

Electronic casebooks - Frequently asked questions and tips

Compliance

1. What will be the consequences for counsel who do not provide documents in the correct format / correct file structure / correctly hyperlinked?
 - The registry may reject documents and require that they be presented in compliant form.
2. How is it envisaged that unrepresented parties will comply with electronic protocol requirements and how will they be compelled to comply?
 - It is unlikely that unrepresented parties will be asked to comply, at least initially. Such appeals will use paper format.

Filing and service

3. Is there provision for the Court to email or send Counsel for both parties the final locked-down casebook to ensure consistency, rather than relying on both parties copying appropriate documents in themselves prior to the casebook being finalised?
 - No, and this should not be necessary.

Format

4. Is there a way to automatically renumber files if a new document is inserted and what happens to the hyperlinks at that point?
 - As with paper bundles, if new documents need to be added, then they should be added either at the end of the bundle, or be inserted part way through the bundle and named, for example, CB251a. This will not impact on any hyperlinks that already exist.

Naming

5. When renaming lots of files in a folder, rename the first file, then hit the TAB key to rename the next file and so on.

Bundle of authorities

6. The Protocol provides for multiple bundles of authorities so that if a bundle needs to be printed, then each paper volume will not exceed the 250 pages specified in the court rules.
7. Can the parties file a joint bundle of authorities?
 - The parties can file a joint bundle of authorities as long as they have co-operated so that the index and hyperlinks to the joint bundle work and comply with the rules.
8. Can the respondent hyperlink to an authority that is in the appellant's bundle of authorities?
 - Yes, the respondent can hyperlink (from the index and/or submissions) to a copy of an authority that is already in the appellant's bundle.

OCR

9. How can you tell if the PDF you are using is "fully text searchable"?
 - It is difficult to ascertain whether all PDFs in a bundle are fully text searchable. It is therefore prudent to run the OCR process over all of the documents.
10. Is it helpful to indicate documents in the electronic bundle that won't be text-searchable (that is, by memorandum) such as hand written documents?
 - Yes.

Numbering pages

11. Should you rotate landscape pages first before you add bates numbers so the pagination is in the correct spot in the printed hard copy version?
 - Yes.
12. How do you amend the font and size of a page number if you don't like it the first time?
 - By altering the font type and size at the top of the "Add header and footer" dialogue box that appears as part of the bates numbering process.
13. Should we avoid numbering the pages at the time that the pleadings and submissions are created and leave that for when the bates numbers are added?
 - No. As with a paper court bundle, there are often documents that include the original page numbers as well as the bundle numbers. It is common to place the bundle number in the bottom right corner of each page, but that is not a requirement of the rules. If a lot of the documents have original numbering in the bottom right corner, then place the bundle number elsewhere on each page.

14. Is it possible to remove bates numbering?
- To remove bates numbering in bulk: Open Adobe Pro. Ensure that no Adobe documents are open. Go to Tools; Edit Page Design; Bates Numbering; Remove; Navigate to the files you want to remove the bates numbers from and then follow the prompts.
15. It is helpful to check that the page numbers printed on an electronic bundle are consistent with the page numbers shown in the toolbar at the top of the PDF. It is possible to change the number that appears in the toolbar by taking these steps:
- Click the Page Thumbnails button to open the Page Thumbnails panel in Adobe.
 - Choose “Number Pages” from the Options menu.
 - Specify a page range.
 - Select either “Begin new section” or “Extend numbering used in preceding section to selected pages”.
 - Choose a numbering style and enter a starting number.
 - Click OK.

Hyperlinks

16. If I create a casebook with hyperlinks, and then copy the casebook to a memory stick, will the hyperlinks alter to follow through to the new computer automatically?
- Yes, if they are relative hyperlinks.
17. Does the hyperlinking work in the same way on an iPad / tablet?
- Yes.
18. Are hyperlinks in a different format (for example, surrounding the linked text with a coloured text box) acceptable?
- Yes. There are no requirements as to the formatting of hyperlinks. They will be easier for both the court and counsel to use if they are obvious. It is possible to change the formatting in Adobe when the hyperlink is created.
19. How do you change the format of a hyperlink?
- By choosing from the options in the “Create Link” dialogue box that appears as part of the hyperlinking process.
20. Is there any disadvantage to creating the hyperlinks in the Word version of your submissions or index, before you convert to PDF, rather than adding them in Acrobat?
- Creating hyperlinks in Word should work, although it is more straightforward to create them in Adobe.

21. If the file name changes what happens to the hyperlink?
- The hyperlink will no longer work.
22. If you are creating a hyperlink in the body of the text (e.g., a quote in submissions), then what should the actual link be to, a word or the whole quote?
- Whatever seems most obvious and appropriate. Hyperlinking an entire quote may cause the page to look more complex than necessary.
23. If you make an error with a hyperlink, how do you remove it?
- Click "Content Editing"; "Add or Edit Link". Select the hyperlink you wish to remove. Right click. Click "Edit"; "Delete".
24. It is a requirement in Civil CA bundles to include the CA bundle reference for an exhibit in the margin of witness briefs where the witness has referred to or produced an exhibit. What do you use to enter those refs and do they need to be hyperlinked?
- Click "Tools"; "Add Text". Then insert a text box next to the relevant paragraph and type in the CA bundle number.
 - If the reference is one that Counsel or the Judge will refer to a number of times, then it might be efficient to hyperlink the reference.

Software

25. What apps are the best for using electronic casebooks on an iPad / tablet?
- There are a number of apps. The most commonly used seem to be PDF Expert, iAnnotate and GoodReader.
26. How do you transfer the casebook from a PC to a tablet?
- Using a cloud transfer service (such as Dropbox or OneDrive) or iTunes.
27. When in Court do you recommend using a tablet or a laptop to access the casebook?
- A tablet seems to be more suitable for use in court, but this is really personal preference.
28. Is the High Court going to supply computers in the court during a hearing for counsel to use during the trial (especially for out of town counsel)?
- No. Counsel will be expected to bring their own tablets or laptops. Wi-Fi will be available in major locations.

General questions

29. When will electronic casebooks be introduced to the District Court?

- That depends on the District Court, and on progress with a Ministry of Justice upgrade of IT infrastructure.

30. Will Electronic Casebooks be used in the Family Court?

- See 29.

31. In a High Court trial, is it envisaged that witnesses will also use electronic bundles rather than paper bundles, and if so would the court provide the computer to be used by the witness?

- That will be decided on a case by case basis. It should be discussed when the question of using paper or electronic casebooks is raised at an early case management conference.