# **Attorney Guide to Hyperlinking in the Federal Courts**

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### **Overview of Hyperlinking in Federal Court**

In the internet research world, hyperlinks are a standard way of "drilling down" for more detail or specific information. Just as all web pages contain links to other pages, cases downloaded from legal research services such as Westlaw or Lexis contain links to the cases, statutes, articles, or other sources cited within the opinion. The links allow immediate access by the reader to these referenced materials.

Attorneys can include links to cited law and CM/ECF filings in their briefs filed in CM/ECF, adding another level of persuasion to their writing. Hyperlinks in briefs and other court filings provide quick, easy, and pinpoint access to particular sections of a case, or to specific filings in the court's record. The attorney can thereby highlight the precise issue presented, and the specific evidence and controlling or persuasive law the court should consider.

Hyperlinks in court filings are very beneficial for court chambers. Court submissions which include links to relevant case law and case filings are easy for chambers staff to review. The attorneys' arguments can be immediately verified in the context of the relevant law. The judge or judicial clerk is able to read the text of the cited case law on one screen while reading the attorney's brief on the other. And if a brief contains links to referenced exhibits, and even to specific pages within those exhibits, the judge or judicial clerk can access the relevant evidence without having to navigate through the CM/ECF record. Particularly when dealing with large and complex cases, links save chambers considerable time and effort. Links make it easy for the court to verify – and adopt – the positions taken by an advocate.

# **Types of Permissible Hyperlinks**

Subject to the local rules of a district, the following types of hyperlinks are typically allowed in court documents.

Type of link	Description (and Examples)	
Links to documents previously filed on CM/ECF	The defendants' discovery abuses have been thoroughly discussed in the court's prior orders, (Filing Nos. 263, 329, and 364), and the factual findings within those orders are incorporated herein by reference. As more specifically described in the prior orders:  https://ecf.ned.uscourts.gov/doc1/11312528703	
Links to attachments and exhibits being filed with your brief	BRIEF in support of defendant's motion to stay and to compel arbitration, 3, by Attorney Carolyn Gunkel on behalf of Defendant Pioneer Hi-Bred International, Inc. (Attachments: evidence in support # 1 Affidavit of Allan Brax, # 2 Exhibit Pioneer terms and conditions sheet, # 3 Exhibit Plaintiff's 2011 income invoice, # 4 Exhibit Arbitration Provision)(Zwart, Cheryl) (Entered: 06/22/2012)	
Links to case and statute citations	For example:  Westlaw,  by the attorney-client privilege or the work product doctrine.  s, 2009 WL 4949959, 2009 U.S. Dist. LEXIS 121753 (D. Colo.  http://web2.westlaw.com/find/default.wl?rs=WLW10.06&if m=NotSet&fn=_top&sv=Split&cite=2009+WL-4949959&vr =2.0&rp=%2ffind%2fdefault.wl&mt=Westlaw when a "subject-matter waiver" occurs due to an intentional or  Lexis,  by the attorney-client privilege or the work product doctrine.  s, 2009 WL 4949959, 2009 U.S. Dist. LEXIS 121753 (D. Colo.  https://www.lexis.com/research/retrieve?_m=9bb0a60fca07b 454655d5b593fcce60f&csvc=le&cform=byCitation&_fmtstr =FULL&docnum=1&_startdoc=1&wchp=dGLzVlz-zSkAl&_when a "subject-matter" md5=dbca62caac&4f829e0e4d0ec37b92e8d  or court websites.  A party has been fraudulently joined if there is no reasonable basis for predicting that the state law [http://www.ca8.uscourts.gov/opndir/137] based upon the facts involved. Bradley Timberlat [Cick to follow link] Lumber Co., No. 12-1892 (8th Cir. April 8, 2013).	
Links to Local Rules:	Either to the entire document,  The plaintiff's motion to compel should be summarily denied becaus http://www.ned.uscourts.gov/ y consult and discuss the issu Click to follow link filing his motion. Nebraska Civil Rule 7.1(i).  or to the specific page within the document where the cited rule is located.  The plaintiff's motion summarily denied because consult and discuss the issue wicket to follow link filing his motion. Nebraska Civil Rule 7.1(i).	

## **Links to Prior CM/ECF Filings**

### **Drafting Documents to Later Include Links to CM/ECF**

If you intend to include CM/ECF links in a document you are creating, use a consistent citation format that cites the CM/ECF filing number along with the CM/ECF page number. For example:

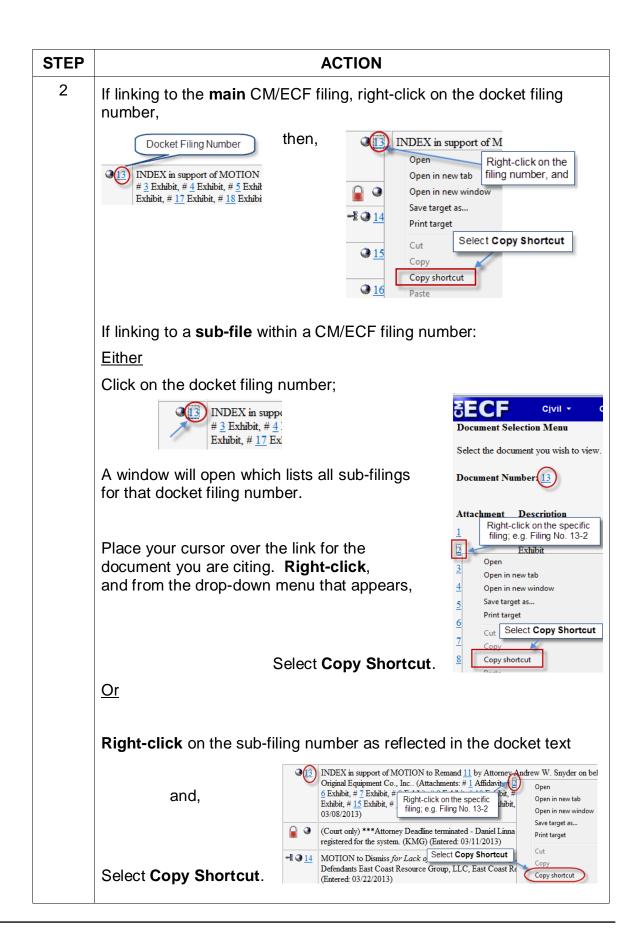
STEP	ACTION		
1	Download the filings from CM/ECF, and save them in your computer. <b>Reminder</b> : You can download a document from CM/ECF one time for free when you receive the Notice of Electronic Filing. Charges apply to each additional download of the same document.		
2	Documents downloaded from CM/ECF will include a header that identifies the CM/ECF filing number and the page numbers within that filing.    Page Number   Pa		
3	When drafting your brief, cite to the CM/ECF filing number and CM/ECF page number to which you are citing. For example:  Assume you are citing to the following page of evidence.  Doc # 13-1 Filed: 03/08/13 Page 3 of 4  The citation within the brief could appear as follows:  The Plan included a Trust Agreement. (Filing No. 13-1, at CM/ECF p. 3).		
	Note: A consistent citation format is necessary when using CM/ECF LinkBuilder (currently under development by Kansas and Nebraska courts for nationwide use by attorneys) to add links.		

## **Gathering Links for Citations to the Record**

Now that the filing numbers and associated page numbers are in the brief, you can manually add links to the electronic record as follows:<sup>1</sup>

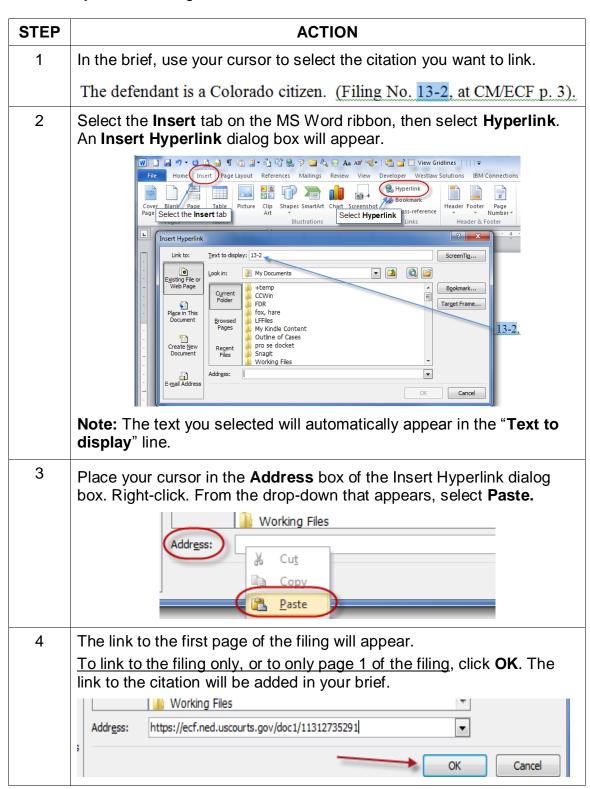
STEP	ACTION		
1	Open the CM/ECF docket sheet for the case and scroll to the cited docket filing.		
	INDEX in support of MOTION to Remand 11 by Attorney Andrew W. Snyder on behalf of Plaintiff Original Equipment Co., Inc (Attachments: # 1 Affidavit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 10 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, (Snyder, Andrew) (Entered: 03/08/2013)		

<sup>&</sup>lt;sup>1</sup> CM/ECF LinkBuilder is currently being designed as an automation tool for use by counsel in adding CM/ECF links. The projected testing date is August 2013.



### Inserting CM/ECF links into your document—Microsoft Word

To manually add the links you have copied from the docket to the MS Word document you are drafting:

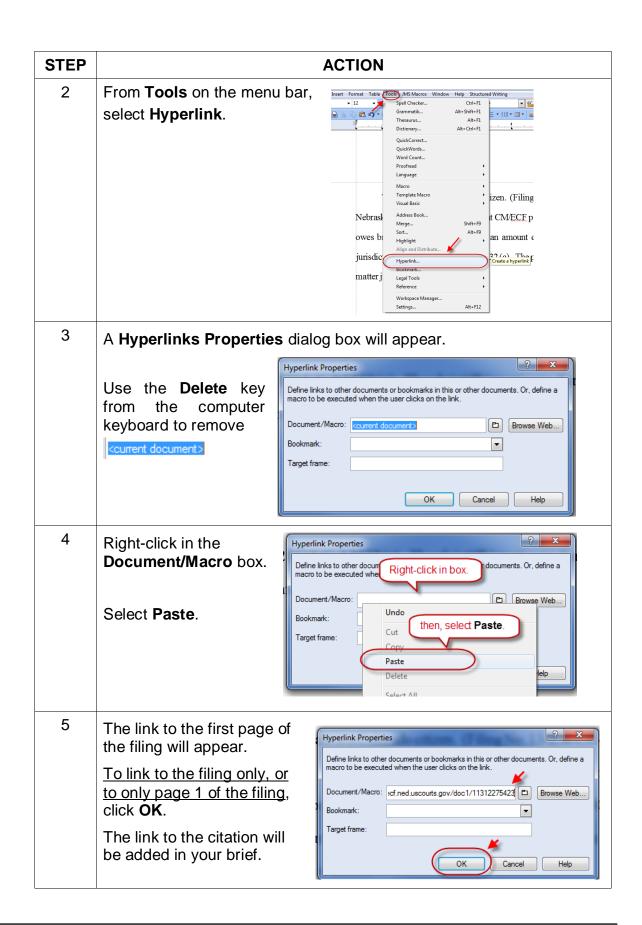


STEP	ACTION		
5	To link to the specific page number of the CM/ECF filing that you are citing,		
	In the address box, scroll to or place your cursor at the end of the link address.		
	Add the following text: <b>?page=<page number=""></page></b> . For example,		
	To link to page number 3 of a filing, add ?page=3. Click <b>OK</b> and the link to the page will be added to the citation in the brief.		
	Working Files  Address: https://ecf.ned.uscourts.gov/doc1/11312735291?page=3   OK Cancel		
	<b>Note:</b> Use the page numbers assigned by CM/ECF when linking to pages in documents filed in CM/ECF. Do <b>not</b> use Bates numbers or other numbering assigned to the record by the parties.		
	<b>Note:</b> While the document remains in an MS Word format, the link will go only to the first page of the document. But upon conversion to PDF (see instructions below), the PDF link will go to the specific page you cited.		
6	Convert the brief to a PDF following the instructions below.		
7	File the PDF version of the document in CM/ECF.		
	<b>Note:</b> It is <b>not</b> necessary to re-file or re-attach the documents to which you are linking to if they have been previously filed in CM/ECF.		

# Inserting CM/ECF links into your document—Corel WordPerfect

To manually add the links you have copied from the docket to the WordPerfect document you are drafting:

STEP	ACTION		
1	In the brief, use your cursor to select the citation you want to link.		
	The defendant is a Colorado citizen. (Filing No. 13-2, at CM/ECF p. 3).		



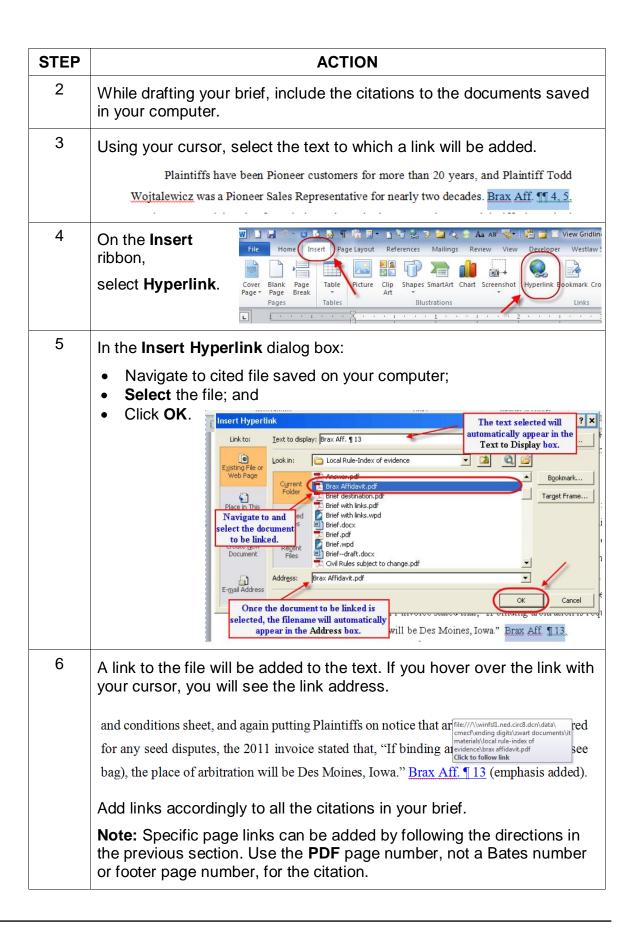
STEP	ACTION		
6	To link to the specific page number of a CM/ECF filing to which you are citing,		
	In the address box, scroll to or place your cursor at the end of the link address.		
	Add the following text: <b>?page=<page number=""></page></b> . For example,		
	Hyperlink Properties  Define links to other documents or bookmarks in this or other documents. Or, define a macro to be executed when the user clicks on the link.  Document/Macro: scourts.gov/doc1/11312275423?page=3  Browse Web  Bookmark: Target frame:  OK Cancel Help		
	To link to page number 3 of a filing, add ?page=3. Click <b>OK</b> and the link to the page will be added to the citation in the brief.		
	<b>Note:</b> While the document remains in WordPerfect format, the link will go only to the first page of the document. But upon conversion to PDF, the PDF link will go to the specific page you cited.		
7	Convert the brief to a PDF following the instructions below.		
8	File the PDF version of the document in CM/ECF. <b>Note:</b> It is <b>not</b> necessary to re-file or re-attach the documents to which you are linking to if they have been previously filed in CM/ECF.		

# Links to Attachments to a Brief being Filed in CM/ECF

## Adding Links to Attachments to a Brief being Filed—Microsoft Word

If a document cited in your brief has not previously been filed on CM/ECF, you may link to the document within your brief only if the document is filed as an attachment to your brief. Follow the steps below to add active hyperlinks to documents you will be filing as brief attachments in CM/ECF.

STEP	ACTION
1	Save all the attachment documents you will cite in your brief into a single folder in your computer. The documents must be in PDF format.

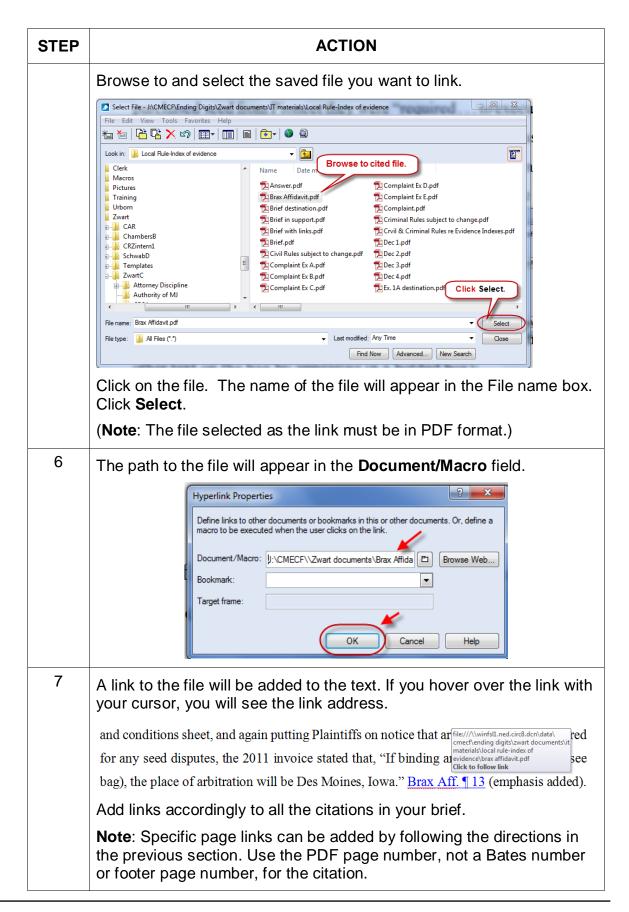


STEP	ACTION		
7	Save the brief as a PDF as described in these instructions.		
8	File the brief and evidence as follows:		
	Following the normal procedure for filing CM/ECF, browse to and select your brief with the main document.		
		Main Document  Browse  Browse  My Documents  My Documents	
	Browse to and select as an <b>Attachment</b> each PDF f to which a link was created in your brief.		
		Main Document  J:\CMECF\Ending Digits\Zwart documents  Browse  Attachments  Cati  Browse  Br	
	С	Using the drop-down list, select the type of document attached, and provide a written description of the document. ( <b>Note</b> : From the court's perspective, the written description you provide in CM/ECF can become, automatically, the name of a PDF bookmark in the downloaded file).	
Attachments  1. J-\CMECF\Ending Digits\Zwar  2. Next Clear		1. J\CMECF\Ending Digits\Zwart documents Browse   Brax Affidavit Remove   2.   Browse   Affidavit Appendix   Civil Cover Sheet	
		Repeat the foregoing steps until all cited evidence is filed as an attachment to your brief.	
	d	When all evidence attachments have been added to the brief, click <b>Next</b> and complete the remaining steps for filing the brief on CM/ECF. Once filed, the links in the brief will link directly to the evidence filed of record as attachments to the brief.	

# Adding Links to Attachments to the Document Being Filed—WordPerfect

If a document cited in your brief has not previously been filed on CM/ECF, you may link to the document within your brief only if the document is filed as an attachment to your brief. Follow the steps below to add active hyperlinks to documents you will be filing as brief attachments in CM/ECF.

STEP	ACTION		
1	Save all the documents you will cite to into a single folder in your computer. The documents must be in PDF format.		
2	While drafting your brief, include the citations to the documents saved in your computer.		
3	In WordPerfect, select the text to which a link will be added.  and again putting Plaintiffs on notice that arbitration may be required for any seed disputes, the 2011 invoice stated that, "If binding arbitration is required (see bag), the place of arbitration will be Des Moines, Iowa."  Brax Aff. ¶ 13 (emphasis added).		
4	From the <b>Tools</b> menu, select <b>Hyperlink</b> .		
5	A <b>Hyperlinks Properties</b> dialog box will appear.  Click the folder button.		
	Hyperlink Properties  Define links to other documents or bookmarks in this or other documents. Or, define a macro to be executed when the user clicks on the link.  Document/Macro: <current document="">  Browse Web  Bookmark:  Target frame:  OK Cancel Help</current>		



STEP	ACTION		
8	File the brief and evidence as follows:		
	а	Following the normal procedure for filing briefs on CM/ECF, browse to and select your brief with links as the main document.  Main Document  Browse  Browse	
		My Documents My Documents	
	b	Browse to and select as an Attachment each PDF file to which a link was created in your brief.  Main Document  J:\CMECF\Ending Digits\Zwart documents  Browse  Attachments  Cati  Psposing brief.with line  Asswer adf  Browse  Brief with links.pdf  Brief with links.pdf  Brief with links.pdf	
	С	Using the drop-down list, select the type of document attached, and provide a written description of the document. (Note: From the court's perspective, the written description you provide in CM/ECF can become, automatically, the name of a PDF bookmark in the downloaded file).  Attachments  Category  Description  1. [J:\CMECF\Ending Digits\Zwart document\( \) Browse  Affidavit  Appendix  Appendix  Errata  Category  Description  1. [J:\CMECF\Ending Digits\Zwart document\( \) Browse  Errowse  Affidavit  Appendix  Errata  Errata  Errata  Errata	
		Repeat the foregoing steps until all cited evidence is filed as an attachment to your brief.	
	d	When all evidence attachments have been added to the brief, click <b>Next</b> and complete the remaining steps for filing the brief on CM/ECF. Once filed, the links in the brief will link directly to the evidence filed of record with the brief.	

# **Links to Legal Citations**

Links to legal citations can be added manually or, assuming the software is compatible with your computer and word processing software, by using automated linking software available through Westlaw or Lexis.

# **Access to Linking Software**

Tool	Cost	URL
Westlaw InsertLinks	Must purchase a West BriefTools subscription. Estimated cost: \$100/month for small firms; \$300 to 500/month for larger firms (10 licenses)	http://legalsolutions.thomsonre uters.com/law- products/solutions/brief- tools?searchterms=brief+tool
Shepard's Links 2008	Lexis is currently not selling a software subscription which will insert links to documents that will remain active upon conversion to PDF. The last version of such software was created in 2008 and can be downloaded from the Lexis/Nexis website for free.	http://support.lexisnexis.com/lndownload/record.asp?ArticleID=6056  Note: The Shepard's BriefSuite dictionary is getting old and may not recognize some of the newer reporters. Its accuracy as a linking tool is inconsistent.
Lexis for Microsoft Office	This Lexis software product will add links for research and drafting purposes, but those links are lost upon conversion to PDF. Lexis is investigating the issue.	http://www.lexisnexis.com/en- us/products/lexis-for-microsoft- office.page

### Linking Software—Compatibility Information

The following graph outlines the compatibility of Shepard's Links 2008, West InsertLinks, and Lexis Links for Microsoft Office for inserting links into MS Word and WordPerfect documents with a Windows XP (SP3) 2GB Memory, Windows Vista (SP2) 4GB Memory, or Windows 7 – 4GB Memory computer.\*

	Shepard's Links 2008	Lexis for Microsoft Office	West InsertLinks
MS Word 2010		X**	X***
MS Word 2007		X**	X***
MS Word 2003	Х		X***
MS Word 2000	Х		
WordPerfect X6****			
WordPerfect X4 – X5			Χ
WordPerfect X3	Х		Χ
WordPerfect 10 – 12	X		

<sup>\*</sup> The West and Lexis linking software programs cannot be used on Apple computers. Moreover, although Shepard's Links was not designed to operate on Windows Vista and Windows 7 (as reflected in the Lexis literature), it is working on these computer systems.

<sup>\*\*</sup> Lexis for Microsoft Office is being developed and tested. However, in its current stage of development, any links added by Lexis for Microsoft Office are being stripped out upon conversion to PDF. Lexis is investigating this issue.

<sup>\*\*\*</sup> Westlaw product information states InsertLinks is compatible with both 32- and 64-bit Microsoft Word. However, while it works well with 32-bit Word, InsertLinks is not fully compatible or useful with 64-bit Word.

<sup>\*\*\*\*</sup> West currently has no linking software compatible with WordPerfect X6. West indicates it may develop and release this product during the summer of 2013.

#### Westlaw InsertLinks

InsertLinks is a Westlaw computer software program which scans Microsoft Word or Corel WordPerfect<sup>2</sup> documents to locate legal citations, and then automatically inserts hyperlinks to the Westlaw internet address (url) for those citations into the word processing document.

See attached InsertLink example-Word

InsertLink example-WordPerfect

### **Installing Westlaw InsertLinks**

InsertLinks is part of the West BriefTools suite, and a BriefTools subscription is required in order to use this software.

- The current West BriefTools product is Version 2.7.2039, which was updated on December 10, 2012.
- The attached BriefTools Software Download instructions outlines the system requirements and provides instructions on how to install West BriefTools.

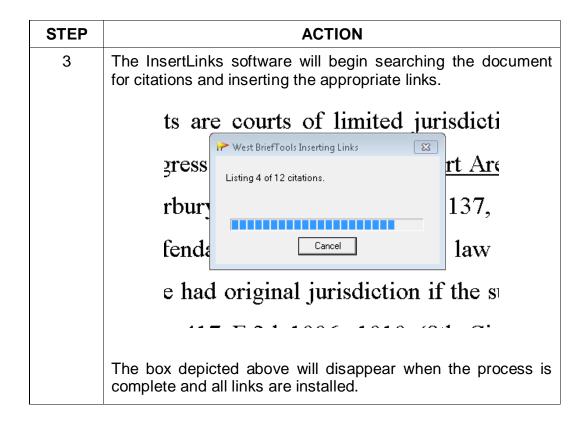
### Using West InsertLinks—Microsoft Word

Once InsertLinks software is installed, Westlaw links can be installed automatically in Microsoft Word documents using the following steps:

STEP	ACTION		
1	With the Microsoft Word document to which you are adding links open on your screen:		
2	The West BriefTools options will open.  File Home Insert Page Layout  WestCheck Insert Links Options West BriefTools  Select InsertLinks.		

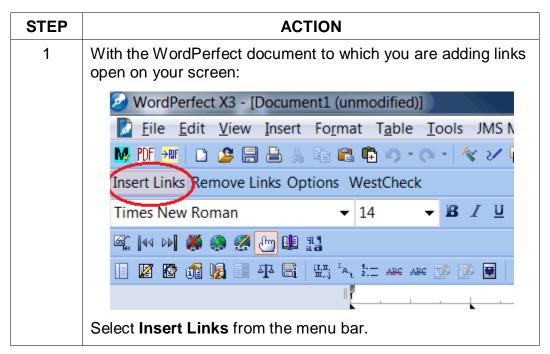
<sup>&</sup>lt;sup>2</sup> Currently, InsertLinks is not compatible with, and cannot be used for, automatically inserting links into WordPerfect X6 documents. It does, however, work with prior versions of WordPerfect.

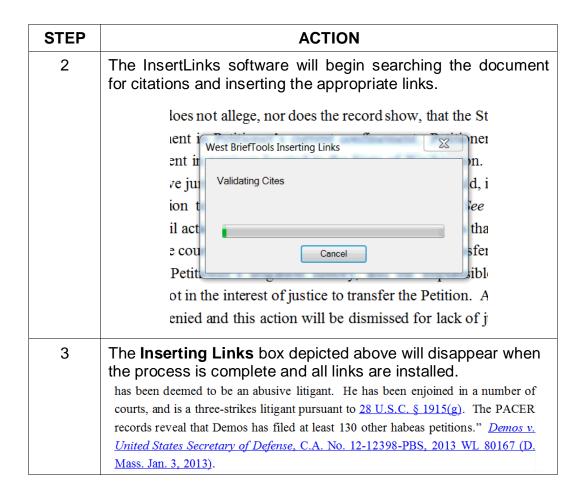
Attorney Guide to Hyperlinking in the Federal Courts Revised on May 8, 2013



## Using West InsertLinks—Corel WordPerfect

Once InsertLinks software is installed, Westlaw links can be installed automatically in WordPerfect documents using the following steps:





## Shepard's Links 2008

Shepard's Links is a Lexis computer software program which scans Microsoft Word or Corel WordPerfect<sup>3</sup> documents to locate legal citations, and then automatically inserts hyperlinks to the Lexis internet address (url) for those citations into the word processing document.

**Reminder:** Although free, Shepard's links has not been updated since 2008 and provides inconsistent auto-linking results.

## **Installing Shepard's Links**

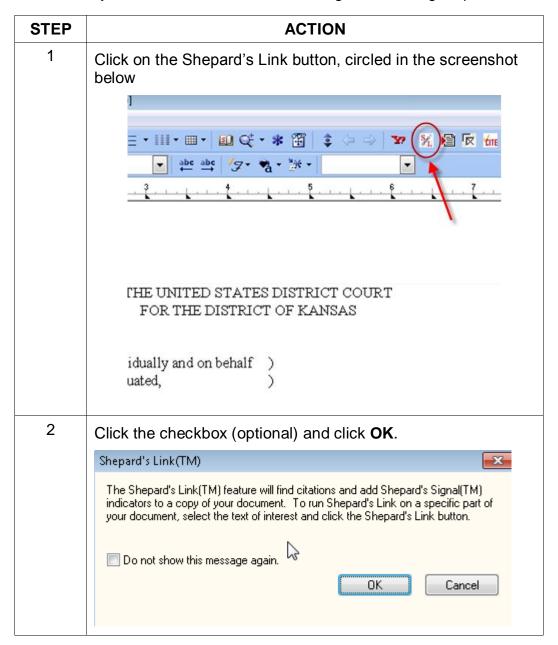
Shepards Links is part of the Shepard's BriefSuite.

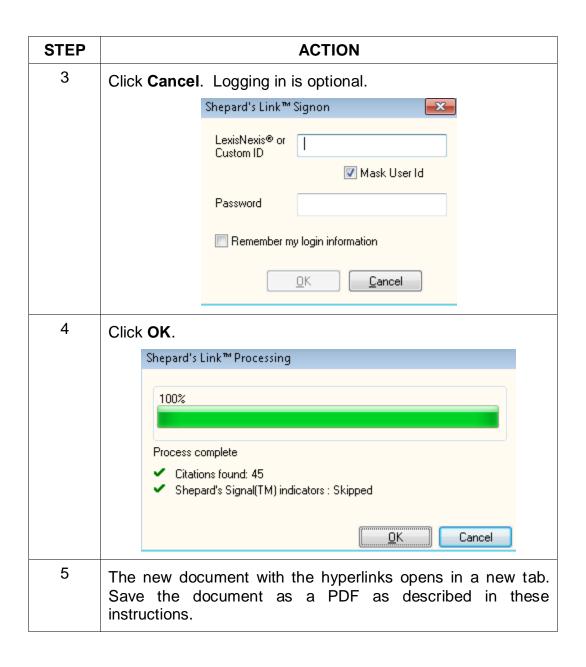
- Shepard's BriefSuite has not been updated since 2008.
- The attached BriefSuite software download instructions provides a step-by-step description on how to install Shepard's BriefSuite.

<sup>&</sup>lt;sup>3</sup> See compatibility graph above.

### Using Shepard's Links—Corel WordPerfect

Once Shepard's Links software is installed, Lexis links can be installed automatically in WordPerfect documents using the following steps:





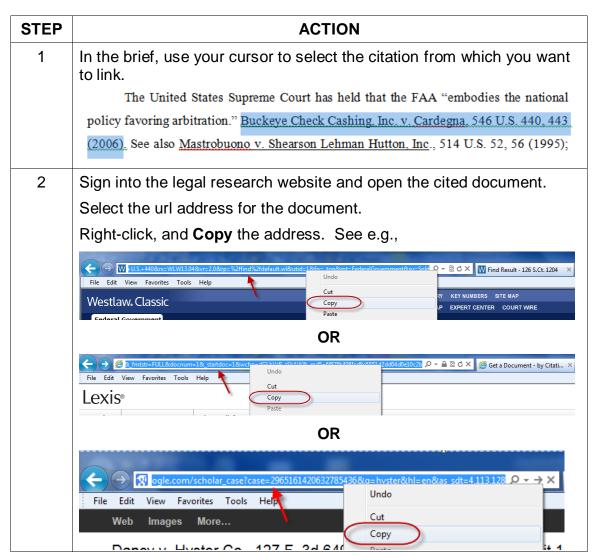
## **Manually Inserting Hyperlinks**

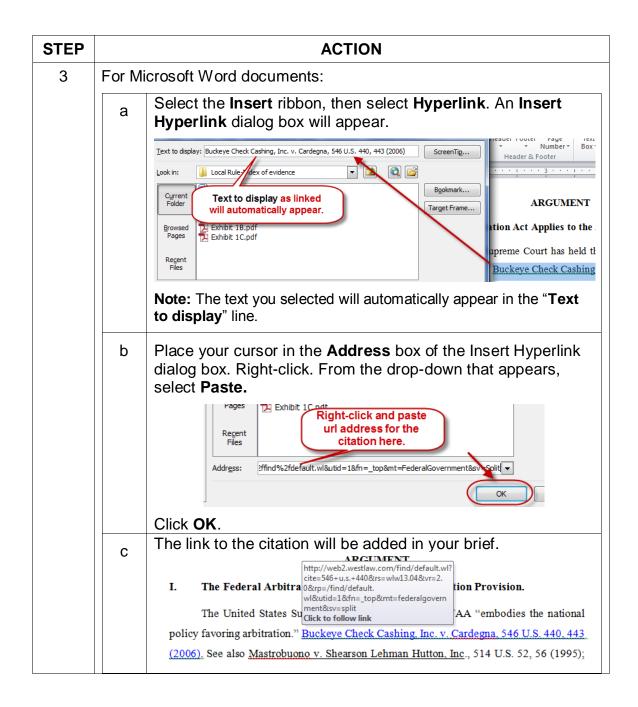
As previously described, hyperlinks to documents filed on CM/ECF can be manually added to a document. It is also possible to manually create links to documents available through commercial legal websites (e.g., Lexis or Westlaw), and those posted on the court's website (Local Rules).

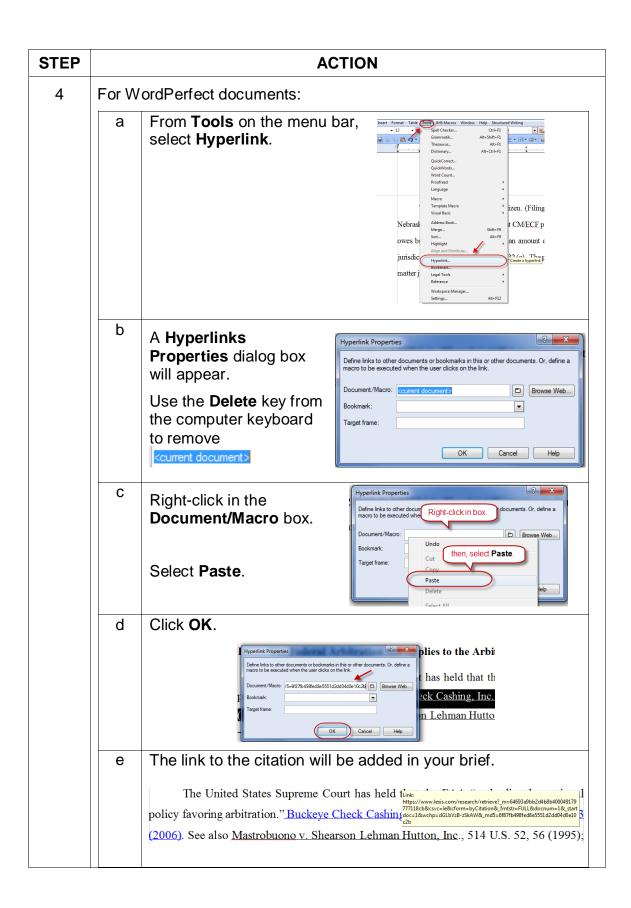
Manually adding links can be labor intensive if the document is long, but the process is not difficult. And even if you are primarily using software to add links to a document, understanding the underlying mechanics of hyperlinking within WordPerfect and Word documents is helpful and may be necessary if, for example, you need to make corrections to the automatically created links.

### Manually Creating Links to Online Research Resources

The process for manually adding links to Westlaw, Lexis, Google Scholar, or any other online research resource (LoisLaw, FastCase, etc.,) is essentially the same.

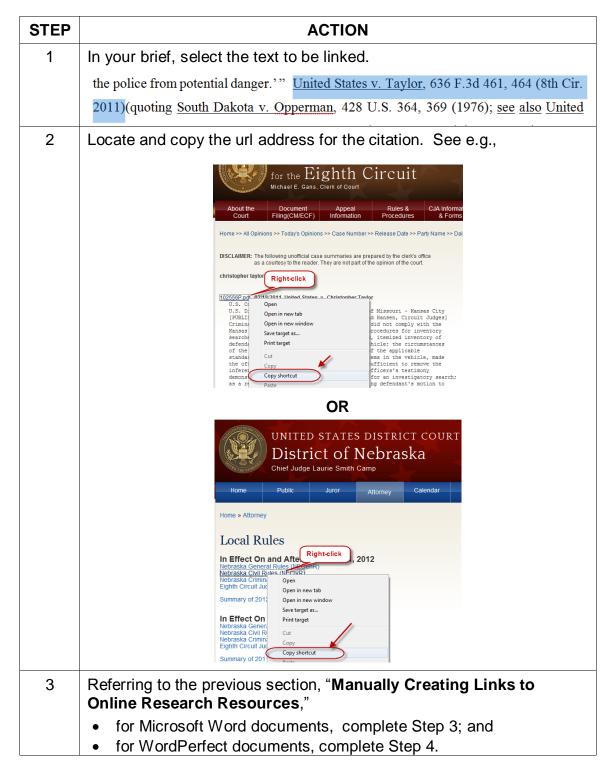






### **Manual Links to Court Websites**

You may wish to cite to published opinions on a court's website, or to the court's local rules. To do so:



## Publish to PDF—Retaining the Hyperlinks

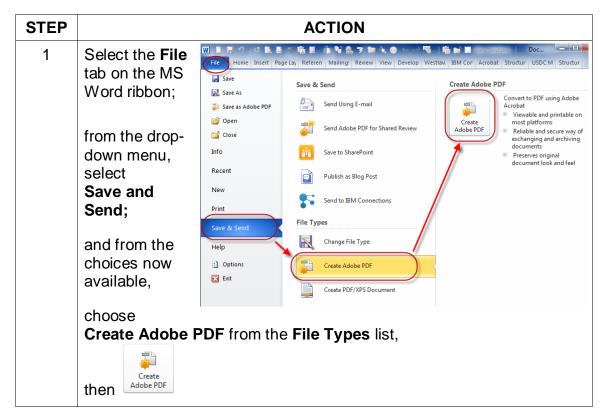
All documents filed in CM/ECF are PDFs, so all documents created for filing must be converted to a PDF document. To include hyperlinks in your filed documents, place all the links into the document using your word processing system <u>before</u> converting the document to a PDF format.

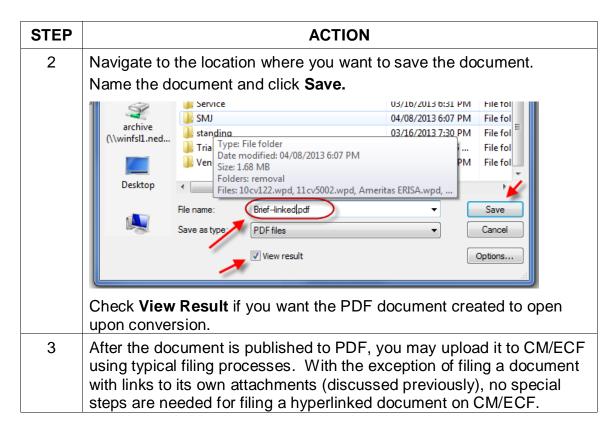
Once all links are in the document, use your word processing software to save or convert your briefs, or other documents you have created for filing, in a PDF format.

Note: Do **NOT** use Print to PDF to create a PDF of a brief with hyperlinks—the hyperlinks will be lost. Do **NOT** print the document and scan it to PDF format.

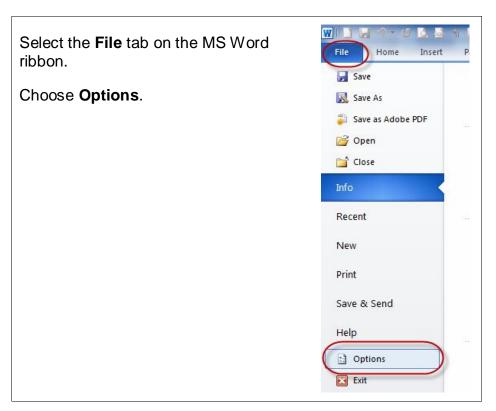
#### Conversion to PDF—Microsoft Word

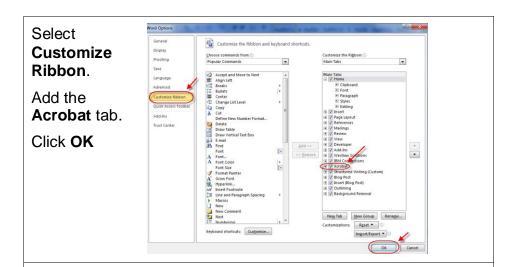
MS Word has several methods for saving ("publishing") a document in PDF format, including the following methods:





**Note**: You may also add the Adobe Acrobat tab to your MS Word ribbon and use that tab to convert documents to PDF.





An **Acrobat** tab will now appear on the MS Word ribbon, and will continue to do so hereafter.



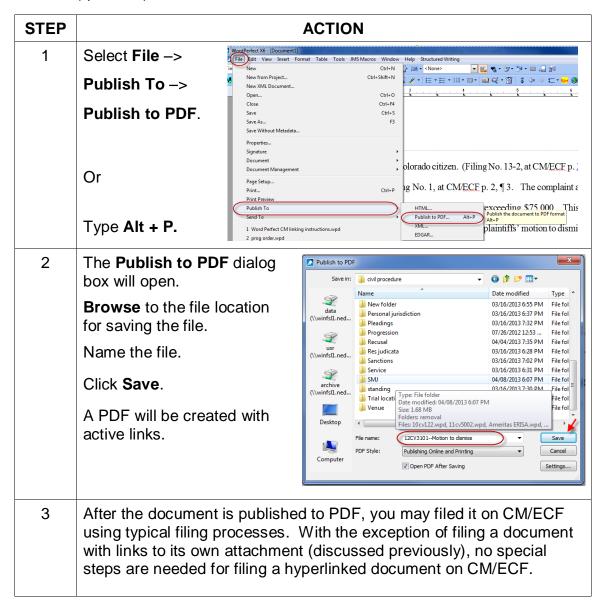
After the **Acrobat** tab is added, save a document as a PDF by selecting the **Acrobat** tab, and then **Create PDF**.



After the document is published to PDF, you may upload it to CM/ECF using typical filing processes. With the exception of filing a document with links to its own attachments (discussed previously), no special steps are needed for filing a hyperlinked document on CM/ECF.

#### Conversion to PDF—Corel WordPerfect

To save ("publish") a WordPerfect document in PDF format:



This Guide was produced through the collaborative efforts of judges, IT and Clerk's office personnel, educators, and library staff. Please share your comments, questions, corrections, and experiences with hyperlinking or using this Guide by contacting:

Cheryl Zwart, United States Magistrate Judge—Nebraska <a href="mailto:cheryl\_zwart@ned.uscourts.gov">cheryl\_zwart@ned.uscourts.gov</a> (402) 437-1670