

## **Mandatory eFile in 11 Circuit Courts Starts December 1, 2014**

Effective December 1, 2014, active Oregon attorneys will be required to eFile most pleadings in the 11 circuit courts that are using the Oregon eCourt Information System (OEI). Training webinars are now available (and can qualify for CLE credit) and several changes have been made to UTCR Chapter 21 to implement that requirement, as well as establish some specific, limited exceptions. All UTCRs are available on the web (see link below).

Chief Justice Balmer is asking members of the Bar to learn the new rules and assist in a quick transition to fully attain the benefits that eFiling offers to the Bar and to the courts.

In general, starting December 1, 2014, active Oregon attorneys must eFile pleadings unless:

- They have obtained a waiver under UTCR 21.140(3). Waiver requests will be reviewed carefully, and may be granted under limited circumstances in each judicial district for a case or cases in that district.
- The eFiling system (File & Serve) has been continuously unavailable for 24 hours or more. Under that circumstance, notices will be posted on OJD websites and with the Bar, and UTCR 21.140(4) will allow documents to be conventionally filed until the end of the next business day after the system is restored to service.
- The document is required to be filed conventionally by UTCR 21.070(3)(a-m) or (4). The rule contains the specific list, but in general, the following are exempt from eFiling:
  - A petition for waiver of the eFiling requirement;
  - Initiating documents in a criminal action, juvenile delinquency petition, extradition proceeding, or contempt proceeding;
  - A notice of appeal from a justice court or municipal court judgment;
  - An initiating document where a fee waiver or deferral is requested;
  - A document required to be filed in its original form (e.g., a will);
  - A negotiable instrument submitted under UTCR 2.060;
  - A DMV record;
  - Any stipulated or ex parte matter listed in the court's SLR 2.501;
  - Certain exhibits (See, UTCR 21.070(4)).

The File & Serve system provides both electronic filing and electronic service of documents. It is available at no additional charge, but does require registration. A series of training webinars are available, and are available for CLE credit. Information on self-study or webinars is available at <https://oregon.tylerhost.net/>.

The 11 courts using the OEI system will have eFiling kiosks in the courthouse, or attorneys can eFile from their office or other remote location. Kiosks will be installed in other courts as eFiling becomes available following their OEI go-live date. (See web link below).

When using the UTCR web page, please note that the rules enacted or amended by Chief Justice Order 14-049 are now in effect, and are listed both under the CJO listing and in the main body of the rules under Chapter 21. UTCR 21.140, which implements the mandatory eFiling requirement and creates the exceptions to that requirement pursuant to CJO 14-050, will take effect on December 1, 2014 and are listed separately and will not be incorporated into the body of the rules until that time.

Additional information is available on the OJD eFiling page (see link below).

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### **eFiling Web Links:**

#### **UTCrs:**

<http://courts.oregon.gov/OJD/programs/utcr/pages/utcrrules.aspx>.

#### **Dates for eCourt go-lives and eFiling availability:**

[http://courts.oregon.gov/Oregonecourt/docs/ocm\\_mandatory-efile-brochure\\_v1.0\\_ed\\_2014-10-14.pdf](http://courts.oregon.gov/Oregonecourt/docs/ocm_mandatory-efile-brochure_v1.0_ed_2014-10-14.pdf).

#### **OJD eFiling Page:**

<http://courts.oregon.gov/OJD/OnlineServices/OJDeFiling/Pages/index.aspx>

#### **Tyler Technologies eFiling Webinars:**

<https://oregon.tylerhost.net/>.