

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 16-12**

**eFiling in the Criminal Division and
Domestic Violence Unit (Criminal Cases Only)**

WHEREAS, electronic filing (eFiling) is an essential aspect of the efficient operations of the court, so that filings can be transmitted to the court and documents and data can be received into the case management system more effectively, timely and accurately; and

WHEREAS, to provide the legal community with streamlined access to the clerk's office and an efficient method to file documents and receive service, electronic filing will be implemented where technologically feasible and consistent with legal requirements; and

WHEREAS, in accordance with Superior Court Rule of Criminal Procedure 49(d) "Filing and Serving Papers," filings in criminal matters shall be filed in the manner provided in civil actions; and

WHEREAS, interim procedures are necessary to govern eFiling;

NOW, THEREFORE, it is hereby,

ORDERED, that eFiling shall commence in the Criminal Division and the Domestic Violence Unit (criminal cases only) as follows:

1. Application:

Parties represented by counsel are required to eFile and eServe as provided below. Parties who are not represented by lawyers ("self-represented parties") may but are not required to eFile and eServe.

2. Effective Dates and Transition Procedures:

A. Commencing September 26, 2016, at 12:01 a.m., MANDATORY eFiling and eService:

Except for *ex-parte* filings, filings in sealed cases, and such other documents as may be excluded by court rules or administrative order, all filings post-complaint are to be eFiled and eServed, consistent with court rules and governing statutes, if the filing is done by an attorney or his or her delegate in representation of a party.

Self-represented parties are not required to eFile or eServe, but may do so if they so choose. If the party to be served is not represented by counsel, then service shall be accomplished as provided in court rules for self-represented parties, unless the self-represented party has agreed in writing (which may be communicated electronically) to participate in the eFile and eService program.

B. July 18, 2016 to September 25, 2016 Transition:

All lawyers practicing in the Criminal Division and Domestic Violence Unit (criminal cases only) shall register with CaseFileXpress, whether or not they choose to eFile during the transition period, so that they may receive court orders issued from chambers and service of any filings that other lawyers choose to eFile.

Parties may voluntarily eFile and eServe during the transition period. Those who may eFile and eServe are:

- Prosecutors and any attorney representing a party in a case may eFile and eServe in the case during the transition period (regardless of whether there is a self-represented party in the case);
- Self-represented parties may eFile and eServe but are not required to do so. Filing and service on any self-represented party shall be accomplished as required by court rules unless the self-represented party agrees to eFile and eServe;
- Criminal justice agencies like the Court Services and Offender Supervision Agency (CSOSA) and the Pretrial Services Agency;
- Judicial officers shall eFile orders when orders are issued outside the courtroom and may eFile orders issued in the courtroom;

And it is further

ORDERED, that in accordance with Super. Ct. Crim. R. 49 “Filing and Serving Papers,” eFiling procedures in criminal cases shall be in the manner provided in civil actions and consistent with Criminal Division rules and governing statutes; and it is further

ORDERED, that the following procedures shall be followed for submitting documents electronically for filing:

- (1) If a filing is 25 pages or more, then a courtesy paper copy shall be submitted to the judicial officer presiding over the case;
- (2) Any motion for which a proposed order is required to be filed shall be eFiled with the proposed order and editable copy of the proposed order shall be emailed to the judicial officer at the email address designated for the judicial officer on the eFile provider’s website;
- (3) Personal identifiers shall be redacted by the filer based on Super. Ct. Crim. R. 49.1 “Privacy Protection for Filings Made with the Court;”

And it is further

