
TETON COUNTY CLERK OF DISTRICT COURT MEMORANDUM

TO: TETON COUNTY DISTRICT COURT PARTIES, ATTORNEYS & PARTNERS

FROM: ANNE C. SUTTON, CLERK

SUBJECT: DEC 7TH RULE CHANGES REGARDING EMAILED INFORMATION

DATE: DECEMBER 3, 2020

CC: 9TH JUDICIAL DISTRICT JUDGES (JUDGE DAY, JUDGE CONDER, JUDGE TYLER)

PLEASE NOTE: On October 6th the WY Supreme Court issued long term court rule changes related to emailed documents that go into effect this coming Monday, December 7th. The new rules eliminate many previous electronic filing requirements and restrictions that were in place prior to the 2020 emergency rule adjustments related to early pandemic phases. Examples of the updates are:

- Emergency circumstances and a 10-page maximum will no longer apply statewide.
- Emailed pleadings (compliant with rules and with proper signature and attest) will be printed and serve as the permanent record. Originals will not need to follow in the mail as a second step.

Please carefully review the new rules for expectations and responsibilities regarding acceptable email filings. These rules will help protect the integrity of the filing process and the official case record. Email filing requirements include but are not limited to:

- Phone call notification remains required in all instances. Email filings will ONLY be accepted at our designated email filing address that you will receive when you call.
- Signatures on emailed filings must comply with rules specific to email filing signatures (see p. 2).
- Case numbers must be in the subject line and each filing must be a separate PDF.
- Items over 50 pages in length require prior phone permission by this office to review any size limitations that may apply*.
- Clerk's office staff will print compliant email filings as the official filing for the physical record.
- A \$1/page electronic filing fee (that existed prior to emergency rules) must be paid within 10 days. The emergency pandemic rule that temporarily waived the email filing fee has expired.
- **Initial pleadings and applications for civil writs can only be filed in paper / original form.**
- **Confidential documents and information cannot be filed by email.**
- **Clerks may reject email filings that are not compliant with the email filing rules.**
- See <https://www.courts.state.wy.us/wp-content/uploads/2020/10/Order-WRCP-4-5-and-39.pdf>
- *Other counties may have different notification requirements for their operational circumstances.

Teton County District Court's email filing confirmation process will include a file stamped page returned by email reply to the filer. Email filing reply and confirmation practices will vary by county.

- This Teton County practice is subject to change by the Clerk if operational circumstances require.

PLEASE ALSO NOTE: Case records requested to be sent via email will incur a \$1/page fee.

- In Teton County District Court, case summary docket sheet requests will be emailed for no fee.
- The \$1/page fee will apply only to specific case documents requested.
- See <https://www.courts.state.wy.us/wp-content/uploads/2020/10/Order-DC-cost-rule-4.pdf>

WY RULES OF CIVIL PROCEDURE SPECIFIC TO SIGNATURES ON EMAILED FILINGS

Rule 5 (E) (3) (B) as represented at https://www.courts.state.wy.us/wp-content/uploads/2017/05/WYOMING-RULES-OF-CIVIL-PROCEDURE_10_08_20.pdf on 12/1/2020 with select areas highlighted by the Clerk.

Effective December 7, 2020

* * * * *

Rule 5. (Effective December 7, 2020) Serving and filing pleadings and other papers.

(e) Filing with the court defined. —

(3) Papers filed by electronic means must comply with the following:

(B) the party or attorney making the filing may use

- (i) a scanned original signature, or
- (ii) may use a conformed signature. A conformed signature is used to indicate a real signature in place of an original. For example “/s/ Jane Doe.”

Whether a scanned original is used or a conformed signature is used, the signature line of the filing shall be accompanied by an attestation that an original signature is on file with the person who made the filing.

The following form would constitute a conformed signature and an attestation:

/s/ Jane Doe
Jane Doe
Counsel for Petitioner

I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this electronically filed document.

(iii) All notarized documents must be filed as scanned originals.