

**Proposed Amendments to
Local Rules of Civil Procedure
Rule 5: Filing and Service
Red-line Copy
10/18/2016**

RULE 5. Filing and Service.

5.1 Electronic Filing and Service.

- (a) **Requirement and Procedure.** Electronic filing is mandatory, except as otherwise specified in Federal rules, these rules, or Court order. *Pro se* parties are excused from mandatory e-filing, and papers may be filed in open court. Electronic filing constitutes service for purposes of FED. R. CIV. P. 5, except as to parties excused from electronic filing by Federal rules, these rules, or Court order. Electronic service is complete on transmission. ~~and is the equivalent of service by mail in accordance with FED. R. CIV. P. 5(b), 5(d), and 77(d).~~ Registration, technical, and procedural guidelines for e-filing are set out in the Court's CM/ECF Administrative Procedures Manual.
- (b) **Timing.** Unless otherwise specified by rule or ordered by the Court, an electronic document is considered filed on the date of the electronic transfer, including weekends and holidays. A filing day is defined as 12:00:00 a.m. to midnight. The time and date of filing are reflected in the Court's Notice of Electronic Filing.

- 5.2 Paper and Filing Service.** In cases where e-filing is not required under rule 5.1, an original and two copies of a paper, including a document that initiates an action, must be filed with the Clerk. Copies of filed documents must be served on all parties. In consolidated actions, parties in all companion cases must be served.