

IN THE COMMON PLEAS COURT OF GALLIA COUNTY, OHIO  
GENERAL CIVIL AND CRIMINAL DIVISIONS

IN RE: ELECTRONIC FILING  
OF COURT DOCUMENTS

ADMINISTRATIVE ORDER

The following ORDER is effective November 27, 2023.

As of November 27, 2023, e-Filing is permissive and discretionary in all of the following case types and at a later time, e-Filing will be mandatory for the following case types as outlined below:

**Civil Case Type:**

- Administrative Appeals
- Domestic Relations – All Domestic case types
- Foreclosure
- Personal Injury
- Products Liability
- Professional Tort
- Other Civil including any commercial docket and cognovit, but **excluding** civil stalking, domestic violence, or sexually-oriented offense protection orders
- All other case types except for petitions for Court ordered motor vehicle and watercraft titles, and garnishment proceedings

**Criminal Case Type:**

- All cases

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GALLIA COUNTY, OHIO  
S18 P 586

**I. DEFINITION OF TERMS**

The following terms in this Order shall be defined as follows.

**A. Case Type**

A case type that has been designated by the Local Rule as being mandatory for e-File case.

**B. Case Management System (CMS)**

A system that manages the receipt, processing, storage and retrieval of data associated with a case and performs actions on the data.

**C. Document Management System (DMS)**

A system that manages the receipt, indexing, storage and retrieval of electronic documents associated with a case.

**D. Clerk Review**

A preliminary review of electronically submitted documents by the Clerk in accordance with Court rules, policies, procedures and practices. Court clerks will preliminarily review the data and documents to ensure their compliance with Court rules, policies and procedures prior to accepting the documents and sending them to the Case Management System and Document Management System. If the submitted documents comply, they will be accepted by the Clerk for e-Filing. If the submitted documents do not comply, they will be rejected for e-Filing and the Clerk shall notify the filer of the deficiency or problem with the submission.

**E. Confidential or Confidentiality**

All documents submitted for e-Filing shall not be considered a public record until accepted by the Clerk, and shall remain confidential thereafter if so entitled to confidentiality under rule or law.

**F. E-File ID**

A number that is assigned to a filing upon submission to the CMS.

**G. Court Electronic Record**

Any document that the Court receives in electronic form, records in the CMS and stored in its DMS. This includes Court initiated filings as well as pleadings, other documents and attachments created by parties or their counsel. This does not include physical exhibits brought into the courtroom for the Court or jury's edification that cannot be captured in electronic form.

**H. Document**

A filing made with the Clerk, in either electronic format or paper form that is then converted to an electronic record, not to include electronic media (CD's, transcripts, etc), becoming the Court's official record.

**I. Electronic Filing (e-Filing)**

The electronic transmission, acceptance and processing of data, one or more documents and/or images. **This definition of electronic filing does not apply to facsimile or email.**

**J. Electronic Service (e-Service)**

The electronic transmission of a notice of a filing to all other electronically registered case participants via the e-Filing system.

**K. Electronic Signature**

An electronic sound, symbol or process that is attached to, or logically associated with, an electronic record and executed or adopted by a person with the intent to sign the electronic record.

**L. Filer/Filing Party**

Any person, agency or entity that is filing a document in a case pending in the Gallia County Common Pleas Court. The use of the word's "filer" and "filing party" shall include party and non-party filers.

**M. Pro se Party**

A person in the case representing themselves in court without the assistance of an attorney.

**N. Public Access Terminal**

A terminal is located in the Clerk's office and the Law Library for use by the public. Users shall be charged for printed copies of documents at rates permitted by law.

**O. Registered User**

A person who has read and agreed to the terms of the e-Filing System's User Agreement, has provided their credentials through the e-Filing System proving their identity, and has been provided with a user name and password through the e-Filing System.

**II. REGISTRATION IN E-FILE SYSTEM:**

Instructions for registering with the e-Filing system and how-to e-File may be found at the CourtView homepage for the Gallia County Clerk of Court of Common Pleas at:

<https://eaccess.gallianet.net/eservices/home.page.2>

- A. In all mandatory cases, all counsel of record shall register with the Clerk's e-File system to file, serve, receive, review, and retrieve copies of e-Filed pleading, orders, and other documents in the case.
- B. *Pro Se* parties are encouraged to register with the Clerk's e-File system. *Pro se* litigants (persons representing themselves without an attorney) are exempted from mandatory e-Filing and may file in the traditional method of providing their paper documents to the Clerk for filing.
- C. If a party or counsel of record does not have internet access, the party or counsel of record may use the Public Access Terminal to register and use the Clerk's e-File system during regular office hours.

**III. ELECTRONIC FILING IN MANDATORY E-FILE CASE TYPES**

Once e-Filing becomes mandatory, all pleadings, motions, briefs, memoranda of law, deposition transcripts, transcripts of proceedings, orders and other documents submitted by any person, agency or entity in designated mandatory e-File case types shall be filed electronically through the e-Filing System. The Clerk shall not accept for filing or file any document(s) in paper format in mandatory e-File cases, excluding *pro se*, except in extraordinary or emergency proceedings, as determined by the judge.

**IV. REGISTERED USERS AND AUTHORIZATION IN MANDATORY E-FILE CASE TYPES**

**A. DOCUMENTS SUBMITTED IN PERSON**

If an attorney representing a party, or an attorney's employee, or any other person/filer on behalf of an attorney presents a document in person to the Clerk's office for filing in hard-copy/paper-format, and that person/filer is not a registered user of the e-Filing system, the filer shall be directed to the Public Access Terminal station for registration purposes provided they have an email address that they can readily access and view documents. Once the filer is a registered user of the e-Filing system, the document(s) can be submitted through the e-Filing system.

**B. DOCUMENTS RECEIVED BY MAIL OR FACSIMILE FROM ATTORNEYS IN MANDATORY E-FILING CASES**

1. If the Clerk receives, via mail, documents to be filed from an attorney, the document(s) will be returned to the filer with instructions on how to register as a user of the e-Filing system and how to submit the document(s) electronically.
2. If the Clerk receives, via facsimile, documents to be filed from an attorney, the document(s) will be returned to the filer with instructions on how to register as a user of the e-Filing system and how to submit the document(s) electronically.

**C. AUTHORIZATION**

Parties to an assigned e-File case, who are represented by counsel, shall promptly take steps to allow their counsel to file, serve, receive, review and retrieve copies of the pleadings, orders and other documents filed in the case(s) electronically. By definition, parties filing electronically or receiving electronic service of any documents filed shall become participants in the e-Filing System.

**D. CONFIDENTIAL AND UNIQUE ELECTRONIC IDENTIFIER**

Upon registration, the e-Filing system shall assign to the party and/or the party's designated representative(s), who will now become registered user(s) of the system, a confidential and unique electronic identifier, i.e., a user name. Registered users will also choose a password that will be used, along with the user name, to file, serve, receive,

review and retrieve electronically filed pleadings, orders and other documents filed in the assigned case.

**Each person who is a registered user of the e-Filing system shall be responsible for the security, use and confidentiality of their unique user name and password.**

All documents filed electronically will be deemed to be made with the authorization of the party who is assigned to the specific unique electronic identifier, unless the party demonstrates to the Court otherwise, by clear and convincing evidence.

**E. PRO SE LITIGANTS**

If the *pro se* litigant has not provided an e-mail address for themselves, the Clerk will note in the e-Filing system that the *pro se* party will not receive electronic notification. If the *pro se* litigant has provided such an e-mail address, the *pro se* litigant will receive electronic service and notification.

The Clerk may process, subject to Clerk review, *pro se* documents, provided that the required deposit and/or filing fees have been paid or filed an affidavit of indigency. All subsequent filings in any case so initiated, may be similarly filed.

**V. DEPOSITS AND FEES**

In all e-Filing case types, deposits as security for costs, filing fees and all other costs shall be paid by credit card at the time a document is submitted for e-Filing.

When paying *pro se* parties file paper documents, deposits as security for costs, filing fees and all other costs shall be paid by a method approved by the Clerk at the time a document is submitted for filing.

Prisoners and some *pro se* filers who qualify for indigent status, along with some government agencies, will need to have their deposits deferred, and the Clerk will need to validate that those parties are in fact indigent or that they represent a qualifying government agency. Agencies and others may make application and be exempted if authorized by the Court.

E-Filing fees and court costs can be found on the Gallia Clerk of Courts website:

**A. APPROVAL OF AFFIDAVIT OF INDIGENCE/INDIGENCY:**

**1. IN-PERSON PRESENTATION OF AFFIDAVIT OF INDIGENCE/INDIGENCY**

- a. When an indigent party presents to the Clerk, in person, documents to be filed, and those documents are accompanied by an affidavit of indigency, the Clerk will file said documents.

- b. Unless the indigent party has provided an e-mail address for themselves, the Clerk shall note in the e-Filing system that the indigent party will **not** receive electronic notification.
- c. The affidavit of indigency will then be reviewed by the Judge/Magistrate assigned to that case.
- d. In the event the affidavit of indigency is rejected by the assigned Judge/Magistrate and, after proper notice, the indigent party fails to pay the applicable filing fees and deposit as security for costs, the case will be **dismissed**.

**2. WHEN AFFIDAVIT OF INDIGENCY IS MAILED TO THE CLERK**

- a. When an indigent party mails to the Clerk documents to be filed, and the documents are accompanied by an affidavit of indigence, the Clerk shall file the documents;
- b. Unless the indigent party has provided an e-mail address for themselves, the Clerk shall note in the e-Filing system that the indigent party will not receive electronic notification.
- c. The affidavit of indigency will then be reviewed by the Judge/Magistrate assigned to that case.
- d. In the event the affidavit of indigency is rejected by the assigned Judge/Magistrate and, after proper notice, the indigent party fails to pay the applicable filing fees and deposit as security for costs, the case will be **dismissed**.

**B. FEE DEFERRAL FOR CERTAIN GOVERNMENT AGENCIES**

If a filer is a government agency or other entity from which pre-payments are not required by statute, rule or practice, the documents submitted for e-Filing by that filer must include a clear indication that they are filed by, or on behalf of, an agency or entity to deferral or, or exemption from, the payment of deposits as security for costs or pre-payments that would otherwise be required in connection with the filing.

**VI. COLLECTION OF FILING DEPOSITS AND FEES**

The authorized e-Filing system will establish a method for accepting payments of deposits and fees electronically, including the process for filing an affidavit of indigency.

**VII. PUBLIC ACCESS TERMINAL STATIONS AND PRINT CHARGES**

The public can view and print e-Filed documents on public access terminal stations. Users shall be charged for printed copies of documents at established rates. Alternatively, certified copies of documents may be obtained from the Clerk upon paying related fees set forth by the Clerk.

**VIII. FORMAT OF DOCUMENTS ELECTRONICALLY FILED**

**A. SIZE OF FILING**

Submissions shall be limited to ten megabytes (10MB) in size. Any combination of documents in one submission shall not exceed twenty-five megabytes (25MB) in size.

**B. FONT STYLE AND SIZE**

Typewritten and (hand) printed documents created for e-Filing by person, agency or entity, shall be double-spaced on 8-1/2" x 11" paper and at least 12-point type regular type font.

**C. DOCUMENT TYPES**

1. All documents, motions, pleadings and papers shall be filed in a PDF format.
2. All proposed orders and entries shall be filed in Microsoft Word document format.

**D. SIGNATURES**

**1. ATTORNEY'S / FILER'S SIGNATURE**

Any document filed electronically with the Clerk that requires an attorney's/filer's signature shall be signed with a conformed signature of "/s/ (name) or electronic signature" which will be accepted as if signed by hand for purposes of e-Filing. All information listed below shall be included. The attorney's/filer's signature may be displayed as follows and the information following the signature is preferred in the following format:

/s/Attorney  
Attorney Name  
Supreme Court ID Number 1234567  
Attorney for (Plaintiff or Defendant) XYZ Corporation  
ABC Law Firm  
Address  
Telephone  
Fax  
E-mail

The conformed signature on an electronically filed document, submitted through the use of the attorney's/filer's unique username and password, is deemed to constitute a legal signature on the document(s) for purposes of the signature requirements imposed by the Ohio Rules of Superintendence, Rules of Civil Procedure, Rules of Criminal Procedure and/or any other law.

The attorney/filer who signs the electronically filed document shall be the attorney/filer whose unique username and password are used to file the document.

## **2. MULTIPLE SIGNATURES**

When a stipulation or other document(s) requires two or more signatures:

- a. The attorney/filing party shall sign the stipulation or document(s) themselves as follows: *"/s/John Smith"*
- b. The attorney/filing party shall then confirm in writing that the contents of the document(s) are acceptable to all persons required to sign the document. The attorney/filer will indicate the agreement of all other counsel and/or parties at the appropriate place in the document(s), usually on the signature line.
- c. The attorney/filing party shall then file the document(s) electronically, identifying all of the other signatories as follows: *"/s/ Jane Doe, per written authorization, by John Smith,"* etc.

## **3. THIRD-PARTY / ORIGINAL SIGNATURES**

A document containing the signature of a third-party who is not a party to the action (i.e. affidavit or other notarized documents) shall be electronically filed in a PDF format.

- a. The attorney/filer shall maintain the signed document(s) in the filer's records and have it available for production upon request of the Court; and
- b. **The signed document(s) shall be maintained until the case is closed and the time for appeal has expired, or the appeals have been heard and all opportunities for post judgment relief are exhausted.**

## **4. JUDGE / MAGISTRATE'S SIGNATURE**

Electronic documents may be signed by a Judge/Magistrate via an electronic signature. All decisions, orders, decrees, judgments and other documents electronically signed, shall have the same force and effect as if the Judge/Magistrate had affixed their signature to a paper copy of the document.



**IX. FILING DATE AND TIME OF ELECTRONICALLY FILED DOCUMENTS**

The Clerk will only process submissions between 8:00 am – 4:00 pm on a court business day. Any document submitted outside of these hours, will be considered submitted the next court business day.

The Clerk will review submissions in the chronological order in which they were received. If the document is accepted for filing, the document will be file stamped with the date and time the Clerk has accepted the document into the CMS system.

Civ. R. 6 is not changed by this provision.

- A. Upon receipt of an electronic document submitted for filing, the e-Filing system shall issue to the e-Filer a confirmation that the submission has been received. The confirmation notice shall include the date and time of receipt and shall serve as proof of receipt of the submission.
- B. In the event the Clerk rejects a submitted document following the Clerk Review; the document shall not be deemed filed and the filer will be required to re-file.
- C. If a document submitted for e-Filing has been accepted by the Clerk after Clerk Review, the document will receive an official time stamp. This stamp will include the date and time that the clerk has accepted the document to the CMS system. If the submission is accepted, the document shall be docketed and filed during the 8:00 am – 4:00 pm court business day.
- D. Any documents submitted for e-Filing by the Court, shall be deemed to have been filed as of the date and time of submission. A review and acceptance by the Clerk, may delay the posting of the document(s); however, the submission constitutes filing of the document(s) for all purposes of the Ohio Civil Rules, Ohio Criminal Rules, Rules of Superintendence, and the Local Rules of this Court.

**X. ELECTRONIC FILING AND SERVICE OF ORDERS AND OTHER PAPERS:**

For designated e-File case types, the Court shall issue, file, and serve notices, orders, and other documents electronically, subject to the provisions of this Rule.

**XI. ELECTRONIC SERVICE OF FILINGS AND OTHER DOCUMENTS**

**A. DOCUMENTS THE CLERK IS REQUIRED TO SERVE**

For all documents that require service by the Clerk or documents for which a party is requesting that service be made by the Clerk, Instructions for Service shall be filed as a separate document. The Clerk shall not accept Instructions for Service that do not

designate the names and addresses of the parties to be served. If the address of the party to be served is unknown, the filer shall substitute "unknown" for the address.

When submitting any Complaint or Third-Party Complaint for electronic filing, the filing party shall also request service through the e-Filing System in accordance with the Ohio Rules of Civil Procedure. E-Service shall not replace the methods of service of pleadings prescribed in the applicable Rules of Procedure.

**B. ALL OTHER DOCUMENTS**

It shall be the responsibility of the filing party to serve all filings subsequent to the pleadings on all other parties in an e-File case. The filing party shall make service upon all other registered users of the e-Filing System electronically via the Court's authorized e-Filing System. Parties, or their designated counsel, shall receive all documents electronically filed and electronically served upon them via access to the e-Filing System.

**C. INDICTMENTS IN CRIMINAL CASES**

Indictments in criminal cases, when e-Filing becomes mandatory, shall be filed through the Court's e-File system in compliance with these Rules and shall be served on defendants according to the Ohio Rules of Criminal Procedure.

**D. DOCUMENTS FILED SUBSEQUENT TO COMPLAINT OR INDICTMENT**

Unless the e-filer requests service by the Clerk and files the Instructions for Service, the e-filer, not the Clerk, shall be responsible for serving all documents filed subsequent to the original complaint or indictment on all parties or their attorneys.

When a submission is deemed filed, the e-File system shall generate a Notification of Electronic Filing to the e-filer and any other party who is a registered user of the e-File system. The Notification of Electronic Filing shall constitute service.

E-Service of documents subsequent to the complaint or indictment shall be considered valid and effective service and shall have the same legal effect as an original paper document.

The filer shall serve a paper copy of the document on all pro se parties who are not registered users of the Court's e-File system.

Certificate of Service is still required when a party files a document electronically.

The filing party is also responsible for the service of any proposed orders and entries submitted to the Court through the e-Filing system.

Parties served electronically shall no longer be entitled to the three-day extension of time to respond that they would otherwise be entitled to if they were served by mail or by a commercial carrier service.

**1. SERVICE COPIES**

If paper copy service is requested, the Clerk shall cause service copies to be produced in lieu of service copies being furnished by the parties. The Clerk shall charge a fee and shall assess those fees as costs against the funds on deposit.

**2. FAILURE OF ELECTRONIC SERVICE**

If the e-File system fails to generate the Notice of Electronic Filing, the party to be served may be entitled to an order extending the date for any response or the period within which any right, duty or act must be performed.

**XII. PERSONAL AND PRIVATE INFORMATION IN DOCUMENTS FILED WITH THE CLERK**

- A. DEFINITION:** Personal and private information includes, but is not limited to, social security numbers, financial account numbers, names of minors, information protected by law from public disclosure, or other personal identification numbers.
- B. EXCLUSION:** The filer shall not include personal and private information in any document filed with the Court unless such inclusion is necessary and relevant to the case, unless it is filed as a separate document-such as the Personal Identifier Information Sheet, which is a secure document not subject to public record.
- C. REDACTION:** If personal and private information is necessary and must be included in a document, **the filer shall redact** the personal and private information from the document in the following manner:
1. For social security numbers, financial account numbers, or other personal identification numbers, all but the last four digits of the number shall be redacted.
  2. For minors, only the child's initials shall be included.
  3. For any other personal or private information, the information shall be replaced with "[REDACTED]".
- D. RESPONSIBLE PARTY:** *The filer is responsible and liable for redacting personal and private information. The Clerk shall not review each document for compliance with this Rule.*
- E. ENTRIES AND ORDERS:** Personal and private information required to be included in entries and orders shall be redacted.

**XIII. EXCEPTIONS TO E-FILING (WHEN NECESSARY)**

The following types of documents shall be filed conventionally:

- A. Exhibits, attachments, or other documents that may not be comprehensibly viewed in a .pdf shall be filed in their physical form with the Court.
- B. All documents related to Civil Protection Orders, Certificates of Judgment and Execution of Judgment may be filed in paper form with the Clerk.
- C. Pro se or self-represented parties who are not registered users of the Court's e-File system may initially file documents in paper form with the Clerk in person, by U.S. Mail, or by using the Clerk's Public Access Terminal, pending registration as a user.
- D. Bonds filed in criminal cases may be filed in paper form with the Clerk.
- E. Subpoenas which are to be issued by the Clerk may be filed in paper form with the Clerk.
- F. Motion, Entry, and Certification for Appointed Counsel Fees may be filed in paper form, subject to the discretion of the Court.

**XIV. OFFICIAL COURT RECORD**

For documents that have been e-Filed, or documents that have been filed in paper format that have been scanned-in and uploaded to the e-Filing system, the electronic version of that document constitutes the official Court record. e-Filed documents have the same force and effect as those filed by traditional means.

**SO ORDERED**



A handwritten signature in cursive script that reads "Margaret Evans". The signature is written in black ink and extends across the width of the line below it.

Margaret Evans, Judge

Gallia County Common Pleas Court, General Division