

# Supreme Court of Florida

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No. SC15-97

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## **IN RE: AMENDMENTS TO FLORIDA RULE OF APPELLATE PROCEDURE 9.210.**

[August 27, 2015]

PER CURIAM.

The Court has for consideration out-of-cycle amendments to Florida Rule of Appellate Procedure 9.210 (Briefs) proposed by The Florida Bar’s Appellate Court Rules Committee (Rules Committee). See Fla. R. Jud. Admin. 2.140(e). We have jurisdiction<sup>1</sup> and adopt the amendments as proposed.

The proposals were approved by the Board of Governors of The Florida Bar and were published by both the Rules Committee and the Court. No comments were received in response to either publication.

As amended subdivision (a)(3) of rule 9.210 provides that “[b]riefs filed in paper format shall not be stapled or bound.” The amendments to subdivision

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1. See art. V, § 2(a), Fla. Const.

(a)(5)(E) add the cover sheet to the items excluded from the brief page-number computation, and require that pages not excluded from the computation be consecutively numbered. According to the report, the amendments are needed because the clerks of court have difficulty scanning briefs that have been stapled or otherwise bound and incarcerated pro se litigants may not have access to the tools necessary to properly bind their briefs.

Accordingly, we amend the Florida Rules of Appellate Procedure as reflected in the appendix to this opinion. New language is indicated by underscoring; deletions are indicated by struck-through type.<sup>2</sup> The amendments shall become effective on October 1, 2015, at 12:01 a.m.

It is so ordered.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON,  
and PERRY, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE  
EFFECTIVE DATE OF THESE AMENDMENTS.

Original Proceeding – Florida Rules of Appellate Procedure Committee

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2. The amendments to rule 9.210(a) adopted in In re Amendments to Florida Rule of Appellate Procedure 9.210, No. SC15-146 (Fla. August 27, 2015) are included fully engrossed in the rule, as amended in the appendix.

Judge T. Kent Wetherell, II, Chair, Appellate Court Rules Committee, Tallahassee, Florida; Wendy S. Loquasto, Past Chair, Appellate Court Rules Committee, Fox & Loquasto P.A., Tallahassee, Florida; John F. Harkness, Jr., Executive Director, and Heather Savage Telfer, Bar Staff Liaison, The Florida Bar, Tallahassee, Florida,

for Petitioner

## APPENDIX

### RULE 9.210. BRIEFS

(a) **Generally.** In addition to briefs on jurisdiction under rule 9.120(d), the only briefs permitted to be filed by the parties in any one proceeding are the initial brief, the answer brief, a reply brief, and a cross-reply brief. All briefs required by these rules shall be prepared as follows:

(1) – (2) [No Change]

(3) ~~Paper copies of b~~Briefs filed in paper format shall not be securely bound in book form and fastened along the left side in a manner that will allow them to lie flat when opened or be securely stapled in the upper left corner~~stapled or bound.~~

(4) [No Change]

(5) The page limits for briefs shall be as follows:

(A) – (D) [No Change]

(E) The cover sheet, the tables of contents and citations, the certificates of service and compliance, and the signature block for the brief's author, shall be excluded from the page limits in subdivisions (a)(5)(A)–(a)(5)(D). All pages not excluded from the computation shall be consecutively numbered. The court may permit longer briefs.

(b) – (g) [No Change]

### Committee Notes

[No Change]

## **Court Commentary**

[No Change]