Guidelines for Paragraph Numbering

All documents, pleadings and correspondence must include paragraph numbering with the following exceptions:

- Exhibits and attachments originally created for non-court purposes (Examples: contracts, birth and death certificates, Wills, insurance policies, real estate titles, etc.)
- Documents that are primarily graphic in nature (Examples: maps, photographs, etc.)
- Documents created prior to April 1, 2013
- Documents in which line numbers are embedded and carried over when converted to electronic format (Examples: transcripts, jury instructions, etc.)
- Documents in outline form that contain section, paragraph and subparagraph designations, (Examples: Complaints, prayer for relief, etc.)
- Correspondence which contains no information that is likely to have a substantive bearing on the legal issues of the case (Examples: request to continue a hearing, request for a certified copy, etc.)
- Documents that consist of a single paragraph or single page, if there is no possible way the document is long enough to spread onto more than one page when the document is converted into a different format
- Pre-printed forms that cannot be altered by the user, except if the information contained in the form is the basis of a dispute. If the information is in dispute or is likely to be disputed, paragraph numbers should be added to the form.
- Forms required to conform to the style and format mandated by the Records Management Division of the Office of Management and Budget which already contain numbered boxes or lines.

Paragraph numbering begins with number 1 at the first paragraph in the body of the document and continues sequentially until the last paragraph of the body.

For legal documents, pleadings , orders and judgments

DO number:

- All paragraphs within the body of the document

DO NOT number:

- Jurisdiction or venue headings
- Case title and file number
- Title of the document
- Section headings and subheadings within the body of the document
- Individual items contained in lists or bullet points

- Signature, notary, certification or witness blocks
- Word processor file location information
- Headers, footers, footnotes and endnotes
- Table of Contents, Table of Authorities, or other reference lists

<u>For correspondence</u>

DO number:

- All paragraphs within the body of the document

DO NOT number:

- Date
- Address Block
- Opening Salutation
- Closing Salutation and signature block
- Copies to and attachment information
- Word processor file location information

The preferred format for numbering is the use Arabic numerals within square brackets, with or without the paragraph symbol of ¶, in the same font as the rest of the document to number the paragraph, (Example: [1], [2], [3] or [¶1], [¶2], [¶3]). Do not use Roman numbers, (Example: [I], [V], [X]). Bolding or italicizing paragraph numbers is not necessary.

Paragraph numbers should be placed in line with the left margin of the document.

Sample

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER OF ADOPTION

Supreme Court No. 20120411

Proposed Amendment of North Dakota Supreme Court Administrative Rule 56 Regarding the Juvenile Drug Court Advisory Committee

[¶1] On April 16, 2013, the Juvenile Drug Court Advisory Committee submitted proposed amendments to N.D. Sup. Ct. Admin. R. 56, regarding the Juvenile Drug Court Advisory Committee. The proposed amendments are available at http://www.ndcourts.gov/Court/Notices/Notices.htm. Individuals who do not have internet access may contact the Office of the Clerk of the Supreme Court to obtain a copy of the proposal. The Court considered the matter, and

[¶2] ORDERED, that the proposed amendments to N.D. Sup. Ct. Admin. R. 56 are adopted, effective April 17, 2013.

[¶3] The Supreme Court of the State of North Dakota convened this 17th day of April, 2013, with the Honorable Gerald W. VandeWalle, Chief Justice, Honorable Dale V. Sandstrom, the Honorable Mary Muehlen Maring, the Honorable Carol Ronning Kapsner and the Honorable Daniel J. Crothers, Justices, directing the Clerk of the Supreme Court to enter the above order.

Penny Miller
Clerk
North Dakota Supreme Court

Sample

N.D.R. Crim. P. 41(c)(1)(C) 34
N.D.R. Evid 404 . . . . . 37, 39, 40
N.D.C.C. 12.1-16-01 1

STATEMENT OF THE ISSUES

I. WHETHER THE JUDGMENT SHOULD BE REVERSED BECAUSE THE TRIAL COURT ERRED IN DENYING DEFENDANT'S MOTION TO SUPPRESS EVIDENCE OBTAINED FROM THE ILLEGAL SEARCHES OF DEFENDANT'S VAN AND HOME.

II. WHETHER THE JUDGMENT SHOULD BE REVERSED BECAUSE THE TRIAL COURT ERRED IN DENYING DEFENDANT'S MOTION TO EXCLUDE EVIDENCE UNDER RULE 404(B) OF THE NORTH DAKOTA RULES OF EVIDENCE.

III. WHETHER THE JUDGMENT SHOULD BE REVERSED BECASUSE, AS A MATTER OF LAW, THERE WAS INSUFFICIENT EVIDENCE ON WHICH TO FIND DEFENDANT GUILTY BEYOND A REASONABLE DOUBT.

STATEMENT OF THE CASE

[¶ 1] This is an appeal from a judgment and commitment upon a jury verdict finding the Defendant, Daniel Evan Wacht, guilty of Murder, a class AA felony. (Register of Action (ROA) # # 98, 111; Appendix (App.) at 59 and 60). In the "SECOND AMENDED CRIMINAL INFORMATION, dated January 30, 2012, and filed February 3, 2012, Defendant was charged with the murder of Kurt Douglas Johnson, in violation of N.D.C.C. § 12.1-16-01. (ROA # 61; App. at 45).

[¶ 2] Defendant moved to suppress all evidence obtained in the searches of his van and home. (ROA # 39). The motion was denied. (ROA # 59; App. at 9). Defendant opposed the states offer of evidence pursuant to N.D.R. Evid. 404, relating to statements related to gang membership, blowing things up, and the capability of shooting a police officer. (ROA # 71). The court allowed most of the testimony. (ROA # 88; App. at 52).

[¶ 3] Trial was held April 16 through April 24, 2012. (Transcript on Appeal [TR.], Day 1 of 7 through Day 7 of 7). At trial, Defendant made a motion for judgment of acquittal under rule 29 of the North Dakota Rules of Criminal Procedure, and the motion was denied. (TR., Day 6 of 7 [Tr.6], at 1476-1478).

[¶ 4] Defendant was found guilty. (App. at 59 - Verdict). A sentencing hearing was held on August 1, 2012, (Transcript of Sentencing), and judgment was entered that day. (ROA # 111; App. at 60). Defendant was sentenced to life imprisonment without the possibility of parole and to pay restitution and costs. (App. at 60 - CRIMINAL JUDGMENT). "NOTICE OF APPEAL" was entered August 10, 2012. (ROA # 113; App. at 61)

STATEMENT OF FACTS