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TITLE 27. CONTRACTS AND PROCUREMENTS
CHAPTER 4. ELECTRONIC FILING

CDCR 27-400 (2007)

27-400. Electronic Filing of Pleadings and Other Documents

400.1 All pleadings, motions, memoranda of law, orders, or other documents may be filed electronically through the Board's designated vendor, CourtLink Corporation ("Vendor"), which can be contacted online at www.courtlink.com. Documents may be filed as either E Documents or E Images.

Authority: District of Columbia Procurement Practices Act of 1985, as amended, *D.C. Code* §§ 2-309.01 through 2-309.8 (2001).

History of Regulations since Last Compilation by Agency(July 1988)
March 8, 2002 new at 49 DCR 2078 by the Contract Appeals Board

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CDCR 27-401 (2007)

27-401. Assignment by the Vendor of Personal Identification Numbers

401.1 Upon receipt by the Vendor of a properly executed E File Subscriber Agreement at their website, the Vendor shall assign a confidential password to the attorney or other designated representative of a party before the Board which must be used to file, serve, receive, review, and retrieve electronically filed pleadings, orders, and other documents. (A password received from the Vendor by attorneys for filing in the Superior Court of the District of Columbia may also be used to make filings to the Board.) An attorney or other authorized user shall be responsible for any use of his or her password.

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CDCR 27-402 (2007)

27-402. Maintenance of Original Document

402.1 Unless otherwise ordered by the Board, an original of all documents filed electronically, including original signatures, shall be maintained by the party filing the document and shall be made available, upon reasonable notice, for inspection by other counsel or the Board. From time to time, it may be necessary to provide the Board with a hard copy of an electronically filed document.

History of Regulations since Last Compilation by Agency(July 1988)
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CDCR 27-403 (2007)

27-403. Time for Filing and Effect of Use of E Filing

403.1 Any pleading filed electronically shall be considered as filed with the Board when the transmission is completed ("authorized date and time"). Any document filed with the Board before midnight local time at the Board's offices is filed with the Board on that date, however, for the purpose of computing time for any other party to respond, any document filed on a day or at a time when the Board is not open for business shall be deemed to have been filed on the day and at the time of the next opening of the Board for business. In the event of service via facsimile, the Vendor's system will record the date and time the fax transmission was completed as proof of service. The Vendor is hereby appointed the agent of the Board as to the electronic filing, receipt, service, and/or retrieval of any pleading or document maintained electronically. Upon filing and receipt of a document, the Vendor shall issue a confirmation that the document has been received. The confirmation shall serve as proof that the document has been filed. A filer will receive email notification of documents subsequently rejected by the Board, and may be required to refile the instruments to meet necessary filing requirements.

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CDCR 27-404 (2007)

27-404. System or User Filing Errors

404.1 If the electronic filing is not filed with the Board because of (1) an error in the transmission of the document to the Vendor which was unknown to the sending party, (2) a failure to process the electronic filing when received by the Vendor, or (3) other technical problems experienced by the filer, the Board may upon satisfactory proof enter an order permitting the document to be filed nunc pro tunc to the date it was first attempted to be sent electronically.

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CDCR 27-405 (2007)

27-405. Form of Documents Electronically Filed

405.1 Format of Electronically Filed Documents. All electronically filed pleadings shall, to the extent practicable, be formatted in accordance with the applicable rules governing formatting of paper pleadings, and in such other and further format as the Board may require from time to time.

405.2 Representations by Using a Typographical Signature. Every pleading, document, and instrument electronically filed shall be deemed to have been signed by the attorney or declarant and shall bear a facsimile or typographical signature of such person, along with the typed name, address, telephone number, and Bar number of a signing attorney. Typographical signatures shall be styled "/s/ name" and shall be treated as personal signatures for all purposes under these Rules.

405.3 Electronic Title of Pleadings and Other Documents. The electronic title of each electronically filed pleading or other document ("papers"), shall include:

Party or parties filing the paper;

Nature of the paper;

Party or parties against whom relief, if any, is sought; and

Nature of the relief sought (e.g., "Appellant's Motion to Compel Discovery and for Sanctions against Appellee").

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CDCR 27-406 (2007)

27-406. Multiple Case Filing

406.1 Where counsel is filing a pleading in consolidated cases, a single filing in the lead case is deemed to be filed in all cases consolidated with it.

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CDCR 27-407 (2007)

27-407. Electronic Service of Pleadings and Other Documents

407.1 Electronic and Facsimile Service. All parties or their representatives may make service upon other parties electronically through the EFile Service. Parties who subscribe to the Efile Service consent to receive electronic service of documents via the Efiling Service. Parties, or their designated counsel, shall receive all documents EFiled and EServed upon them via access to the Vendor's system over the Internet or, if a party or party's designee has not subscribed to the Services, via facsimile transmission. For the purposes of this Rule, service of documents via facsimile is hereby authorized in addition to those methods of service permitted in Rule 108.3.

407.2 Effect of Electronic Service of Filings. The electronic service of a pleading or other document shall be considered as valid and effective service on all parties and shall have the same legal effect as an original paper document. Proof of service required by Rule 109 shall not be necessary for electronically filed documents.

407.3 Service on Parties; Time to Respond or Act. E Service shall be deemed complete at the time a document has been received by the Vendor's system as reflected by the authorized date and time appearing on the confirmation provided, however, for the purpose of computing time for any other party to respond, any document filed on a day or at a time when the Board is not open for business shall be deemed to have been filed at the time of next opening of the Board for business. If electronic service on a party does not occur because of (1) inaccessibility to the Vendor's system; (2) an error in the Vendor's transmission of notice to the party being served, (3) the Vendor's failure to process the electronic filing for service, or (4) the party was erroneously excluded from the service list, the party to be served shall, absent extraordinary circumstances, be entitled to an order extending the date for any response or the period within which any right, duty or other act must be performed.

In the event of service via facsimile, the Vendor's system will record the date and time the fax transmission was completed as proof of service.

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TITLE 27. CONTRACTS AND PROCUREMENTS
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CDCR 27-408 (2007)

27-408. Electronic Filing and Service of Orders and Other Papers

408.1 The Board may issue, file, and serve notices, orders, and other documents electronically, subject to the provisions of these Rules.

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CDCR 27-409 (2007)

27-409. Sealed Documents

409.1 A motion to file documents under seal may be filed and served electronically. Redacted copies of documents filed under seal may be filed and served electronically, however, documents filed under seal containing privileged information shall be filed in paper form.

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CDCR 27-499 (2007)

27-499. Definitions

499.1 E Filing--Electronic transmission of an original document (pleading) to the Board via the Vendor's system. An E File consists of a document, an image, or both.

499.2 E Service--Electronic transmission of an original document (pleading) to all other designated recipients via the Vendor's system. Upon the completion of any transmission to the Vendor's system, a certified receipt is issued to the sender acknowledging receipt by the Vendor system.

499.3 E Document--An electronic file of a word processing document that contains almost exclusively text.

499.4 E Image--An electronic file of a document that has been scanned or converted to a graphical or image format.

Appendix - CourtLink Pricing

Fees are based on the size and number of transactions. A transaction is a filing to the Board and/or service of electronic documents to one or more parties.

Filing with the Board (\$ 2.00 minimum) 10 [cents] a page

Official Service (\$ 2.00 minimum)

To other CourtLink subscribers: 10 [cents] a page

To non-subscribers: 20 [cents] a page via fax

Courtesy Notification (optional)

50 [cents] per attorney notified Provides e-mail or fax notification that documents have been filed with the Board and/or served to other parties

Accessing Documents

For documents officially served on or filed by you: No charge to view, print and or download

All other documents: No charge to view, 10 [cents] a page to print and/or download (\$ 1 minimum).

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