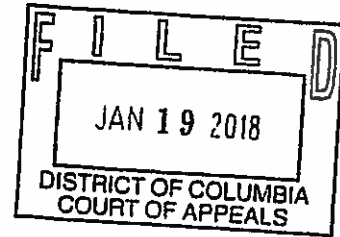


**District of Columbia
Court of Appeals**



Administrative Order 1-18

BEFORE: Blackburne-Rigsby, Chief Judge; Glickman, Fisher, Thompson, Beckwith, Easterly, and McLeese, Associate Judges.

ORDER
(FILED – January 19, 2018)

By Administrative Order 2-16, issued on July 20, 2016, the court presented for public notice and comment proposed rules for mandatory electronic filing and service (EFS). On further consideration of those proposed rules and the comments provided by the public, the court hereby promulgates the following rules for mandatory EFS. These rules will become effective on February 20, 2018.

EFS Procedures:

EFS 1: General requirement to file electronically. Except as otherwise provided by court rule or order, all documents filed in this court must be filed electronically under procedures established by the court. This requirement does not apply to case-initiating documents filed in this court, including notices of appeal, applications for allowance of an appeal, applications for permission to appeal, petitions for reinstatement, petitions for review, and petitions for writs, which all must be filed in paper form. Upon request of the court, the party filing a case-initiating document must promptly provide an electronic copy of the document, unless the party is not subject to EFS requirements.

EFS 2: Registration requirement. Except as provided in EFS 3, all attorneys making an appearance in a case in this court must register for the court's EFS system under procedures established by the court.

EFS 3: Self-represented parties not required to file electronically. A party who is representing himself or herself in a case, and who has not otherwise registered for the court's EFS system, is not required to file documents electronically in that case. Such a party may choose to register for the court's EFS system. A party who has registered for the court's EFS system must file documents electronically.

EFS 4: Materials as to which electronic filing is not reasonably feasible. Exhibits, attachments, or appendix materials that are of a size, shape, or format that does not reasonably permit electronic filing, or that are illegible when put into an electronic format, may be filed in paper or other appropriate form.

EFS 5: Format. Documents filed electronically must be in a format approved by the court. Approved formats include PDF, RTF, TIFF, DOC, and DOCX. The court discourages (but does not prohibit) the submission of electronic files created by the scanning of paper documents. For reasons of image quality, the court prefers electronic files originating from word-processing software.

EFS 6: Signatures. The person under whose name and password a document is electronically filed must sign the document. A document may be signed either typographically, in the format "s/attorney's name," or by means of a scanned handwritten signature. All other necessary signatures must be provided either in one of the preceding formats or through a representation by the filer that other signatories have authorized the filer to sign on their behalf.

EFS 7: When a document is considered to have been electronically filed. An electronically filed document that was timely submitted and is accepted for filing will be deemed to have been filed at the time the document was submitted to the EFS system. Unless the court has set a different time for filing, a filed document that is submitted before midnight Eastern Time will be deemed timely filed on the date of filing. A document that is filed on a day when the court is closed will be deemed to have been filed on the next day on which the court is open.

EFS 8: Paper copies of documents filed electronically. Except for expedited and emergency filings, only two paper copies of documents filed electronically must be submitted. The paper copies may, within two business days of filing, be either hand-delivered to the court or deposited in the mail for delivery to the court. Although emergency and expedited filings may be filed electronically, paper copies of emergency and expedited filings must also be submitted and served on the date of filing, as required by Rules 4 (c), 25 (c)(2), 27, and 28, except that the electronic

filing shall be treated as the original for purposes of determining the number of copies that must be submitted.

EFS 9: Consent to electronic service and notice. Registration for the court's EFS system constitutes consent to electronic service and notice of case-related documents and orders. For all parties who have consented to electronic service and notice, the corresponding electronic notice generated by the court's EFS system constitutes personal service of a filed document or notice of a ruling. For any party who has not consented to electronic service, or for documents that are not filed electronically, service or notice must be effected in accordance with Rules 25, 31, and 36.

EFS 10: Exemption upon showing of good cause. Upon showing of good cause, the court may exempt a party from otherwise applicable EFS requirements.

EFS 11: Technical errors. A party whose document is not filed as a result of technical error may seek appropriate relief from the court. If the EFS system is unavailable for a substantial period on a given day so as to prevent filing on that day, any document filed the next available day will be deemed to have been filed on the day that the EFS system became unavailable.

EFS 12: Proper use of EFS System. The court's EFS system may be used only for case-related purposes. All EFS users must comply with the procedures established by the court in this administrative order and in the terms and conditions for use of the EFS system.

EFS 13: Ex parte, sealed, expedited, and emergency filings. Any document being filed ex parte shall be so designated, shall be filed by paper copy in the Public Office of the court, and shall not be filed electronically. Other documents that are filed under seal may be filed electronically, but must be designated as being filed under seal, both when submitting the document to the EFS system and on the cover of the document itself. An expedited or emergency filing must be so designated, both when submitting the document to the EFS system and on the cover of the document itself.

PER CURIAM