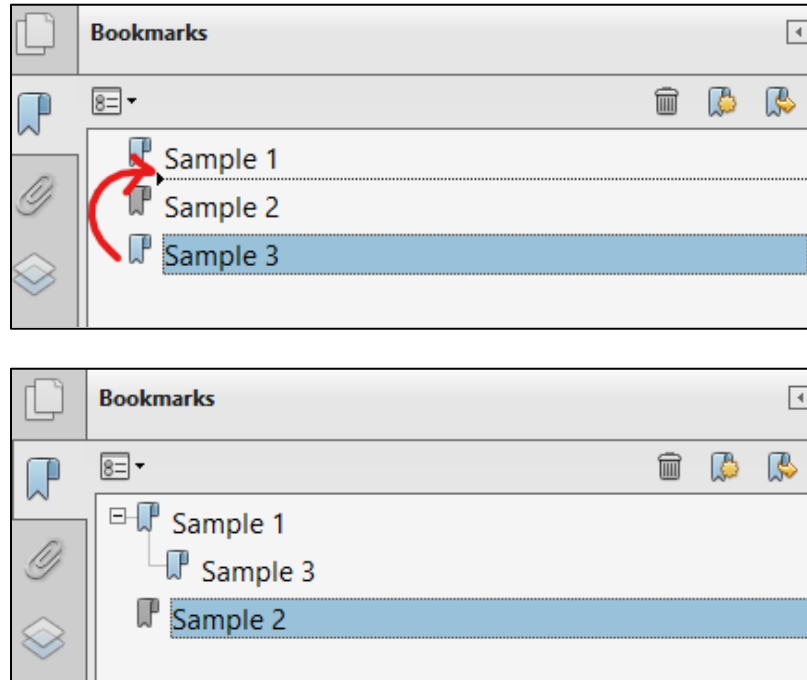
Step 3: Release the **Bookmark** icon and drop the bookmark in its new location.

E. Nesting bookmarks.

A list of bookmarks can be “nested” beneath other bookmarks to create “tiers” and show a relationship between topics. Use this function to make the structure of your bookmarks match the structure of your brief and Excerpts of Record.

Step 1: In the **Bookmarks** panel, click and hold on the **Bookmark** icon next to the bookmark's name.

Step 2: Drag the **Bookmark** icon to the parent bookmark under which you would like it nested > release the **Bookmark** icon once the **Line** icon appears indented below the parent bookmark.



V. Handling redactions and sealed materials.

The Ninth Circuit requires parties to redact any personal identifying information—including, but not limited to, social security numbers, financial account numbers, birthdates, and the names of any individuals known to be minors—in publicly accessible filings. Fed. R. App. P. 25(a)(5) & Fed. R. Civ. P. 5.2. This is different from filing documents under seal. Briefs and excerpts of record may be filed under seal—meaning the entire document is inaccessible to the public—only in limited circumstances. A motion to seal is usually required. For Rules governing filing under seal, see Cir. R. 27-13. Note that if the Excerpts of Record contain documents that need to be sealed, they must be placed in a separate, final volume, as explained above in § III.B.1.

Parties should generally try to avoid including personally identifying or confidential material wherever possible. Where personally identifiable information must be included, the best option is to redact using a word processor to change the original text. If the document cannot be edited in a word processor, you can redact a PDF using PDF editing software like

Adobe Acrobat Pro DC. There are also some free and low-cost PDF editing software options that offer this functionality.

Important: Do not attempt to redact by changing text color to white or using black highlighter over the text. These methods are not secure because the text can still be copied and pasted. See, e.g., Eugene Volokh, *Avoid Super-Embarrassing Redaction Failures* (Jan. 7, 2020), <https://reason.com/2020/01/07/avoid-super-embarrassing-redaction-failures>.

A. Redacting using a word processor.

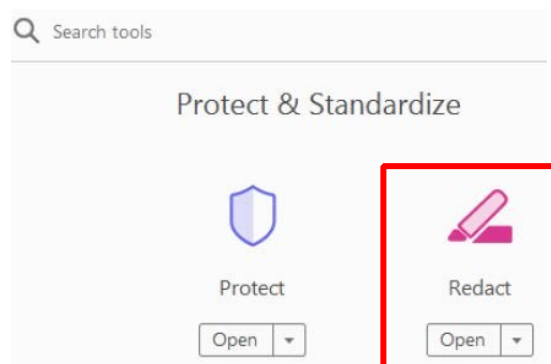
When preparing your brief, the best way to redact sensitive information is to do so in the original text file by locating the information and replacing it with “xxx,” an initial, or “beginning with” or “ending with” where appropriate.

Example: Jodie’s SSN is 555-55-5555. Her redacted number may be written as “xxx-xx-5555,” or “the SSN ending in 5555.”

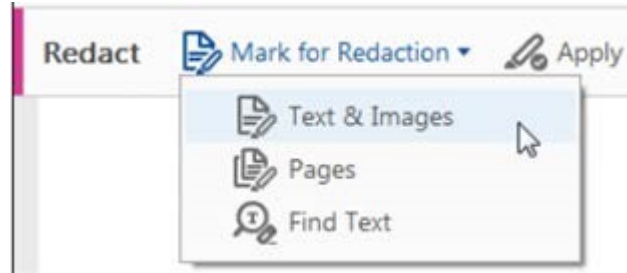
Example: Jodie Smith is a minor. Her redacted name is “J. S.”

B. Redacting using Adobe Acrobat Pro DC.

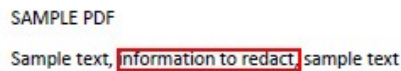
Step 1: Select **Tools > Redact > Open**.



Step 2: Select **Mark for Redaction > Text & Images**. You can also select **Find Text** to search for words or phrases and mark them for redaction.



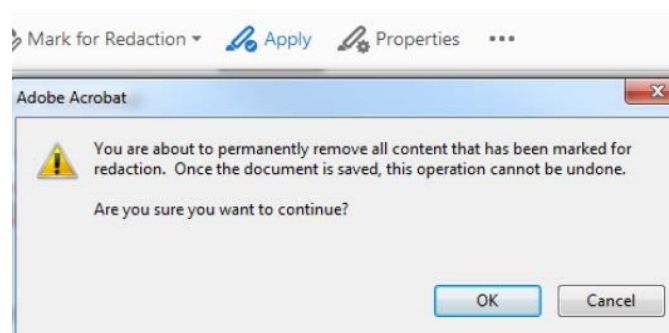
Step 3: Highlight the text you would like to redact. When you release your mouse, your blue highlight should turn into a red box.



Step 4: Place your cursor over the word to preview what the redaction will look like.



Step 5: Select **Apply**, then click **OK**.

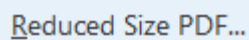


VI. Filing tips.

A. Reducing the size of the PDF file.

Each PDF that you attach to a filing may not exceed 100 MB. Cir. Rule 25-5(d).

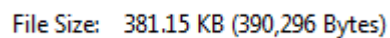
The fastest way to reduce PDF file size is to go to **File > Save as Other > Reduced Size PDF > OK**. The process will pause for you to provide a new name for your PDF, or if you keep the old name, you will be warned that you are writing over the existing file. Click **Save**.



Reduced Size PDF...

If that doesn't make the file small enough, go to **File > Save As > Optimized PDF**. Click the **Audit Space Usage** button to see which elements of the PDF are taking up the most space. Use that information to adjust the settings on the *PDF Optimizer* dialog box. Click **OK**.

Before beginning this process, check the original file size so that you can compare your reduced file size. To check your file size, right-click anywhere inside the PDF and select **Document Properties**. In the *Advanced* section toward the bottom, you will see *File Size*:



File Size: 381.15 KB (390,296 Bytes)

B. Ensure compliance with CM/ECF requirements.

The CM/ECF system will reject PDF files with the following content:

- Documents that do not comply with PDF format standards
- Documents that contain JavaScript
- Encrypted or password-protected documents
- Documents containing scripts that can launch an external application
- Documents with internal attachments
- Documents with audio or video content

- Documents created with MacOS using a fillable form in the Safari browser (use an alternate browser instead)
- Documents with MacOS using Microsoft Word with the “Best for printing” option (instead, use the “Best for Electronic Distribution option”).

C. Choosing the correct document description in CM/ECF.

To avoid the Clerk rejecting the filing, be sure to follow the instructions in CM/ECF about selecting the appropriate **Type of Document** for your transaction. For example, to file a brief, select “Brief on the Merits” and upload the brief as the “main document.”

Type of Document	Category
Amicus Brief by Government or with Consent	Prospective Amici and Intervenor
Answer or Response to Petition for Rehearing/En Banc	Rehearing/Reconsideration
Answer to Original Petition	Motions/Responses/Replies, Original Petitions
Application for Fees Under EAJA	Forms/Notices/Disclosures
Bill of Costs (Form 10)	Forms/Notices/Disclosures
Brief and Prospective Amicus or Intervenor Motion Together	Prospective Amici and Intervenor
Brief on the Merits (Opening, Answering, Reply, Supplemental, etc)	Briefs
Certification for Law Student Representation Form	Forms/Notices/Disclosures
CJA Form 23 Financial Affidavit	Forms/Notices/Disclosures
Client Authorization of Law School Representation	Forms/Notices/Disclosures

▼ Type of Brief

Opening Brief

▼ Attention

DO NOT ATTACH THE EXCERPTS OF RECORD IN THIS TRANSACTION.
 Instead, once you have submitted the brief, submit the excerpts of record using **Submit Excerpts of Record for Review by the Court**.

▼ Attention

Use the **Upload Documents** area below to attach your brief.
 The brief should be a **single** PDF including all certificates. Leave **Main Document** as the description of the brief.
 To attach another PDF, click the Browse button to select another document and then change the Description as needed.

Special Characters: AVOID using special characters (such as quotes, #, & others) in your file names and descriptions because this may cause errors during filing.

REMINDER: All pleadings must be submitted in PDF generated from the original word processing file to permit the electronic version of the document to be searched. See Circuit Rule 25-5 for details.

▼ Upload Documents

Description

Additional Document

Browse... Click Browse to add another document.

Document	Description	Size	Sequence
Sample Brief.pdf	Main Document	267 KB	

Then in a separate transaction, select “Excerpts of Record” and follow the prompts to upload your ER volumes. The document descriptions should be ER Vol 1, ER Vol 2, etc.

Type of Document	Category
Court Reporter Motion to Extend Time	Court Reporters, Motions/Responses/Replies
Errata to Brief	Briefs
Errata to Excerpts of Record	Briefs
Excerpts of Record	Briefs
FRAP 9(a) Memorandum	Appeals Pursuant to FRAP 9(a)
Immigration Certified Administrative Record (EOIR/DHS)	Forms/Notices/Disclosures
Joinder Letter in Lieu of Amicus Brief (CR 29-1 Note)	Briefs, Prospective Amici and Intervenor
Joinder to Brief	Briefs
Mediation Questionnaire	Forms/Notices/Disclosures

▼ Type of Excerpts

▼ Attention

Attach your Excerpts of Record below. For each volume of excerpts, change the default description to **ER Vol** followed by the volume number (for example, ER Vol 1). To attach another PDF, click the **Browse** button to select another document and then change the Description as needed.

Special Characters: AVOID using special characters (such as quotes, #, & and others) in your file names and descriptions because this may cause errors during filing.

▼ Upload Documents

Description

Click Browse to add another document.

Document	Description i	Size	Sequence
Sample ER PDF.pdf	Main Document	677 KB	