



In the Supreme Court of Iowa

**In the Matter of
Interim Rules to
Govern the use of the
Electronic Document
Management System**

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Supervisory Order

The judicial branch continues implementing the electronic document management system (EDMS) across the State of Iowa. This system enables the electronic filing, storage, and retrieval of court documents. Continued phasing in of EDMS in additional counties has allowed court staff, users, and the EDMS project management team to identify and address system and procedural issues.

The Chapter 16 Rules Pertaining to the use of the Electronic Document Management System are interim rules that govern the process for using EDMS as it is being implemented. In response to recommendations of the EDMS business advisory committee for immediate revision of the chapter 16 rules pertaining to criminal defendants, the court hereby amends the interim rules of Chapter 16 of the Iowa Court Rules governing EDMS, effective immediately.

Previously, rule 16.302(1) required every self-represented litigant, including criminal defendants, to register for electronic filing, unless the litigant seeks and is granted an exemption from electronic filing requirements from the court. The court amends rule 16.302(1) to provide an exception for criminal defendants from the requirement of registering for electronic filing. With the amendment, criminal defendants are not initially required to register with EDMS, but they still may.

These amendments also include striking a reference to “criminal defendants” in rule 16.320(2)(b) and a new rule 16.701(3) iterating that “A self-represented criminal defendant is not required to, but may choose to, be a

registered filer.”

The amendments to rules 16.302(1) and 16.320(2)(b), and the new rule 16.701(3), are attached to this order. These amendments are effective immediately.

Because chapter 16 rules are interim rules subject to limited application, these amendments shall not be published in the Iowa Court Rules.

Dated this 22nd day of October, 2013.

The Supreme Court of Iowa

By Mark S. Cady
Mark S. Cady, Chief Justice

Rule 16.302 Electronic filing mandatory.

16.302(1) *Electronic filing mandatory.* All lawyers authorized to practice law in Iowa, all lawyers admitted pro hac vice, see Iowa Ct. Rule 31.14, and all self-represented litigants—except self-represented criminal defendants—must register as provided in rule 16.305(1) to participate in the electronic document management system. As provided in this chapter registered filers must electronically submit all documents to be filed with the court unless otherwise required or authorized by these rules or the court.

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Rule 16.320 Court-generated documents.

16.320(1) *Electronic filing of court-generated documents.* All court-generated documents issued in cases governed by this chapter, see rule 16.102, shall be electronically filed.

16.320(2) *Service of court-generated documents.*

a. Electronic notice and service. The electronic document management system will electronically serve any court-generated document to all registered filers entitled to service. See rule 16.201 (definition of “electronic service”). Electronic service of the notice of electronic filing upon a registered filer constitutes service or notice of the document. Notice of electronic filing will only be sent to registered filers who have filed an entry of appearance, filed a notice of case association, or filed an appearance as a court approved intervenor. Notices of electronic filing will continue to be sent to registered filers until they have filed a proper withdrawal of appearance in a case and, if applicable, obtained an order allowing the withdrawal. See, e.g., Iowa R. App. P. 6.109(5) and local rules pertaining to the withdrawal of appearance.

b. Nonelectronic notice and service. The clerk shall mail paper copies of electronically-filed court-generated documents to nonregistered filers. The clerk shall not mail paper copies to registered filers who have not properly entered an appearance, filed a notice of case association, or filed an

appearance as a court approved intervenor. The clerk shall not mail paper copies of court-generated documents to nonregistered parties, ~~including criminal defendants,~~ who are represented by counsel unless otherwise required by the rules or specifically required by court order. The clerk shall include a copy of the notice of electronic filing with the paper copy of the document.

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Rule 16.701 Criminal cases and the electronic document management system.

16.701(1) *Use of electronic document management system.* All criminal cases shall be opened using the electronic document management system. All filings made in criminal cases shall be done through the electronic document management system.

16.701(2) *Applicability of other chapter 16 rules to criminal cases.* The rules in divisions I through VI, including rules pertaining to the protection of personal privacy, apply in criminal cases.

16.701(3) *Self-Represented criminal defendants.* A self-represented criminal defendant is not required to, but may choose to, be a registered filer.