

## NOTICE TO THE BAR

### **NEW PROCEDURES FOR APPEAL TRANSCRIPTS THAT ELIMINATE REQUIREMENT FOR ADDITIONAL TRANSCRIPT UNDER R. 2:5-3 AND UPDATED COURT TRANSCRIPT REQUEST FORM**

Effective January 1, 2018, attorneys filing appeals in the Appellate Division were mandated to do so electronically for all case types via the eCourts-Appellate system. See Notice to the Bar, “Mandatory Appellate Division Electronic Filing for All Case Types” (September 26, 2017). That mandate and the continuing efforts to reduce costs to litigants have led to changes in the procedures for requesting and submitting transcripts for purposes of appeal. These changes will eliminate the Rule 2:5-3 requirement for litigants to request a copy of the transcript in addition to the certified original transcript. The expected savings for litigants is \$.72 per page of the transcript. The Court Transcript Request Form (CTRF), as published with this notice, has been amended in accordance with these new procedures and is effective immediately.

### **NEW PROCEDURES THAT ELIMINATE REQUIREMENT FOR ADDITIONAL TRANSCRIPT UNDER R. 2:5-3**

To reduce costs for litigants while preserving the integrity of the appellate record, all requests for transcripts for purposes of appeal in the Appellate Division have been centralized in the Appellate Division Clerk's Office. As detailed below, the Appellate Division Clerk's Office will receive both the request for transcript for purposes of appeal and the completed transcript in an electronic format. In electronically filed appeals, the parties will access the completed transcript via the eCourts-Appellate system. In appeals filed by self-represented litigants, the Appellate Division Clerk's Office will forward the completed transcript to the ordering party. As in the past, the transcript procedures vary slightly depending on whether the transcript is from the Superior Court or from the Tax Court, a municipal court or a state agency.

SUPERIOR COURT TRANSCRIPTS. In the case of Superior Court transcripts, the Supreme Court by order dated October 10, 2018 (published with this notice) has relaxed Rule 2:5-3(a) so that all requests for Superior Court transcripts for purposes of appeal in the Appellate Division are to be submitted to the Appellate Division Clerk's Office via the eCourts-Appellate system (for attorneys) or by submission of the paper Court Transcript Request Form (for self-represented litigants only). The deposit for transcripts (required by Rule 2:5-3(d)) is to be submitted directly to the transcript preparer. The Appellate Division Clerk's Office will arrange for the preparation of the Superior Court transcript and, upon completion, will receive the original transcript in an electronic format directly from the transcript preparer (with an electronic signature and in compliance with Rule 1:32-2A).

TAX COURT, MUNICIPAL COURT OR STATE AGENCY TRANSCRIPTS. In the case of transcripts from the Tax Court, a municipal court or a state agency, the Supreme Court by order dated October 10, 2018 has relaxed Rule 2:5-3(a) to the extent that a system-generated transcript request form is served on the appropriate clerk or state agency via the eCourts-Appellate system (for attorneys). Attorneys must thereafter contact a certified transcriber, the court clerk, or the state agency, as appropriate, to arrange for completion and payment of the transcript. The

ordering party may then submit the original transcript in an electronic format (with an electronic signature and in compliance with Rule 1:32-2A) via upload to the eCourts-Appellate system or submission to the Appellate Division Clerk's Office (self-represented litigants).

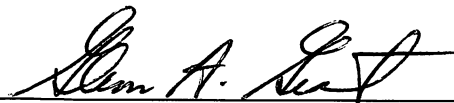
## **UPDATED COURT TRANSCRIPT REQUEST FORM**

To ensure that requests for transcripts for purposes of appeal are processed properly, attorneys must complete the system-generated court transcript request form provided in the eCourts-Appellate system, not the paper Court Transcript Request Form published with this Notice ("CTRF").

Attorneys may only use the paper CTRF to request Superior Court transcripts for non-appeal purposes or when necessary to decide whether to file an appeal. These requests should be submitted to the applicable County Transcript Office for processing. When ordering non-appeal transcripts from the Tax Court, a municipal court or a state agency, parties should contact the applicable court clerk or state agency for instructions.

If, after ordering a non-appeal transcript, the attorney elects to file an appeal on that matter, the attorney may upload the non-appeal transcript to the eCourts- Appellate system under the "in attorney's possession" option. The transcript must be prepared by a certified transcriber who is listed on the Court's "Certified Transcribers List."

More detailed instructions on the new transcript procedures can be found on the Appellate Division's webpages at njcourts.gov. To ensure a smooth transition for transcript preparers, the requirement of preparing only the original transcript in an electronic format will become effective January 1, 2019. All other procedures described in this Notice, and the use of the updated CTRF, are effective immediately. The estimated costs for transcripts attachment to the CTRF will be revised as of January 1, 2019 to reflect the estimated costs for an original transcript only (no copy) in accordance with the rule relaxation.



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Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts

Dated: October 10, 2018

## SUPREME COURT OF NEW JERSEY

With the implementation of mandatory electronic filing in the Appellate Division of all appeals by attorneys, and in furtherance of efforts to minimize the amount of paper filed with the court so as to reduce costs to litigants, the processing of transcript requests for purposes of appeal has been centralized in the Superior Court, Appellate Division Clerk's Office.

It therefore is ORDERED, pursuant to N.J. Const. art. VI, § 2, ¶ 3, that effective January 1, 2019, and until further order, the provisions of Rule 2:5-3 of the Rules Governing the Courts of the State of New Jersey are supplemented and relaxed so as to permit the submission of transcript requests for purposes of appeal to the Appellate Division Clerk's Office, and to require, when so ordered, the person preparing a Superior Court transcript or the attorney ordering a Tax Court, municipal court or state agency transcript to deliver, upon completion, the original of the transcript in an electronic format directly to the Appellate Division Clerk's Office or via upload to the eCourts-Appellate system, as appropriate.

Whereas the previous requirement with regard to appeal transcript requests directed that the original and one electronic copy be prepared upon the ordering of a transcript (see Notice to the Bar, Elimination of Requirement for Additional Transcript Under R. 2:5-3 (April 28, 2016)), the number of required copies is hereby reduced to only the original certified transcript, which is to be submitted in an electronic format. For Superior Court transcripts, the transcript preparer should submit the original transcript in electronic format directly to the Appellate Division Clerk's Office. For Tax Court, municipal court, or State Agency transcripts, the ordering attorney must upload the original transcript in an electronic format to the eCourts Appellate system.

Except as otherwise specifically provided in this Order, the provisions of the Rules of Court applicable to matters filed in the Appellate Division, including the requirement to subsequently file three additional paper copies of the transcript pursuant to Rules 2:6-11(a) and 2:6-12(d) in connection with the filing of briefs, and the provisions of the January 21, 2015 rule relaxation order (available on njcourts.gov), shall remain in full force and effect.

For the Court,



Chief Justice

Dated: October 10, 2018



## Appellate Transcript Ordering Information

A certified transcript of exactly what was said during your hearing or trial is required on an appeal. This is so the judges can review what occurred in the trial court. The party who is filing an appeal (or cross-appeal) is responsible for finding out if there are transcript(s) and, if so, ordering the transcript(s). Failure to order or submit transcript(s) can result in the dismissal of your appeal.

**NOTE:** These procedures explain how to order transcript(s) for an appeal of a Superior Court (trial court) decision. Transcripts originating from the Tax Court, a State Agency or a municipal court must be ordered through those entities individually by you and not through the Appellate Transcript office.

### Ordering Process for Self Represented Litigants:

Self-represented litigants who are not represented by an attorney must order their appeal transcripts using the paper [Transcript Request Form](#). Submit your completed form either by email to:

[Appeal-trans.mailbox@njcourts.gov](mailto:Appeal-trans.mailbox@njcourts.gov) or regular mail to the Appellate Division, Transcript Unit, Hughes Justice Complex, PO Box 968, Trenton, NJ 08625-0968.

### What happens after you place your order:

1. Standard orders will be processed in the order they are received. Daily and Expedited orders are given priority.
2. The appellate transcript office will contact a certified transcription agency or court reporter to transcribe your court proceeding(s). You may also request an agency as long as the transcript was not previously ordered and produced.
3. The selected transcription agency or court reporter will contact you for a deposit prior to starting your request.
4. The start time for completion of your order begins once you make your deposit. **Failure to order or submit transcript(s) in a timely manner can result in the dismissal of your appeal.**

Once your transcripts are completed, attorneys can retrieve a copy through the Appellate e-filing program. Self Represented litigants will have an electronic copy sent to them by the Appellate Transcript Office.

Appellate Transcript Office Hours  
8:30 am - 4:30 pm Monday - Friday  
(excluding State holidays)

### Contact info:

E:Mail [Appeal-trans.mailbox@njcourts.gov](mailto:Appeal-trans.mailbox@njcourts.gov)

Phone: 609-376-3040

Fax: 609-815-2949

### Ordering Process for Attorneys:

Effective January 1<sup>st</sup>, 2018, all attorneys are required to file their appeals electronically. See the [Notice to the Bar](#). Upon e-filing, you will complete a section that will automatically order any transcripts you need. As such, no paper transcript request forms will be accepted from attorneys.

Attorneys can e-file using the link below and entering their Bar ID and password for access.

[Click here to file electronically](#)

For e-Filing Help contact: 609-815-2950 x 52590  
or e-mail at [NJeDATAnotices.mailbox@njcourts.gov](mailto:NJeDATAnotices.mailbox@njcourts.gov)

Any attorney without a current appeal (for example, attorneys who are not ordering a transcript at the same time as filing an appeal) must order their transcript(s) as non-appeal through the county transcript office where the case originated. A list of [transcript offices contacts](#) is available online.



**New Jersey Judiciary**  
**Superior Court-Appellate Division**  
**Court Transcript Request** (R. 2:5-3)

**Transcript order is for:**  **Non-Appeal** → File with local County Transcript Office  
[http://www.njcourts.gov/forms/11948\\_transcript\\_offices.pdf](http://www.njcourts.gov/forms/11948_transcript_offices.pdf)

**Or**

**Appeal\*** → File with: Appellate Division Clerk's Office, Transcript Unit  
 Hughes Justice Complex, P.O. Box 968  
 Trenton, NJ 08625-0968  
[Appeal-trans.mailbox@njcourts.gov](mailto:Appeal-trans.mailbox@njcourts.gov) (609) 376-3040

**Type of Service:** \*See attached cost estimates and transcript ordering instructions.

Standard (30 Days)                       Expedited (7 Days)                       Daily (Next Business Day)

Plaintiff(s)	Trial Court Docket / Indictment #
v.	
Defendant(s)	County / Court

**Requesting Party**     **Attorney (For non-appeals only)**     **Self-Represented Litigant**

Name	Email Address	Phone Number
Address	Name of Law firm (if applicable)	
City	State	Zip

Date(s) of Proceeding	Type(s) of Proceeding (e.g. trial, sentencing, motion, etc.)	Name of Judge(s)

**\*NOTE: Attorneys may only use this paper form for non-appeal transcript requests.** To order transcripts for appeal (for example, transcripts not already in attorney possession), attorneys must complete a system-generated transcript request form through the eCourts Appellate system. See Notice to the Bar, *Mandatory Appellate Division Electronic Filing for All Case Types* (September 26, 2017).

\_\_\_\_\_ Signature of Requesting Party

\_\_\_\_\_ Date

You may request a particular transcript agency if the transcript was not previously ordered and prepared. Submit your deposit for transcript(s) directly to the transcription agency or court reporter who will be preparing your transcript(s).