

Chief Judge, Twelfth Judicial District

ORDER: MANDATORY E-FILING



**CHIEF JUDGE
ADMINISTRATIVE ORDER**
2017-01

Scope:

This Administrative Order governs e-filing in all district court civil cases, probate cases, county court civil cases, domestic relations cases, and district and county court criminal cases (including CR, M, T, and JD case types) filed in the Twelfth Judicial District. It also governs water cases filed in Division 3. This order supersedes earlier administrative orders governing e-filing for these case types.

New Cases:

All new cases have been and shall be subject to mandatory electronic filing using Colorado Courts E-filing as of the following effective dates:

<u>Effective Date</u>	<u>Case Type</u>
September 1, 2004	District Court Civil
January 15, 2005	Probate
January 15, 2005	Water (Division 3) ¹
January 2, 2007	County Court Civil (only money or FED) ²
January 1, 2008	Domestic Relations
April 18, 2016	District and County Court criminal (CR, M, T, and JD case types)
June 2016	County Court Civil (every type of filing)

The Courts of the 12th Judicial District and Water Division 3 shall not initiate or maintain a paper file on any new cases filed on or after the applicable effective dates.

E-filing in Previously Filed Cases:

For cases filed before the applicable effective date, the parties or their attorneys must file all documents electronically beginning on the applicable effective date. As of that date, the court will not print paper copies of e-filed documents to supplement a previously created paper file.

¹ Colorado Uniform Water Court Rule 2(a) requires e-filing for all cases filed pursuant to C.R.C.P. 90 after July 1, 2009.

² This Administrative Order was originally issued pursuant to Chief Justice Directive 06-02, which has since been repealed. The Court now requires e-filing in these cases pursuant to Colorado Rule of County Court Civil Procedure 305.5.

E-filing Guidelines & Requirements:

Counsel shall electronically file and serve documents in accordance with, as applicable, Colorado Rule of Civil Procedure 121(c), section 1-26; Colorado Rule of County Court Civil Procedure 305.5; Colorado Rules of Criminal Procedure 49.5; and Chief Justice Directive 11-01 as currently in effect, and as subsequently amended.

When E-filing documents, counsel shall select the most descriptive document type and shall give the document a complete descriptive title. (E.g.—If the document is an affidavit, the document type should be “Affidavit” and the descriptive title should be, at a minimum, “Affidavit of John Doe.”) In addition, E-filed documents must clearly identify which attorney(s) signed the document.

All documents relating to a single pleading or other filing may be filed electronically as a separate document but as a single filing submission with the supporting documents “related” to the principal document. For example: a motion shall be filed as the principal document while supporting documents to the motion shall be titled appropriately and related to the principal document all within the same submission. For instructions on “relating” documents, please see pages 47-48 of the Training Manual for Attorneys (available on-line at <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=efile>).

When E-filing a pleading that responds to a prior pleading or that relates to a prior pleading, the filing attorney shall “relate” the pleading to the prior pleading as described in the ICCES Training Manual for Attorneys at pages 47-48 (available on-line as noted above).

Parties shall not upload documents into the E-Filing system in any manner that prevents the Court from copying/pasting text or employing enhanced search functionality within the document. In addition, counsel shall submit all proposed orders in editable format (e.g., Word format as opposed to a scanned PDF); the Clerks’ Offices will reject any proposed orders that are filed in a non-editable format.

Parties shall not submit documents for an in camera review through the E-filing system. Rather, parties shall submit such documents in paper format or on a CD or flash drive (as the judge presiding over the case directs) until further notice.

The Court shall electronically file all judicial rulings, opinions, orders and other written communications.

Self-Represented Litigants & E-filing:

Parties not represented by counsel may file documents in paper format. Court staff shall scan and upload documents into the E-Filing system. No additional fees shall be charged to self-represented litigants for scanning and uploading.

Self-represented parties are encouraged to include an email address on their pleadings where E-filed pleadings and documents can be served on them. When court staff accept filings from self-represented parties, they should request that the party (or parties) include their email

address on the pleadings.

Counsel Who Attempt to File Paper Pleadings:

Court staff may accept paper filings from attorneys whose primary area of practice is outside the 12th Judicial District. After notice to an attorney that all future documents are to be E-filed, the Court will charge a fee of \$50.00 per document for the service of scanning and uploading a document filed in paper form, pursuant to Rule 49.5 of the Colorado Rules of Criminal Procedure; Rule 121(c), section 1-26(13) of the Colorado Rules of Civil Procedure; or Rule 305.5(o) of the Colorado Rules of County Court Civil Procedure.

Additional Resources:

The Colorado Courts E-filing web site, <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=efile>, provides additional information regarding electronic filing computer requirements, fees, service of documents and training opportunities. Technical support can be reached by emailing efilingssupport@judicial.state.co.us or calling 1-855-264-2237.

For additional information about specific filings, see Chief Justice Directive 11-01 - Directive Concerning Statewide Electronic Filing Standards and CJA0 2014-03 - Order Concerning the Electronic Filing of Exhibits.

Dated this 31st day of January 2017.

BY THE COURT:



Pattie P. Swift
Chief Judge, Twelfth Judicial District