



FIFTH JUDICIAL DISTRICT, STATE OF COLORADO

MANDATORY ELECTRONIC FILING FOR)
DISTRICT COURT CIVIL, DOMESTIC) ORDER 07-04
RELATIONS AND PROBATE CASES) (Revised 12/11)

As part of the e-filing system and to facilitate a “paper on demand” environment, the following guidelines shall apply to all district court civil, domestic relations, and probate cases filed in the Fifth Judicial District effective July 1, 2007.

I. Filing Requirements for CIVIL (CV), DOMESTIC RELATIONS (DR) and PROBATE (PR):

All counsel should refer to C.R.C.P. Rule 121 section 1-26 for electronic filing requirements. The rule generally outlines how pleadings shall be electronically filed and served, and how original documents are maintained by counsel. Chief Justice Directive 11-01, found at www.courts.state.co.us/Courts/Supreme_Court/Directives/Index.cfm also applies. As part of the e-filing system and also in an effort to facilitate a “paper on demand” environment, the Fifth Judicial District sets forth the following formatting standards:

- A. **Case Types:** Use of the e-filing system is mandatory in all CV, DR and PR case types, including “sealed” and “suppressed” cases.
- B. **Non-Scanned Submission of Pleadings:** **ALL** pleadings must be submitted using the e-filing system’s inherent process for the attachment and submission of a filing from a party’s word processing document directly to the Court.¹ Parties shall NOT submit any pleading as either scanned or graphic images since such filings prevent the Court from editing or using enhanced document functionality. Scanned pleadings may be rejected to compel the party to properly re-file said pleading.
- C. **Submission of Exhibits:** Exhibits, which accompany pleadings, must also be submitted through the e-filing system. However, exhibits may be submitted as scanned or graphic images.
- D. **Trial Exhibits:** Parties shall be required to present hard copy or digitally formatted documentary exhibits to the court. Only tendered and/or admitted exhibits shall be uploaded electronically to the case file, and shall be uploaded at the conclusion of the case.

¹ For further information, please see “best practices” at <http://lexisnexis.com/fileandserviceextranet/BestPractices.aspx>

- E. **Exception for Pro Se parties:** Irrespective of IV(A), (B) and (C) above, *pro se* parties will be permitted to submit paper pleadings and exhibits to the Court. The Court's staff will scan and upload such documents to the e-filing system.
- F. **Electronic Document Size:** The size limit for each document filed electronically is 1.5 megabytes.² For the purpose of this procedure, each electronically filed pleading, motion, brief, or other paper is a separate document. The electronic filing system shall preclude a filer from submitting a document larger than 1.5 megabytes to the Court.
- G. **Oversize Documents:** Any document which exceeds 1.5 megabytes shall be separated into electronic files of 1.5 megabytes or less each.
- H. **Color or Graphics:** Documents scanned in color, grey scale, or containing graphics result in larger file sizes and take longer to download. Therefore, filers should configure scanners to scan documents at 200dpi (dots per inch) and not in color or grey scale.
- I. **Exhibits of Large Physical Size:** If a party intends to submit an exhibit or document that cannot be submitted through the e-filing system because of its physical size or because it is non-documentary in nature, an image of the exhibit or document shall be electronically filed for purposes of the record.
- J. **Title of Documents:** Any document submitted through the e-filing system must bear a Document Title that is descriptive of the contents of that document. For example, a document titled "XYZ Plaintiff's Motion for Summary Judgment on Claims 1 and 2 Against Third Party Defendant ABC Corporation" is appropriate. That same document simply bearing the title "Motion" is not appropriate.
- K. **Document Types:** When submitting documents using the e-filing system, the parties shall select a Document Type category that matches the identifiable and specific category of the actual document being submitted. For example, a party filing a Supplemental Disclosure Certificate selects "Supplemental Disclosure Certificate" for electronic filing purposes, because that document type presently exists as a "Type" field. Submitting that document in the category "Filing Other" is not appropriate.
- L. **Minute Orders:** In order to ensure that a complete case history is available through the e-filing system, the Court will upload Eclipse "minute orders" into the e-filing system.
- M. **Requests for Paper Copies:** If a request is made to the Court for a paper document from an electronically filed case, the Register of Actions will be printed out from the LexisNexis "Case History," and the requesting party asked to specifically identify the document they wish to see. Paper copies of documents contained in the electronic file will be produced only when requested.
- N. **Charges for Paper Copies:** If a paper copy of a document from an electronic file is created, that document will then be printed for the requesting party. \$.75 per page will be charged, only if the requesting party wishes to keep the

² 1.5 megabytes may be equivalent to approximately 50 pages of plain, typed text or 25 pages of scanned information.

document. There is no charge if the requesting party only wishes to view the document.

II. Filing Requirements Specific to CIVIL (CV) Cases:

- A. **Commencing a CV Case:** In CV cases, the e-filing system requires that the Complaint be the first document filed in order to properly commence the case.

III. Filing Requirements Specific to DOMESTIC RELATIONS (DR) Cases:

- A. **Verified Pleadings:** All pleadings requiring verification of the signature of both parties shall be electronically filed with digitally scanned signatures. The statement "original signature on file" will not be acceptable under such circumstances.
- B. **Child Representative:** A Child Representative is considered an attorney of record and is subject to mandatory electronic filing.
- C. **Mediators and Child & Family Investigators:** Mediators and Child & Family Investigators, who are attorneys, shall electronically file their documents under the e-filing system category – "sealed, electronic." Mediators and Child & Family Investigators, who are not attorneys, shall submit their documents electronically to the Court's division clerk via e-mail.

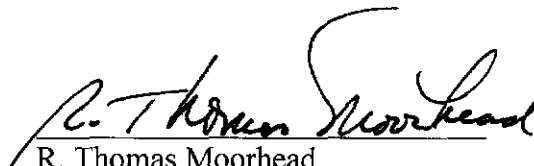
IV. Filing Requirements Specific to PROBATE (PR) Cases:

- A. Trust Registrations are exempt from electronic filing. The Court requires the original will to be filed in hard copy prior to the issuance of letters. The will shall be scanned and submitted with the application.

Additional Information:

The LexisNexis File and Serve web site, www.lexisnexis.com/fileandserve, provides additional information regarding electronic filing computer requirements, fees, service of documents and training opportunities. Please call (888) 529-7587 for LexisNexis File and Serve customer service.

Done at Eagle, Colorado this 16th day of December 2011.


R. Thomas Moorhead
Chief Judge