

**ADMINISTRATIVE ORDER 2006-05
THIRD JUDICIAL DISTRICT**

ORDER REGARDING ELECTRONIC FILING IN CIVIL AND PROBATE CASES

The following guidelines shall apply to all district court civil (CV) and probate (PR) cases filed in 3rd Judicial District Courts effective June 1, 2006. Commencing June 1, 2006, the Clerk of the Combined Courts in both Huerfano and Las Animas County will only accept district court civil and probate pleadings filed electronically. All counsel shall electronically file all pleadings, motions, briefs, exhibits and other documents using the LexisNexis File & Serve service or any service provider subsequently approved by the Colorado Supreme Court. In cases filed prior to the commencement date, counsel shall begin to file electronically all new documents in these cases June 1, 2006.

1. All counsel should refer to C.R.C.P. Rule 121 section 1-26 for the complete electronic filing requirements. The rule outlines how pleadings shall be electronically filed and served, and how original documents are maintained by counsel.

2. All counsel shall electronically file and serve, in accordance with C.R.C.P. 121 §1-26, all pleadings, motions, briefs, affidavits, exhibits, and all other documents using the LexisNexis File & Serve service. *All returns of service shall also be filed electronically with the court.* In probate cases, a scanned copy of the will shall be filed with the Application or Petition for Probate, which shall be the originating document. The original will, if not already in possession of the court, and if not lost, destroyed, or otherwise unavailable, or if no authenticated copy of the will probated in another jurisdiction accompanies the petition, shall be filed with the Court.

3. Documents filed under seal, petitions to seal criminal records, and county and municipal court appeals shall be exempt from this Order. A motion for leave to file documents under seal shall be E-Filed, however documents and exhibits submitted to the Court under seal must be filed in paper format, in a sealed envelope marked "Sealed" with the case caption and the title of the enclosed documents on the outside of the envelope. These documents will not be scanned and uploaded into LexisNexis File and Serve.

4. All documents relating to a single pleading or paper should be filed electronically as separate documents, but within a single transaction. For example, a motion shall be filed as a main document, while exhibits and other related documents shall be filed as supporting documents within the same transaction. All proposed orders shall be submitted in the same transaction but shall be a separate document. *Proposed orders shall be submitted in Word or Word Perfect format and shall not be scanned because such filings prevent the Court from editing them as needed.*

5. A party who is not represented by an attorney shall continue to file documents in the traditional paper format, and the Clerk of Court will scan and upload the necessary documents to LexisNexis File & Serve. *Counsel shall transmit documents to unrepresented parties or personally serve such parties as required by the Colorado Rules of Procedure.*

6. In all district court civil and probate cases, all judicial rulings, opinions, orders, and other communications from the court shall be electronically filed and LexisNexis File and Serve will mail these communications to any unrepresented parties.

7. For additional information regarding electronic filing, fees, service of documents, and training, the Court encourages all counsel to visit the LexisNexis File & Serve website at <http://www.lexisnexis.com/fileandserve>. For technical assistance and customer service, please contact LexisNexis File & Serve customer service at (888) 529-7587.

Dated April 3, 2006.

BY THE COURT:

Original Signature on File

Claude W. Appel, Chief District Judge