

FILED  
COMMON PLEAS COURT  
COTTE COUNTY OHIO

2019-MS-0055

2019 MAY 17 AM 11:04

LUVADA S. WILSON  
CLERK OF COURTS

**IN THE SIXTH DISTRICT COURT OF APPEALS**

**LOCAL ELECTRONIC FILING RULES OF  
THE SIXTH DISTRICT COURT OF APPEALS**

Pursuant to the Sixth District Court of Appeals Local Rule 8 (C) the Clerk of Courts is authorized to prepare and maintain operating procedures and instructions for electronic filing.

The Clerk of Courts shall review the data and documents electronically submitted to ensure compliance with the Sixth District Court of Appeals rules, policies, procedures, and practices, before officially accepting the documents for filing and creating a docket entry. If the submitted documents comply with the applicable Sixth District Court of Appeals rules, policies, and procedures, they will be accepted by the Clerk of Courts for e-Filing. If the submitted documents do not comply with the applicable Court rules, policies, and procedures, they will not be accepted for e-Filing and the Clerk of Courts shall notify the filer of the deficiency or problem with the submission.

**RULE 8. ELECTRONIC FILING**

**(C) Internet Electronic Filings.** The Clerk of Courts is authorized to prepare and maintain operating procedures and instructions for electronic filing. Where an e-Filing system is available for use by the Clerk of Courts, pleadings and other papers shall be filed with the Clerk of Courts electronically via the Internet subject to the following conditions:

**(1) Application of Rules and Orders.** All rules of procedure, local rules, and court orders shall continue to apply to documents electronically filed. Documents submitted for e-Filing must be in a digitized format specified by the Clerk of Courts.

**(2) Leave to File in Paper Form.** An attorney wishing to file a specific document or all documents in a given case in paper form may file a motion requesting leave to file. Such motion may itself be filed in paper form and shall set forth the exceptional circumstances justifying the request.

**(3) Filings Not Accepted.** An appointed counsel's application for attorney fees will not be accepted for electronic filing.

**(4) Pro se Filings.** Parties not represented by counsel are not required to utilize an e-Filing system and may file documents in paper form.

**(5) Paper Form Documents.** Documents filed in paper form shall be scanned and uploaded to the e-Filing system by the Clerk of Courts. In such case, the uploaded electronic version of the document shall constitute the original document,

**(6) Electronic File Stamp.** Upon successful completion of acceptance processing by the Clerk of Courts, a document filed electronically will be electronically file-stamped. This stamp will include the date and time that the receiving device of the Clerk of Courts received the entire transmission, as well as the confirmation number of the filing. A document filed electronically that is not successfully processed by the Clerk of Courts will not receive an electronic file stamp, but the filer will receive a rejection e-mail.

**(7) Time For Filing.** An electronic filing may be submitted to the Clerk twenty- four (24) hours a day, seven (7) days a week for review. However, received documents are only reviewed and deemed filed twenty-four (24) hours a day, five (5) days a week. Documents electronically submitted for review for e- Filing shall be deemed accepted and filed on the date and time as outlined below. All items listed herein refer to Eastern Standard Time or Eastern Daylight Savings Time. If the document is accepted for filing, the date and time reflected in the confirmation notice shall serve as the date and time of filing if filed prior to 11 :59 p.m. during a business day. Any documents received after 11 :59 p.m. on a Friday, anytime Saturday, anytime Sunday, or anytime during a Court holiday, will be deemed filed on the following business day. This does not in any way alter the provision in Civil Rule 6 that filing deadlines that fall on a Saturday, a Sunday, or a legal holiday run until the end of the following day that is not a Saturday, Sunday, or legal holiday.

**(8) System or User Filing Errors.** If a party attempts to file a document electronically and the document is not accepted for filing because of an error in the transmission of the document to the electronic filing system, the Court may, upon satisfactory proof, enter an order permitting the document to be filed nunc pro tunc to the date it was sent electronically.

**(9) Fees.** Normal filing fees and case deposits will be collected via user credit card or debit card, or such other method as may be approved by the Clerk, at the time the document that requires such a fee or deposit is filed.

**(10) Service.** Service of documents filed electronically shall be accomplished in the manner prescribed by the appellate rules. See App.R. 3 and 13.

**(11) Time to Respond or Act.** Whenever a time period is measured from the time after a document is filed, the time will be measured from the date the electronically filed document is deemed to have been filed.

**(12) Disposition and Maintenance of Source Documents.** The person filing a document electronically shall maintain an exact copy of the source document upon which the electronic filing was based, either in an unalterable electronic format or on paper. The filing person shall retain this source document until final disposition of the case and through any appeal period. The filing person shall make the source document or a facsimile thereof available for production at the request of the Court, the Clerk, other counsel or parties representing themselves.

**(13) Signatures of Parties and Counsel.** The signature of an attorney or a party on a document that is filed electronically shall be represented with a conformed signature of "/s/ [name]." The conformed signature on an electronically filed document is a legal signature for purposes of the signature requirements of the civil and criminal rules of procedure, the rules of superintendence, and any other law, and will be considered the signature of the person it purports to be for all purposes. See App.R. 13(A)(1).

**(a) Multiple Signatures.** When a stipulation or other document requires two or more signatures, the filing party or attorney will confirm in writing that the contents of the document are acceptable to all persons required

to sign the document. The filer will indicate the agreement of all necessary parties at the appropriate place in the document, usually, the signature line(s). If it is established that the documents were transmitted without authority, the court shall order the filing stricken.

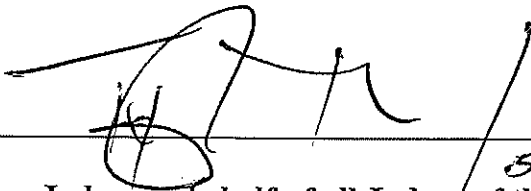
**Signature of Third Parties.** Documents containing signatures of third parties, including signatures of notaries public, shall be scanned as an image and filed electronically.

(Effective January 1, 2016)

#### **Required Format**

Individual documents shall be limited to 20 megabytes in size. Documents larger than 20 megabytes must be split into multiple documents. Each additional document must include a heading that contains the case number, the case caption, and title of the document. There is no limit on the number of 20 megabyte files that can be submitted in a filing.

Sixth District Court of Appeals local rules are available on the Internet at [www.co.lucas.oh.us](http://www.co.lucas.oh.us) by selecting "court of appeals" on the website.



5/12/19

Administrative Judge, on behalf of all Judges of the Erie County  
Common Pleas Court, General Division.