



COURT OF APPEALS SECOND DISTRICT OF TEXAS

CHIEF JUSTICE
BONNIE SUDDERTH

JUSTICES
LEE GABRIEL
ELIZABETH KERR
MARK T. PITTMAN
J. WADE BIRDWELL
DABNEY BASSEL
DANA WOMACK

TIM CURRY CRIMINAL JUSTICE CENTER
401 W. BELKNAP, SUITE 9000
FORT WORTH, TEXAS 76196-0211

TEL: (817) 884-1900

FAX: (817) 884-1932

www.txcourts.gov/2ndcoa

CLERK
DEBRA SPISAK

CHIEF STAFF ATTORNEY
LISA M. WEST

GENERAL COUNSEL
CLARISSA HODGES

Guidelines for Reporter's Records – Exhibits

Updated 4/10/19

Exhibits to reporter's records must be filed in electronic format via the court's TAMES records submission portal (RSP) to the extent those exhibits are convertible to an electronic format conforming to the size and format requirements of the TAMES portal.

- **Documentary exhibits.** Exhibits in the form of text documents must be prepared in text-searchable Portable Document Format (PDF), preferably by converting the document directly into a PDF file, but may be scanned if necessary. Unif. Format Manual for Tex. Reporters' Records § 8.3. Documentary exhibits should also conform as closely as possible to section 3.1 of the most recent Technology Standards promulgated by the Judicial Committee on Information Technology and approved by the Supreme Court of Texas.

The file size limit for files submitted in PDF format is 100 MB. TAMES RSP User Guide at 5. If the PDF file of a reporter's record exhibit exceeds 100 MB, it must be broken into multiple files.

- **Photographic exhibits.** Photographs must be included within the computer file as images, either by capturing photographs directly with a digital camera or by scanning from a photographic print. Unif. Format Manual for Tex. Reporters' Records § 8.6.
- **Audio/video exhibits.** An audio/video recording must be included in the record in a format supported by VLC media player (VideoLAN Organization) or Windows media player (Microsoft). JCIT Technology Standards § 3.2. If an audio/video file is not supported by at least one of the media players listed above,

the file **must be converted** to another format supported by at least one media player listed. The original, any hardware requirements, and software needed to view or hear the original must be submitted as well. JCIT Technology Standards § 3.2.C.

The file size limit for audio/video files is 2 GB. TAMES RSP User Guide at 5. If the audio/video recording is too long to fit in one file, it must be broken into multiple files. Unif. Format Manual for Tex. Reporters' Records §§ 8.9, 8.10.

Physical media (e.g., DVD, flash drive, etc.) may be sent to the appellate court only if ordered by the appellate court. Unif. Format Manual for Tex. Reporters' Records §§ 8.9, 8.10. If a court reporter cannot convert an exhibit to an electronic format suitable for uploading to the TAMES portal, the court reporter must include the exhibit number on a separator page along with the following statement: "EXHIBIT UNABLE TO BE FILED ELECTRONICALLY." **In addition**, at the same time that the court reporter files the reporter's record, the court reporter must also separately file a signed statement

- 1) certifying that the court reporter was unable to file the exhibit electronically;
- 2) explaining why the court reporter cannot file the exhibit electronically (for example, that the media exceeds the size limitations of the TAMES portal and cannot be compressed or broken into multiple files in a way that would assure sufficient quality); and
- 3) detailing the diligent attempts that the court reporter has made to file the exhibit electronically.

Upon submission of such a statement, the court reporter need not send a physical exhibit; the court may later, upon a party's request or its own motion, order the original exhibit to be forwarded to the court in accordance with Tex. R. App. P. 34.6(g)(2). A template reporter's certification is available in the Clerk/Court Reporter Resources tab in the Electronic Filing section of this court's website, along with a link to these guidelines.

If a court reporter certifies that an exhibit cannot be filed electronically but the court later orders the original exhibit to be forwarded to the court and determines that the exhibit can be converted to a supported format, the court will order the court reporter to file an amended reporter's record that includes an electronic version of the exhibit.