

4.2.05 | JOINT APPENDIX FORMAT

JOINT APPENDIX FORMAT see Federal & Local Rules 31 & 32	
Required Contents	Brief Type
Joint Appendix Pagination	Joint appendices must be paginated using the Bates Numbering feature of your PDF software and consist of a JA or J.A. prefix followed by the page number. A space between the prefix and the page number is optional. Note that using a space makes citations in the brief two words rather than one. Leading zeros in the page number are permitted but not required. Use continuous pagination through all joint appendix and sealed joint appendix volumes. Do not include volume numbers. Do not insert additional pages without renumbering the joint appendix. Page numbers must have a font size of at least 14 points, must be placed in the bottom margin, and must be legible. Redact any existing page numbering that overlaps the Bates number. See Fourth Circuit Appendix Pagination & Brief Citation Guide.
Joint Appendix Text	The appendix must be saved to PDF rather than printed to PDF to enable identification of Bates page numbers. It is strongly preferred that the electronic version of the appendix be text searchable.



Joint Appendix Cover	Joint appendix covers are white and contain the following information: Fourth Circuit docket number, centered at top (do not include district or agency docket number), followed by "United States Court of Appeals for the Fourth Circuit," followed by full case title, followed by "Appeal from the U.S. District Court for the District of ...," followed by "Joint Appendix," followed by names, addresses, and phone numbers of counsel on both sides of the case. Appendix Cover-District Court Appeal, Appendix Cover-Agency Appeal
Appendix Volume Size & Binding	If paper copies are required, the paper copies of appendices must be securely bound down full left side in a manner that does not obscure text and permits the appendix to lie reasonably flat when open. Acceptable bindings include spiral and perfect binding (no staples or clips). Each bound volume should not exceed 1 ½" in thickness (700 pages), and paper and electronic volumes must match. Exhibit volumes must be bound unless binding is impracticable.
Transcript	The name of the testifying witness and type of examination (direct, cross, deposition) must be clearly indicated at the top of each page of in- court or deposition testimony included in the joint appendix. The court will not accept appendices containing "condensed" transcript wherein



	several pages of transcript appear on a single sheet.
Length of Appendices	In a case with CJA counsel, a motion to exceed length limitations must be filed if the length of the appendix exceeds 500 pages.
Joint Appendix Copies	File electronic version. Paper copies are not currently required unless otherwise ordered by the court. Four paper copies are typically ordered if the case is tentatively calendared for argument. Double-sided copying of appendices is preferred in all cases. If there is more than 1 volume of appendix, each electronic volume must correspond to each paper volume. Service of paper copies is not required for parties served electronically.
Sealed Joint Appendix Volumes	Sealed record documents that are included in the joint appendix must be placed in a separate, sealed volume of the joint appendix and filed with a certificate of confidentiality. Pagination for sealed joint appendix volumes begins after the last page of the unsealed volumes and uses the same J.A. or JA prefix as unsealed volumes. Paper filing is required only if ordered by the court, but sealed appendix volumes must be served on counsel outside ECF since they are not accessible to counsel through ECF. In consolidated criminal appeals, materials must be separately sealed as to each



	defendant by marking the volume and envelope as SEALED – [DEFENDANT’S NAME] and serving the volume only on the government and counsel for the named defendant. Form-Certificate of Confidentiality Memorandum on Sealed and Confidential Materials
Digital Media Volume <i>(Exhibits that were not part of the record below may not be included in the joint appendix and may be filed only with leave of court.)</i>	Digital media files that are part of the record may be included in the joint appendix by creating a separate digital media volume of the joint appendix consisting of a cover page and table of contents. The following information must be included in the table of contents or in a separate statement following the table of contents: (1) description of the record exhibit; (2) identification of a file format compatible with Windows Media Player (e.g., mp3, mp4, wav); and (3) statement that media was confirmed virus-free through virus scan. When the cover page and table of contents for the digital media volume are uploaded to ECF, the clerk’s office will send counsel a notice with instructions to upload the digital media files and another copy of the cover page and table of contents to Box.com. When counsel has successfully uploaded the files, the clerk’s office will send counsel notice that the digital media files have been stored to the court’s systems. You must



	serve the digital media on counsel outside ECF.
Supplemental Appendix	A supplemental appendix may be filed only with leave of court for good cause shown. Supplemental appendices must be paginated using the Bates Numbering feature of your PDF software and consist of an SA or S.A. prefix followed by the page number. A space between the prefix and the page number is optional. Note that using a space makes citations in the brief two words rather than one. Leading zeros in the page number are permitted but not required. Start the page numbering for any supplemental appendix at 1. Use continuous pagination through all supplemental appendix and sealed supplemental appendix volumes regardless of who files them. Do not include the volume number. Page numbers must have a font size of at least 14 points, must be placed in the bottom margin, and must be legible. Redact any existing page numbering that overlaps the Bates number. See Fourth Circuit Appendix Pagination & Brief Citation Guide.
Sealed Supplemental Appendix Volumes	Sealed record documents that are included in the supplemental appendix must be placed in a separate, sealed volume of the supplemental appendix and filed with a certificate of confidentiality. Pagination for sealed supplemental appendix volumes begins after the last page of the



	unsealed volumes and uses the same SA or S.A. prefix as unsealed volumes. Paper filing is required only if ordered by the court, but sealed supplemental appendix volumes must be served on counsel outside ECF since they are not accessible to counsel through ECF. Form-Certificate of Confidentiality Memorandum on Sealed and Confidential Materials
Corrected Appendices	Unless the correction was requested by the court, counsel filing the corrected appendix must file a separate motion. Corrections must be made in electronic and any paper copies.

(4th Circuit Court of Appeals // December 2023)

