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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN RE: AMENDMENT TO LOCAL CIVIL RULE 10(d)	GENERAL ORDER

Local Civil Rule 10(d) of this court is hereby amended as follows:

All pleadings, motions and other papers shall be upon 8 1/2 x 11 inch white paper of good quality, and shall be plainly typewritten, printed or prepared by a clearly legible duplicating process, and doublespaced, except for quoted material. Document facsimiles, including complaints, will be accepted for filing by the Clerk subject to the following administrative rules:

A. DEFINITIONS:

1. "Facsimile transmission" means the transmission of a copy of a document by a system that encodes a document into electronic signals, transmits these electronic signals over a telephone line, and reconstructs the signals to print a duplicate of the original document at the receiving end.

2. "Facsimile filing" or "filing by fax" means the facsimile transmission of a document to a fax filing agency who will then file that document with the court.

Facsimile transmissions are not made directly to the court.

3. A "fax filing agency" is a private entity (business, law firm, etc.) that receives facsimile transmission of documents to be filed with the court. The fax filing agency acts similar to a messenger service, filing a hard copy facsimile transmission as if it were the original with the court.

4. "Fax" is an abbreviation for "facsimile" and refers, as indicated by the context, to a facsimile transmission or to a document so transmitted.

5. "Transmission record" means the document printed by the sending facsimile machine stating the telephone number of the receiving machine, the number of pages sent, the transmission time, and an indication of errors in transmission.

B. TRANSMISSION DOES NOT CONSTITUTE FILING: Electronic transmission of a document via facsimile machine does not constitute filing; filing is complete when the document is filed with the Clerk.

C. TECHNICAL REQUIREMENTS: Only plain paper (no thermal paper) facsimile machines may be used. All documents to be filed with the court shall be on size 8-1/2" x 11" bond.

D. ORIGINAL SIGNATURE: The image of the original manual signature on the fax copy will constitute an original signature for all court purposes. The original signed document shall not be substituted, except by court order. The original signed document shall be maintained by the attorney of record or the party originating

the document, for a period no less than the maximum allowable time to complete the appellate process. Upon request, the original document must be provided to other parties for review.

E. TRANSMISSION RECORD: The sending party is required to maintain a transmission record in the event fax filing later becomes an issue.

F. FAX FILING AGENCY AS INTERMEDIARY: A fax filing agency may file fax transmitted pleadings on behalf of the parties or their counsel. NO DOCUMENTS MAY BE TRANSMITTED DIRECTLY TO THE CLERK BY FAX FOR FILING. ANY DOCUMENTS SO TRANSMITTED SHALL BE REJECTED AND NOT FILED. The following requirements shall apply:

1. The fax filing agency acts as the agent of the filing party and not as agent of the court. A document shall be deemed to be filed when it is submitted by the fax filing agency, received in the Clerk's office, and filed by the Clerk. Mere transmission to or receipt by the fax filing agency will not be construed as filing.

2. The fax filing agency must meet all technical requirements under "C" of these guidelines.

3. Counsel or parties utilizing a fax filing agency will:

3.1 Ensure that additional copies necessary for filing shall be reproduced by the fax filing agency;

3.2 Ensure that the document(s) are taken to the court and filed with the court;

3.3 Ensure that on behalf of the client, attorney or litigant, pay any applicable filing fee.

G. COMPLIANCE WITH COURT RULES: The Clerk will not accept and is directed to return all document facsimiles which do not comply with this local rule.

DATED this 30th day of September, 1994.

BARBARA J. ROTHSTEIN
CHIEF UNITED STATES DISTRICT JUDGE

JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE

CAROLYN R. DIMMICK
UNITED STATES DISTRICT JUDGE

ROBERT J. BRYAN
UNITED STATES DISTRICT JUDGE

WILLIAM L. DWYER
UNITED STATES DISTRICT JUDGE

THOMAS S. ZILLY
UNITED STATES DISTRICT JUDGE

FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

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