

# Superior Court of Arizona in Maricopa County

## Electronic Filing Guidelines

### Legal Authority

The legal authority of this document is established by Arizona Supreme Court Administrative Order 2008-89 signed on November 6, 2008 and Maricopa County Superior Court Administrative Order 2007-140 signed on October 25, 2007.

### Revision History

<b>Date</b>	<b>Revision Summary</b>
10/25/2007	eFiling Guidelines adopted per Administrative Order 2007-140.
07/18/2008	Updated list of certified eFiling providers (2.2) and Reference Links (6.0).
12/01/2008	Legal Authority updated to include Arizona Supreme Court Administrative Order 2008-89; General eFiling Guidelines (2.0); File Transmission, Confirmation, Acceptance, and Rejections (2.05) (d); Civil eFiling Requirements (3.0); Permissions (3.1); Fees; (3.2); Special Circumstances (3.3); Judicial Transfers Outside an eFiling Division (3.4); Family Court fees (5.2); Re-numbered Special Circumstances (5.3); Re-numbered Judicial Transfers Outside an eFiling Division (5.4); eFiling Reference Materials and Links (6.0) .
02/05/2010	Revisions to General eFiling Guidelines (2.0), Court Hosted vs Vendor Hosted eFiling Online Site Use Policy (2.02), and File Transmission, Confirmation, Acceptance and Rejections (2.05).
03/30/2011	Updated throughout to address mandatory eFiling of civil subsequent pleadings via AZTurboCourt and associated processing changes.
05/30/2011	Revisions to eFiling Online Site Use Policy (2.02) and Civil eFiling Permissions (3.1) to reflect decommissioning of eFiling Online for civil post-initiation pleadings.
07/22/2011	Revisions to Definition of Terms (1.1) and Documents Not Permitted To Be Electronically Filed (2.09), to conform to Supreme Court Administrative Order 2010-117.
09/29/2011	Updated throughout to address eFiling in the tax court case type (TX).
01/18/2012	Updated throughout to reflect deletion of Supreme Court Rule 124 and issuance of Supreme Court Administrative Order 2011-140, which replaced Supreme Court Administrative Orders 2010-117 and 2011-10.
12/10/2012	Updated to reflect expansion of permissive eFiling in the family court case type (FC).
07/22/2013	Revisions to User ID and Electronic Signatures (2.04).
10/31/2014	Addresses issuance of AZ Supreme Court Administrative Order 2014-99, which replaces AZ Supreme Court Administrative Order 2011-140; mandatory eFiling of post-initiation tax court pleadings via AZTurboCourt (2.02 and 6.1); eFiling of Affidavits of Service via AZTurboCourt (2.09); revisions to Definition of Terms (1.1), Document Format (2.03) and Proposed Forms of Order (2.16).
07/21/2016	Revision to Documents Not Permitted To Be Electronically Filed (2.09), to permit eFiling of motions to seal; revision to Hyperlinks, Bookmarks, and Other Navigational Aids (2.03(b)).
02/01/2018	Updated for expansion of permissive eFiling to juvenile delinquency case type (JV); revision to Public Access (2.10); revisions to Special Circumstances for each case type (3.2, 4.2, 5.2, and 6.2); revised court rule citations throughout; and issuance of AZ Supreme Court Administrative Order 2017-131, which replaces AZ Supreme Court Administrative Order 2014-99.
10/26/2018	Updated throughout to reflect issuance of AZ Supreme Court Administrative Order 2018-81, which replaces AZ Supreme Court Administrative Order 2017-131.
12/18/2018	Updated section 2.05 regarding file stamp changes
09/17/2019	Removed instruction directing self-represented litigants to add the "EFILE CASE" language on conventionally filed documents in General eFiling Guidelines (2.0); revisions to Rule citations in Document Format (2.03) and Electronic Service to Other Parties (2.07); changed thumbprints to fingerprint in User ID and Electronic Signatures (2.04); removed

Information as a charging document that cannot be eFiled, correction of transfers of jurisdiction to transcript of judgment in Documents Not Permitted To Be Electronically Filed (2.09); updated to include all criminal divisions in Criminal eFiling Requirements (4.0); updated Tax Court Special Circumstances (6.2); stylistic changes throughout.

08/21/2020 Updated to reflect issuance of AZ Supreme Court Administrative Order 2020-134, which replaces AZ Supreme Court Administrative Order 2018-81. Updated section Document Format 2.03 (a) Technical Formats and Size to include .odt document type. Updated section Documents Not Permitted To Be Electronically Filed (2.09) to specify Criminal relating to charging documents; to remove case initiation documents for the civil case type; to exclude service documents related to Summons for civil case initiation and Notices related to provisional remedy applications in the civil case type; to include Election Challenge cases; to include Forfeiture cases, to include Foreign Judgments, to include Tribal Judgments. Updated section Proposed Forms of Order 2.16 to include instructions not to upload proposed forms of order/proposed judgments to the following civil case initiation documents: complaints, certificates of arbitration or affidavits. Updated section 3.1 Permissions to reflect the current Administrative Order (2020-134) that dictates permissive and mandatory eFiling

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## **1.0 Introduction**

As permitted by Section 1-506, Filing and Management of Electronic Court Documents, of the Code of Judicial Administration, electronic filing is permitted as follows in the Superior Court in Maricopa County, and shall be governed by Superior Court Administrative Order 2007-140, Arizona Supreme Court Administrative Order 2020-134, and this requirements document.

This is a dynamic document and will periodically reflect changes and updates with the electronic filing process as they are approved and directed by the Court. It is recommended that interested parties review this document on a regular basis to remain informed regarding current requirements.

### **1.1 Definition of Terms**

**Arbitrator:** A person who conducts an arbitration. In most cases the arbitrator is an attorney, either alone or as part of a panel.

**Case Management System:** The system in use by the Clerk and the Court to docket, calendar, assign, and track cases.

**Conventionally File:** Filing or service of paper documents.

**Document Management System:** The electronic document storage and imaging system maintained by the Clerk of the Superior Court.

**eFile:** Electronic transmission of an original document to the Court, and from the Court, for the purposes of filing.

**EFSP:** Electronic Filing Service Provider. A private or public entity authorized to provide eFiling services to Arizona court filers.

**Electronic Service:** Electronic transmission of a copy of the document to case participants as required by statute and Court rule and as designated by the filing party. eFiling does not include service of process or summons to gain jurisdiction over persons or property.

**Electronic Document:** An original document filed with the Clerk's Office in electronic format.

**Filing:** Documents, either electronic or paper, submitted to the Clerk for filing.

**Hyperlink:** An electronic connection or reference to another place in the document, or to a web page outside the document, such that when selected the user is taken to the portion of the document or web page to which the hyperlink refers.

**Official Parties:** Official parties to a case include named plaintiffs and defendants, as well as an attorney representing a plaintiff or defendant.

**Other Case Participants:** A person who participates in a court case who is neither a party in the case nor an attorney representing a party in the case. An example might be a probation officer, an intervenor, or a process server.

**PDF:** Portable Document Format - A file format that preserves all fonts, formatting, colors, and graphics of the original source document, regardless of the application platform used.

**Scanned Document:** An electronic image created by scanning a paper document.

**Superior Court-hosted eFiling System:** eFiling Online, the eFiling system developed by the Clerk of the Superior Court in Maricopa County, located at <https://efiling.clerkofcourt.maricopa.gov>.

## **2.0 General eFiling Guidelines**

Pursuant to Supreme Court Administrative Order 2020-134, court rules, including Maricopa County Local Rules, that require or allow paper copies to be provided to judicial divisions do not apply to electronically filed documents in the Superior Court in Maricopa County.

Any case participant with standing to file conventionally with the Superior Court may also file electronically in accordance with these guidelines and all applicable statutes and rules of court.

Self-represented litigants are exempt from any mandatory eFiling requirements.

### **2.01 Current eFiling Implementation**

All pleadings, motions, memoranda of law, orders, and other documents electronically filed shall be maintained in electronic format by the Clerk of the Superior Court as the original and official record of the Court. Specific requirements per case type are listed in sections 3.0 through 7.0.

### **2.02 eFiling Online Site Use Policy**

The Superior Court-hosted eFiling system is available at the following address for electronic filing in criminal (CR), family court (FC, FN, and DR), and juvenile delinquency (JV) proceedings, or as otherwise permitted by these guidelines:

**eFiling Online** - <https://efiling.clerkofcourt.maricopa.gov>

Pursuant to Supreme Court Administrative Order 2020-134, all attorneys are required to eFile post-initiation civil (CV) and tax court (TX) case documents through an authorized eFiling service provider (EFSP) when filing into the Superior Court in Maricopa County, unless an exception in Section (3) of the order applies. Self-represented litigants in civil and tax court cases are strongly encouraged to use an authorized EFSP for all post-initiation filings.

### **2.03 Document Format**

All electronically filed documents shall be formatted in accordance with the applicable rules governing formatting of paper documents, including Rule 1.9, Rules of Criminal Procedure; Rule 20, Rules of Family Law Procedure; Rule 2.15, Superior Court of Maricopa County Local Rules; Rule 5.2, Rules of Civil Procedure; and Rule 1, Rules of Procedure for the Juvenile Court; and in conformance with such other formats as the Court may require from time to time provided these formats do not cause participants to invest significant resources in making changes. The Clerk of the Superior Court will not reject documents that do not comply with formats not required in a specific rule of procedure, statute, administrative order, or these guidelines.

***(a) Technical Formats and Size***

A participant may electronically transmit a document in .pdf, .doc, .docx, or .odt format. A document shall not be password protected and shall not exceed 10 MB in size. Unless the court establishes special instructions, all proposed forms of order shall be submitted in .doc or .docx format.

Upon acceptance and filing by the Clerk's Office, all documents electronically filed will be converted to Portable Document Format (.pdf) in compliance with standards set forth in sections 1-504 and 1-506 of the Arizona Code of Judicial Administration. The Court may require a participant to produce the original of a scanned exhibit that has been filed electronically by the participant.

***(b) Hyperlinks, Bookmarks, and Other Electronic Navigational Aids***

Electronically filed documents may include hyperlinks, bookmarks, and other electronic navigational aids for the convenience of the judge assigned to the case. A hyperlink is not itself a part of the filed document. Each hyperlink must contain a text reference to the target of the link. As an example, the electronically filed document may contain a reference like "A.R.S. 13-602" and hyperlink that text to the URL <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/13/00602.htm&Title=13&DocType=ARS>. The foregoing notwithstanding, hyperlinks are not part of the official court record and may not be preserved in electronically filed documents submitted and stored on the Clerk's electronic document management system.

**2.04 User ID and Electronic Signatures**

The Superior Court-hosted eFiling system shall register users and provide each with a personally selected user name (ID) and password. The user name submitted in conjunction with a personally selected password shall constitute a signature of the registered participant on documents submitted to the Court or by the Court. In order to ensure the intent of the filing participant, the signature line on an electronically filed document will bear the printed name of the filing participant preceded by the symbol "/s/".

Electronic documents submitted by the Court may bear a printed name preceded by the /s/ symbol or a facsimile signature of the Judicial Officer causing the document to be filed. Documents filed via the Court's eFiling Manager (EFM) application will bear a judicial signature stamp which will be applied to the electronic document and shall be visible when the document is printed and viewed electronically.

Documents requiring the signature of the defendant or other identifying indicators, such as a fingerprint on non-electronically generated sentencing orders, shall be filed with the court in paper format, scanned, and maintained consistent with applicable record retention schedules and archival rules.

**2.05 File Transmission, Confirmation, Acceptance, and Rejections**

Upon completion of the transmission of a document for filing to the Clerk of the Superior Court, the Clerk of the Superior Court shall immediately scan the document for viruses. If the document is free from infection, the document shall be deemed received and an acknowledgement of receipt of the document shall be immediately returned to the filing participant. The document shall then be reviewed for payment of applicable fees and compliance with all standard filing practices and, if accepted, shall be deemed filed as of the date and time it was received by the Clerk's eFiling system.

If the document is infected, the document will be discarded and a notice will be sent to the filing participant that the document was infected and has not been filed with the Clerk. The Clerk shall immediately notify the filing participant if any document is rejected and the notice shall set forth the grounds for rejection. It shall be the responsibility of the filing party to resubmit any rejected document with appropriate corrections.

Documents transmitted to the Clerk by an authorized EFSP (see Sec. 2.02 above), upon acceptance by the Clerk, will be deemed filed as of the date and time they were received by the EFSP, and all notices of acceptance or rejection generated by the Clerk for documents transmitted by an EFSP will be sent to the EFSP in lieu of the filing participant.

Each document accepted for filing by the Clerk of the Superior Court shall be electronically file stamped with the time and date of filing, the name of the deputy clerk accepting the filing, and the words "Electronically Filed." This file stamp shall be applied to the electronic document and shall be visible when the document is printed and viewed on-line. Electronically filed documents are not complete without the electronic file stamp. eFilings file stamped in this manner shall have the same force and effect as documents filed in the conventional manner.

eFiled documents accepted through an automated process used by the Clerk of the Superior Court's office shall have the words "COC Auto-Accept" in place of the name of the deputy clerk.

## **2.06 Responsibility for Filing**

A participant who files a document electronically shall have the same responsibility as a person filing a document in paper format for ensuring that the document is properly filed, that it is complete and readable, and that a copy has been provided to other parties in the case.

## **2.07 Electronic Service To Other Parties**

Electronic service is currently not available through eFiling Online. If electronic service by other means is utilized, it shall comply with all applicable state and local court rules. It will remain, however, the responsibility of the filing party to confirm that other parties have received a copy of the filing. Computation of time is determined as set forth in Rule 6, Rules of Civil Procedure; Rule 5, Rules of Civil Appellate Procedure; Rules 4 and 43, Rules of Family Law Procedure; Rule 1.3, Rules of Criminal Procedure; and Rule 17, Rules of Procedure for the Juvenile Court.

## **2.08 Original Documents To Be Maintained By Filing Party**

Notwithstanding any other rules of court, a party who files any document electronically with the Clerk shall not submit a courtesy paper copy of the document to the Court. If the statute requires a pleading or affidavit to be sworn to, then the original signed affidavit or pleading must be maintained by the attorney or self-represented litigant and produced in its original form within five (5) days at the demand of another party or the Court.

Examples of documents that might require retention by the filing party include:

**Stipulations:** a hard copy can be signed by all parties and an eFiled copy can contain "/s/" signatures. However, the original hard copy should be maintained by the filing party.

**Affidavits:** an affidavit can be eFiled but the filing attorney should maintain the signed original.

## **2.09 Documents Not Permitted To Be Electronically Filed**

Notwithstanding the foregoing, the following types of documents shall be filed conventionally, unless expressly required to be filed electronically by the Court:

- Criminal charging documents, including direct complaints, indictments, and any accompanying service documents (i.e. summonses, subpoenas, and warrants).
- Any document that requires issuance by the Clerk as well as any accompanying document that requests the issuance with the exception of summonses for civil case initiation and notices relating to civil provisional remedy applications. Attorneys may electronically file the issued document. Attorneys and process servers may electronically file any proof of service document upon completion of service.
- Any document that would initiate an Election Challenge case.
- Any document that would initiate a Forfeiture case.
- Any document that would initiate a Foreign Judgment case.
- Any document that would initiate a Tribal Judgment case.

- Default judgment packets. Attorneys shall electronically file the documents to request a default judgment, such as the Application for Entry of Default, but shall submit the subsequent default judgment packet required by the Court, including the proposed order, on paper.
- Petitions for injunctions against harassment and injunctions against workplace harassment. Attorneys may electronically file a subsequent document in an injunction against harassment and injunction against workplace harassment case.
- Documents requested or ordered to be filed (lodged) under seal.
- Audio and video recordings.
- Applications and orders for deferral or waiver of court fees and/or costs.
- Earnings/continuing lien garnishment packets, except that attorneys shall electronically file the documents that make up a coversheet and earnings/continuing lien garnishment packet.
- Any documents in a civil case assigned to a probate division.
- Documents filed in any of the following case types: probate, mental health, small tax, special actions, transcript of judgment, lower court appeals, and the Gila River General Stream Adjudication case.

Exhibits and appendices to pleadings may be filed and served electronically. However, courtroom exhibits are governed by the Court's eExhibit policy (2004-013) and shall be handled in the conventional manner. Courtroom exhibits shall not be electronically filed with the Court.

## **2.10 Public Access**

The Clerk of the Superior Court shall make electronically filed and scanned documents available to case participants, the Court, and the public as permitted by applicable statutes and rules of court. The public may access electronically filed and scanned documents of public record through public access terminals located in the Clerk's Office. For the purpose of retrieving electronically maintained documents, access by the public shall be to the Clerk's electronic document management system, where official electronic documents are maintained. The Clerk shall make available paper copies of any publicly filed electronic or scanned documents at the same rate charged for copies of paper documents.

## **2.11 Lodging Documents**

Documents to be lodged with the Court and proposed orders will be transmitted electronically to the Court. See Section 2.16 below.

## **2.12 Printing of Electronically Filed Documents**

Any electronically filed document must be printable with the same content and format as if printed from its authoring program.

## **2.13 Payment of Filing Fees**

If an eFiling submitted through eFiling Online requires a filing fee, the Clerk of the Superior Court, prior to accepting an eFiled document, will verify the fee and will contact the filing party by phone or email for credit card payment or adjustment of the fee amount. For those filing participants who utilize the services of an authorized EFSP, the Court has authorized that provider to collect payment of filing fees.

## **2.14 Interruption In Service**

The Court and Clerk shall not be liable for malfunction or errors occurring in electronic transmission or receipt of electronically filed documents. Notwithstanding any other provisions of these guidelines, if the electronic filing is not filed with the Clerk because of an error in the transmission of the document that was unknown to the sending participant or a failure to process an electronic filing after receipt, the Court may enter an order permitting the document to be filed nunc pro tunc to the date it was sent electronically.

## **2.15 Court Orders and Judgments**

The Court may issue, file, and serve notices, orders, and other documents electronically in an eFiled case subject to the provisions of this requirements document. Where a Clerk is required to endorse a document, the typed name of the Clerk shall be deemed to be the Clerk's signature on an electronic document.

## **2.16 Proposed Forms of Order**

A proposed form of order or judgment shall be uploaded as a supporting document to a motion, which should be the Main Document, or to a stipulation or notice. Filing parties shall not combine the proposed order or judgment with a motion, stipulation, or notice and file them as one document. If a proposed form of order is submitted as a main document, it will be lodged with the Court along with any supporting exhibits, but only the proposed order will be filed into the case file, and only after it is signed by the judicial officer. Supporting exhibits shall be submitted with a motion, stipulation, or notice. All proposed forms of order and judgments shall be submitted in .doc or .docx format.

When an eFiling submission is submitted for civil case initiation, proposed forms of order or judgment shall not be uploaded as a supporting/attached document to Complaints, Certificates of Arbitration, or Affidavits. If a proposed form of order or judgment is submitted as a supporting/attached document to one of the aforementioned Main Documents, it will not be submitted to a judicial division and it will not be part of the court record.

## **3.0 Civil eFiling Requirements**

eFiling in the civil case type may occur on cases assigned to any division.

### **3.1 Permissions**

Pursuant to Supreme Court Administrative Order 2020-134, all attorneys are required to eFile civil case documents and post-initiation tax (TX) documents through an authorized EFSP when filing into the Superior Court in Maricopa County, unless an exception in Section (3) of the order applies. Self-represented litigants in civil cases are strongly encouraged to use an authorized EFSP for all civil filings and all post-initiation tax (TX) documents.

Please refer to section 2.09 of this document regarding specific documents that are not permitted to be eFiled under any circumstances.

### **3.2 Special Circumstances**

The court may establish special instructions for eFiling in the civil case type.

Any eFiled document is subject to rejection for a variety of reasons, such as wrong case number or caption, and you may be required to refile a corrected document. The judicial officer will determine if any filing deadlines will be extended as a result of the rejection of an eFiled document.

The judicial officer assigned to a civil case may choose to order the filing party to electronically refile any document that is not in compliance with the Supreme Court's mandatory eFiling order and filed conventionally. Until the document is refiled electronically, the judicial officer may choose to not consider the pleading. The judicial officer will determine if any filing deadlines will be extended as a result of the rejection of the non-eFiled document.

## **4.0 Criminal eFiling Requirements**

eFiling in the criminal case type may occur on cases assigned to any division.

### **4.1 Permissions**



eFiling in criminal cases is considered permissive. Parties involved in criminal cases will be allowed to eFile pleadings or conventionally file their pleadings. Please refer to section 2.09 of this document regarding specific documents that are not permitted to be eFiled under any circumstances.

#### **4.2 Special Circumstances**

The court may establish special instructions for eFiling in the criminal case type.

Any eFiled document is subject to rejection for a variety of reasons, such as wrong case number or caption, and the filer may be required to refile the corrected document via the Superior Court-hosted eFiling system. The judicial officer will determine if any filing deadlines will be extended as a result of the rejection of an eFiled document.

#### **5.0 Family Court eFiling Requirements**

eFiling in the family court case type may occur on cases assigned to any division.

##### **5.1 Permissions**

eFiling in family court cases is considered permissive. Parties involved in family court cases assigned to any division will be allowed to eFile pleadings, or conventionally file their pleadings. Please refer to section 2.09 of this document regarding specific documents that are not permitted to be eFiled under any circumstances.

##### **5.2 Special Circumstances**

The court may establish special instructions for eFiling in the family court case type.

Any eFiled document is subject to rejection for a variety of reasons, such as wrong case number or caption, and the filer may be required to refile the corrected document via the Superior Court-hosted eFiling system. The judicial officer will determine if any filing deadlines will be extended as a result of the rejection of an eFiled document.

#### **6.0 Tax Court eFiling Requirements**

eFiling in the tax court (TX) case type may occur on cases assigned to any division.

##### **6.1 Permissions**

Pursuant to Supreme Court Administrative Order 2020-134, all attorneys are required to eFile post-initiation tax court (TX) case documents through an authorized EFSP when filing into the Superior Court in Maricopa County, unless an exception in Section (3) of the order applies. Self-represented litigants in tax court (TX) cases are strongly encouraged to use an authorized EFSP for all tax court post-initiation filings. Please refer to section 2.09 of this document regarding specific documents that are not permitted to be eFiled under any circumstances.

##### **6.2 Special Circumstances**

The court may establish special instructions for eFiling in the tax court case type.

Any eFiled document is subject to rejection for a variety of reasons, such as wrong case number or caption, and the filer may be required to refile a corrected document. The judicial officer will determine if any filing deadlines will be extended as a result of the rejection of an eFiled document.

The judicial officer assigned to a tax court case may choose to order the filing party to electronically refile any document that is not in compliance with the Supreme Court's mandatory eFiling order and filed conventionally. Until the document is refiled electronically, the judicial officer may choose to not consider the pleading. The judicial officer will determine if any filing deadlines will be extended as a result of the rejection of the non-eFiled document.

## **7.0 Juvenile Court eFiling Requirements**

eFiling in the juvenile delinquency (JV) case type may occur on cases assigned to any division.

### **7.1 Permissions**

eFiling in juvenile delinquency cases is considered permissive. Parties involved in juvenile delinquency cases assigned to any division will be allowed to eFile pleadings, or conventionally file their pleadings. Please refer to sections 2.09 and 7.3 of this document regarding specific documents that are not permitted to be eFiled under any circumstances.

### **7.2 Special Circumstances**

The court may establish special instructions for eFiling in a juvenile case type.

Any eFiled document is subject to rejection for a variety of reasons, such as wrong case number or caption, and the filer may be required to refile the corrected document via the Superior Court-hosted eFiling system. The judicial officer will determine if any filing deadlines will be extended as a result of the rejection of an eFiled document.

### **7.3 Juvenile Documents Not Permitted To Be Electronically Filed**

- All documents listed in section 2.09 above.
- Any document, including proposed orders, requested or ordered to be filed under seal or maintained as confidential and withheld from public inspection.

## **8.0 eFiling Reference Materials/Links**

- [Clerk of the Superior Court eFiling Web Site](#)
- [eFiling Guidelines, Rules and Statutes](#)
- [Clerk of the Superior Court](#)
- [eFiling Help and FAQs](#)

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