

FILED
LOGGED
ENTERED
RECEIVED

SEP 30 1994

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

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

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.

1 Facsimile transmissions are not made directly to the
2 court.

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

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

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

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

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

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

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

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

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

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

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

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

21 3.1 Ensure that additional copies necessary for filing
22 shall be reproduced by the fax filing agency;

23 3.2 Ensure that the document(s) are taken to the court and
24 filed with the court;

25 3.3 Ensure that on behalf of the client, attorney or
26 litigant, pay any applicable filing fee.


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


4 DATED this 30th day of September, 1994.

5
6 
7 BARBARA J. ROTHSTEIN
8 CHIEF UNITED STATES DISTRICT JUDGE

9
10 
11 JOHN C. COUGHENOUR
12 UNITED STATES DISTRICT JUDGE

13 
14 CAROLYN R. DIMMICK
15 UNITED STATES DISTRICT JUDGE

16 
17 ROBERT J. BRYAN
18 UNITED STATES DISTRICT JUDGE

19 
20 WILLIAM L. DWYER
21 UNITED STATES DISTRICT JUDGE

22 
23 THOMAS S. ZILLY
24 UNITED STATES DISTRICT JUDGE

25 
26 FRANKLIN S. BURGESS
UNITED STATES DISTRICT JUDGE