

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF WASHINGTON
3

4 IN RE: Procedural Rules for)
5 Electronic Case Filing) General Order No. 100-04-1
6)
7 _____)
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9 Federal Rules of Civil Procedure 5 and 83 and Federal Rule of
10 Criminal Procedure 57 authorize courts to establish practices and
11 procedures for the filing, signing and verification of documents
12 by electronic means.

13 IT IS THEREFORE ORDERED:

14 I. The Clerk of the District Court is authorized to
15 implement and publish interim Administrative Procedures for
16 Electronic Case Filing in the District Court, including the
17 procedure for registration of attorneys and for distribution of
18 passwords to permit electronic filing and notice of pleadings and
19 other papers. In the event of a conflict between the Eastern
20 District of Washington Local Rules and these Administrative
21 Procedures, the Administrative Procedures shall govern.

22 II. The electronic filing of a petition, pleading, motion,
23 or other paper by an attorney who is a registered participant in
24 the Electronic Filing System shall constitute the signature of
25 that attorney under Federal Rule of Civil Procedure 11.

26 III. No attorney shall knowingly permit or cause to permit
27 his/her password to be utilized by anyone other than an authorized
28 employee of his/her law firm.

IV. No person shall knowingly utilize or cause another
person to utilize the password of a registered attorney unless

1 such person is an authorized employee of the law firm.

2 V. The electronic filing of a pleading or other paper in
3 accordance with the Electronic Filing Procedures shall constitute
4 entry of that pleading or other paper on the docket kept by the
5 Clerk under Federal Rule of Civil Procedure 79.

6 VI. The assigned judge or the Clerk's Office shall
7 electronically file all orders, decrees, judgments, and
8 proceedings of the court in accordance with the Electronic Filing
9 Procedures, which shall constitute entry of the order, decree,
10 judgment or proceeding on the docket kept by the Clerk under
11 Federal Rule of Civil Procedure 58 and Federal Rule of Criminal
12 Procedure 55.

12 VII. Service

13 A. Whenever a pleading or other paper is filed
14 electronically in accordance with the Electronic Filing
15 Procedures, the Office of the Clerk shall serve the
16 filing party with a "Notice of Electronic Filing" by
17 electronic means at the time of docketing.

18 B. The filing party shall serve the pleading or other paper
19 upon all persons entitled to notice or service in
20 accordance with the applicable rules, or, if service by
21 first class mail is permitted under the rules, the
22 filing party may make service in accordance with sub-
23 paragraph (C) below.

24 C. If the recipient of notice or service is a registered
25 participant in the Electronic Filing System, service by
26 electronic means of the Notice of Electronic Filing
27 shall be the equivalent of service of the pleadings or
28 other paper by first class mail, postage prepaid.

D. Service by electronic means is complete on transaction.

E. Service by electronic means is not effective if the

1 party making service learns that the attempted service
2 did not reach the person to be served.

3 VIII. Participation in the Electronic Filing System by
4 receipt of a password from the court shall constitute a request
5 for service and notice electronically pursuant to Federal Rule of
6 Civil Procedure 5(b)(2)(D) and Federal Rule of Criminal Procedure
7 49. Participants in the Electronic Filing System, by receiving a
8 password from the court, agree to receive service by electronic
9 means.

9 IX. The effective date of this General Order is October 4,
10 2004.

11 IT IS SO ORDERED.

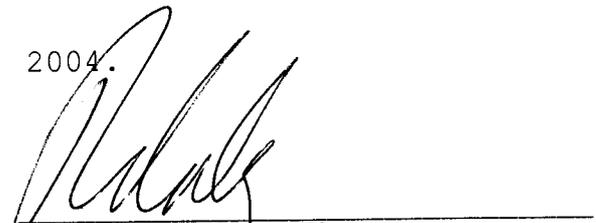
12 DATED this 16th day of April, 2004.

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15 FRED VAN SICKLE
16 CHIEF U.S. DISTRICT JUDGE

17 
18 JUSTIN L. QUACKENBUSH
19 SENIOR U.S. DISTRICT JUDGE

20 
21 ALAN A. MCDONALD
22 SENIOR U.S. DISTRICT JUDGE

23 
24 WM. FREMMING NIELSEN
25 SENIOR U.S. DISTRICT

26 
27 ROBERT H. WHALEY
28 U.S. DISTRICT JUDGE


EDWARD F. SHEA
U.S. DISTRICT JUDGE


LONNY R. SUKO
U.S. DISTRICT JUDGE

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