

**STATE OF MAINE
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-05-12

FILING METHODS: USE OF FACSIMILE MACHINES

Effective: August 1, 2005

This Order applies to the facsimile equipment, including both dedicated facsimile machines and fax/modems contained in computers, owned by or located in the offices of the Judicial Branch.

Electronic filing of pleadings is not currently authorized by the Maine Rules of Civil Procedure, but it may be authorized in limited circumstances by Administrative Order.

Facsimile documents are not acceptable substitutes for signed original documents required by the Maine Rules of Civil Procedure and will not be accepted as filings. Except as otherwise provided in this Order, documents transmitted by facsimile may not be retained in a case file or docketed by a clerk. If an attempt is made to file pleadings or other documents by facsimile, the clerk shall dispose of the documents, and shall attempt to transmit a form notice of disposal back to the sender.

Pleadings and court orders that have, in fact, been filed in any court may, in circumstances where immediate use of documents at a second location is necessary for the efficient conduct of court business, be transmitted from one court location to another and utilized by the second court as though the documents were signed originals. In such circumstances, the clerk from the originating court shall complete a fax cover sheet, which describes the nature and length of the transmitted documents in a manner which will allow the second clerk to confirm that all transmitted documents are authentic and have been received.

The receiving court may utilize the documents for all purposes as if they had been filed or generated in that court. If additional documents or orders are generated in the receiving court, they shall be transmitted to the originating

court and the documents shall be filed and docketed in the record maintained by the originating court.

Either the originating or receiving court may copy the documents in its possession from the other court, and, if the interests of justice are served, the clerk of either court may attest the copies as if the originals had been filed or generated in that court.

Transmission of correspondence, memoranda, court orders, and other documents which are not pleadings between courts or between courts and other governmental agencies is authorized.

For the Court,

/s/
Leigh I. Saufley
Chief Justice

Promulgation Date: June 29, 2005

Historical Derivation of JB-05-26

Adoption Of Project Rules To Permit Electronic Filing Of Complaints For Protection From Abuse JB-01-05, Dated: November 26, 2001 expired August 1, 2003

Signed by: Robert W. Clifford, Senior Associate Justice, Maine Supreme Judicial Court; Jon D. Levy, Chief Judge, Maine District Court

Use of Facsimile Machines

AO SJC 114. Dated: November 22, 1996

Signed by: Daniel E. Wathen, Chief Justice, Maine Supreme Judicial Court

OTHER ORDERS RELATED TO FILING

Notice to All Persons Filing Documents with the Portland Courts

AO Dated: May 6, 1996

Signed by the Clerks of Court: James Chute, Supreme Judicial Court; Diane Harvey, Administrative Court; Lucille Lepitre, Superior Court; Debra Nowak, District Court

Order Filing of Pleadings and Documents

AO Dated: September 19, 1997

Signed by: Daniel Wathen, Chief Justice, Maine Supreme Judicial Court