

Oregon Rules of Appellate Procedure

Chapter 16: Electronic Filing



Who can eFile?

Attorneys

- Must be an OSB member
- Must be on active status
- Must have an email address on file with the OSB
- No *pro hac vice* at this time
- No self-represented litigants at this time

Staff or other person authorized by attorney

- Staff must use attorney's username and password
- Staff can file for only one attorney at a time
- Staff email address may be added during eFiling process

See ORAP 16.10

What can be eFiled?

- Most Documents in the Court of Appeals
- Most Documents in the Supreme Court
- *except* documents in adoption, juvenile dependency, juvenile delinquency, and commitment of mental ill and mentally deficient persons must continue to be conventionally filed.

See ORAP 16.03 & 16.60

Format of eFiled Documents

- Convert document to PDF before transmitting to court
 - PDF must be searchable
 - PDF must allow copying and pasting
- Documents must comply with formatting requirements of conventionally filed documents
 - Signatures treated differently
- Court may ask for a copy of the document in its original electronic format
- Oversized or demonstrative exhibits must be conventionally filed

See ORAP 16.15, 16.30

Electronic Signatures

- Actual signatures not needed
- Username and password = signature
 - Documents must include signature block
 - Misuse may result in suspension of eFiling privileges
- Special signature requirements
 - Stipulations
 - Declarations or Affidavits

s/Alex Adams

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See ORAP 16.40

Filing Deadlines

- Confirmation automatically generated and sent to eFiler's email address (and any email address added during eFiling process)
- Court reviews document and generates an email
 - Acceptance: file date = date received
 - Stamps document
 - Rejection: rare
 - Conventional filing
 - Resubmit via electronic filing
 - No relation back to date received*

*Errors in transmission: eFiler may request to have filing date relate back to date of attempted transmission.

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Appellate Court Records

Filing Fees and eFiling Charges

- Filing fee must be paid at the time of filing.
 - Must check box if filing fees are required for a document
 - May submit waiver/deferral application in lieu of filing fee
- eFiling charges
 - Transaction charge: none, but may be added in the future
 - Document recovery charge: \$.10/page, multiplied by # of copies needed for court
 - Generally, the #of copies for eFiling is less than for conventional filing
 - Go to www.ojd.state.or.us/onlineservices/eFile for more information

Edit eFiling

Fee Required:	Yes
Type:	Initiating Document
Subtype:	Notice of Appeal - Tax
Comments:	
Filing Fee:	\$212.00
Transaction Charge:	\$3.75
Document Recovery Charge:	\$0.00
Total:	\$212.00

See ORAP 16.20

Service

- Registration as an eFiler constitutes consent to be served via the electronic mail function of the appellate court eFiling system.
- For documents filed electronically in existing cases, service will be accomplished via the appellate court eFiling system, when a party to be served is represented by a registered eFiler.
- The attorney being served will receive an email that includes a link to the document that was electronically filed.
- For initiating documents , parties must accomplish service conventionally.
- Self-represented litigants and parties represented by attorneys who have not registered to use the eFiling system must be served conventionally.

Protected Information

- Must comply with applicable state and federal law
- For documents and briefs that contain confidential material:
 - eFile redacted version
 - Conventionally file unredacted version
- Conventionally file all documents in confidential cases

See ORAP 16.60

Other eFiling Rules

Hyperlinks

- May be included in eFiled document
- May link to source either inside or outside document
- Regular citations and citation format still required

See ORAP 16.50

Retention of Documents

- If document contains non-eFiler signature, document must be retained for 2 years after issuance of appellate judgment
- eFiler may be required to furnish a printed copy of document to the court or another party

See ORAP 16.55