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**CHAPTER 16**  
**RULES PERTAINING TO THE USE OF THE ELECTRONIC DOCUMENT**  
**MANAGEMENT SYSTEM**

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**CHAPTER 16**  
**RULES PERTAINING TO THE USE OF THE ELECTRONIC**  
**DOCUMENT MANAGEMENT SYSTEM**

**DIVISION I**

EFFECTIVE DATE, SCOPE, AUTHORITY

**Rule 16.101 Effective date; geographic applicability.** The rules of this chapter are effective beginning [insert date] and govern the filing of all documents in cases commenced on or after the effective date of these rules in [Name Test County] and [Name Test County].

**Rule 16.102 Cases pending prior to effective date.** A case pending prior to [the initiation of electronic filing in the county] shall not be subject to the requirements of this chapter. A party may, however, move to convert a case not subject to the requirements of this chapter to an electronic file. If the court approves the motion the case will be governed by the rules of this chapter. If approval is given, the court shall determine how the case will be converted to an electronic file and which party, if any, should bear the costs of such conversion. For efficiency of court operation purposes a chief judge of the district may order the conversion of any case not already subject to the requirements of this chapter. Any order to convert a case to an electronic file shall include provisions to ensure that the converted documents comply

1 with the redaction requirements related to protected information  
2 contained in rules 16.602 through 16.607.

3  
4 **Rule 16.103 Relationship to other court rules.** To the extent  
5 these rules are inconsistent with any other Iowa Court Rule, the  
6 rules in this chapter shall govern in cases subject to electronic  
7 filing.

8  
9 **Rule 16.104 Authority.** These rules are adopted under the  
10 authority granted to the supreme court by article V section 4 of the  
11 Iowa Constitution and Iowa Code section 602.1614.

12  
13 **Rules 16.105 to 16.200** Reserved.

14  
15 **DIVISION II**

16 **DEFINITIONS**

17  
18 **Rule 16.201 Definitions.** The following terms, as used in these  
19 rules, shall be defined as follows:

20  
21 *“Confidential information”* means information excluded from  
22 public access by federal or state law or administrative rule, court  
23 rule, court order, or case law.

24

1           “*Cover sheet*” means an electronic form which registered  
2 filers complete for documents electronically filed or presented to  
3 the court. The electronic document management system generates  
4 the cover sheet form to be completed by the filer. The cover sheet  
5 enables the electronic document management system to correctly  
6 route the filing.

7  
8           “*Document*” means a related and paginated grouping of  
9 information items contained in a record that can be in electronic or  
10 paper form.

11  
12           “*Download*” means to transfer a document from the  
13 electronic document management system to a registered filer’s or  
14 registered user’s computer making the document available for at-  
15 will local access. “Download” does not include viewing by web  
16 browser.

17  
18           “*Electronic*” means technology having electrical, digital,  
19 magnetic, wireless, optical, electromagnetic, or similar capabilities.  
20 For governmental agencies this may include alternate software to  
21 exchange electronic records with the court’s electronic document  
22 management system.

23  
24           “*Electronic presentation*” means the process by which a party  
25 may electronically give a document to the court for review or other

1 court action. A document electronically presented to the court  
2 through the electronic document management system is not filed.  
3 Examples of documents that will be electronically presented  
4 include trial informations presented to the court for approval,  
5 proposed orders, and documents to be viewed in camera.

6  
7 *"Electronic record"* means a record, file, or document created,  
8 generated, sent, communicated, received, or stored by electronic  
9 means.

10  
11 *"Electronic service"* means the electronic transmission of a  
12 copy of a document to registered filers entitled to receive notice.  
13 Electronic service cannot be used to serve an original notice.  
14 Documents that require personal service to confer jurisdiction as a  
15 matter of law may not be served electronically.

16  
17 *"Governmental agency"* means an executive, legislative, or  
18 judicial agency, department, board, commission, authority,  
19 institution, or instrumentality of the federal government, the state,  
20 or a county, municipality, or other political subdivision of the  
21 state.

22  
23 *"Hyperlink"* means an electronic connection or reference to  
24 another place in the document or other cite authorized by the

1 court which, when selected, shows the portion of the document or  
2 the cite to which the hyperlink refers.

3  
4 *"Information"* means document, text, images, sounds, codes,  
5 computer programs, software, databases, or the like.

6  
7 *"Judicial branch"* means all courts, all judicial officers, all  
8 clerks of court and offices of the courts of the state.

9  
10 *"Jurisdictional deadline"* means a deadline set by rule or  
11 statute that may not be extended or changed by the court.

12  
13 *"Nonelectronic filing"* means a process by which a paper  
14 document or other nonelectronic item is filed with the court and  
15 retained in nonelectronic form. See rule 16.315.

16  
17 *"Nonregistered filer"* means a party who has received  
18 authorization to submit documents to the clerk for filing by  
19 nonelectronic means. See rule 16.302(2).

20  
21 *"Notice of electronic filing"* means a document generated by  
22 the electronic document management system when a document is  
23 electronically filed. The notice of electronic filing is sent by e-mail  
24 to the registered filing party and to any other registered filer who  
25 has entered an appearance in the case.

1           “*Notice of electronic presentation*” means a document  
2 generated by the electronic document management system when a  
3 document is electronically presented to the court. The notice of  
4 electronic presentation is sent by e-mail to the party who  
5 electronically presented the document to the court to confirm its  
6 receipt.

7           When a proposed document, other than a document related  
8 to rules 16.703, 16.704, or 16.802, or a document that is proposed  
9 to be sealed is electronically presented to the court, the electronic  
10 document management system shall send a notice of electronic  
11 presentation to the e-mail address of all parties who are registered  
12 filers in the case and they may view and download the proposed  
13 order and any motion to which it was attached.

14  
15           “*PDF*” means an electronic document filed in a portable  
16 document format which is readable by the free Adobe® Acrobat®  
17 Reader.

18  
19           “*Protected information*” means personal information, the  
20 nature of which warrants protection from unlimited public access.  
21 Rule 16.602 lists the type of information included in this  
22 definition.

23

1           “*Public access terminal*” means a computer located in a  
2 courthouse through which the public may view, print, and  
3 electronically file documents.

4  
5           “*Public information*” for purposes of these rules means  
6 documents or information that is not confidential or protected.

7           “*Record*” means information that is inscribed on a tangible  
8 medium or that is stored in an electronic or other medium and is  
9 retrievable in perceivable form.

10  
11           “*Registered filer*” means an individual or entity whose login  
12 and password are used to electronically file documents. In cases in  
13 which the registered filer is a party or has entered an appearance,  
14 the registered filer will electronically serve and receive notice of  
15 most filed documents. A registered filer can also electronically view  
16 and download files. See rules 16.305 (registration, logins, and  
17 passwords); 16.316(3) (service of original notice); and 16.317  
18 (service of documents subsequent to original notice).

19  
20           “*Registered user*” means an individual or entity, that is  
21 registered to be able to electronically view and download  
22 information from electronic files that are not confidential or  
23 protected. Registered users will be required to pay a registration  
24 fee. See rule 16.305 (1)(c) (2) (specialized nonparty user  
25 registration).

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“*Remote access*” means the ability to electronically search, view, copy, or download electronic documents in a court record without the need to physically visit a courthouse. Remote access to documents will be made available to registered filers and registered users. The level of remote access available to registered filers and registered users is determined by the status of the registered filer or user. See rule 16.502.

“*Scanned document*” means an electronic image created by scanning a paper document.

“*Self-represented*” means a litigant who represents oneself without the assistance of a lawyer. Except where these rules specifically state otherwise, the term “lawyer” includes self-represented litigants.

“*Signature*”

1. “*Digital signature*” means a complex string of electronic data that is embedded in an electronic document for the purposes of verifying document integrity and signer identity. It can also be used to ensure that the original content of the message or document that has been delivered is unchanged. A digital signature is in no way related to a digitized signature and has nothing to do with a signer's name or handwritten signature.

1           2. "*Digitized signature*" means a computerized representation  
2 of a person's handwritten signature.

3           3. "*Electronic signature*" means an electronic symbol or  
4 process attached to or logically associated with a record and  
5 executed or adopted by a person with the intent to sign the record.

6  
7           "*View*" means to look at or visually inspect a document. It  
8 does not include downloading a document.

9  
10       **Rules 16.202 to 16.300** Reserved.

11  
12                               **DIVISION III**

13                               GENERAL PROVISIONS

14       **Rule 16.301 Electronic document management system.**

15           **16.301(1)** Unless otherwise required or authorized by these  
16 rules, all documents in cases commenced in [name of test county]  
17 and [name of test county] after [insert actual date] must be filed  
18 using the court's electronic document management system.

19           **16.301(2)** The clerk of court is responsible for maintaining  
20 an electronic case file in the court's electronic document  
21 management system for all cases filed under these rules, receiving  
22 case filings into the electronic document management system by  
23 electronic transmission, and scanning documents into the  
24 electronic document management system for nonregistered parties.

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1       **Rule 16.302 Electronic filing mandatory.**

2               **16.302(1)**   *Electronic filing mandatory.*   All lawyers  
3 authorized to practice law in Iowa, all lawyers admitted pro hac  
4 vice, *see* Iowa Ct. Rule 31.14, and all self-represented litigants  
5 must register as provided in rule 16.305(1) to participate in the  
6 electronic document management system. As provided in this  
7 chapter registered filers must electronically submit all documents  
8 to be filed with the court unless otherwise required or authorized  
9 by these rules or the court.

10               **16.302(2)**   *Exceptions.* For good cause, the court, or clerk if  
11 no judge is available, may authorize a filer to submit a document  
12 by nonelectronic means to the clerk for filing. Upon a showing of  
13 exceptional circumstances that it is not feasible for a party to file  
14 documents by electronic means, the chief judge of the district in  
15 which a case is pending or the chief judge's designee may excuse  
16 the party from registering to participate in the electronic filing  
17 system for purposes of that case.

18  
19               **16.302(3)**   *Dual filing required.* For a period of 30 days after  
20 [insert actual date], those who are required to electronically file  
21 documents must also submit the documents in paper form to the  
22 clerk for filing. In the event of a discrepancy, the date and time of  
23 the electronic filing shall be the official date and time of filing

1 unless the court, for good cause, determines otherwise. During this  
2 30 day period, parties must also serve notice of any filed document  
3 by nonelectronic means.

4

5 **Rule 16.303 Submission of paper documents.**

6 **16.303(1)** *Submission of paper documents for scanning.* If a  
7 court authorizes a document be scanned by the clerk, the  
8 document must be printed on only one side and be delivered to the  
9 clerk with no tabs, staples, or permanent clips, but may be  
10 organized with paperclips, clamps, or some other type of temporary  
11 fastener, or may be delivered to the clerk in an appropriate file  
12 folder.

13 **16.303(2)** *Return of copies by mail.* If a party wants a  
14 document that was submitted in paper form to be returned by  
15 mail, the party must deliver to the clerk a self-addressed envelope,  
16 with proper postage, large enough to accommodate the requested  
17 material. Except as otherwise provided in these rules, *see e.g.*,  
18 rules 16.302(3) (dual filing requirement) and 16.315(1) (items not  
19 to be electronically filed), paper documents submitted to the court  
20 will not be retained by the court.

21

22 **Rule 16.304 Official court record.**

23 **16.304(1)** *Court record.* The official court record for all cases  
24 includes the following :

1           *a. Electronic files.* The electronic files maintained in the  
2 court’s electronic document management system.

3           *b. Paper documents.* Filings maintained by the clerk in paper  
4 form when permitted by these rules.

5           *c. Exhibits and other materials.* Exhibits and other materials  
6 filed with or delivered to the court and maintained by the clerk.

7           **16.304(2)** *Paper case files.* Except as otherwise provided in  
8 these rules, *see e.g.*, rules 16.302(3) (dual filing requirement) and  
9 16.315(1) (items not to be electronically filed), or directed by the  
10 court, the clerk will not maintain paper case files in cases initiated  
11 on or after [date of start of pilot project].

12

13           **Rule 16.305 Registration, logins, and passwords.**

14           **16.305(1)** *Registration.*

15           *a. Registration required.* Registration is required to file  
16 documents in a case governed by these rules, *see* rule 16.301(1), to  
17 download documents filed in the electronic document management  
18 system, and to remotely access documents filed in the electronic  
19 document management system.

20           *b. How to register.* To register, filers and users, *see* rule  
21 16.201 (definitions of “registered filer,” and “registered user”), must  
22 complete a registration form and obtain a login and password for

1 the electronic document management system. A copy of the form is  
2 available on the registration website at [insert appropriate web  
3 address here] and on the public access terminals.

4 *c. Registration of specialized nonparty filers and users.*

5 (1) *Nonparty filers.* Specialized nonparty filers must contact  
6 [e-File/EDMS Helpdesk] for special registration requirements.  
7 Specialized nonparty filers may include bail bond agents, process  
8 servers, and other people who generally are not considered a party  
9 but who need to file documents in multiple cases.

10 (2) *Nonparty user.* Specialized nonparty users are users who  
11 are generally not considered a party but who may need to view or  
12 download documents in multiple cases or view otherwise restricted  
13 information. Abstractors are specialized nonparty users. An  
14 abstractor includes any person, firm, partnership, association, or  
15 corporation, which makes, compiles, or completes and sells  
16 abstracts of title to real estate or executes real property title  
17 searches in the state of Iowa. For the purpose of remote access to  
18 court documents and otherwise restricted information, an  
19 abstractor must either qualify as a “participating abstractor” as  
20 recognized by the Title Guaranty Division of the Iowa Finance  
21 Authority, be a licensed abstractor at such time that abstractors  
22 are licensed in the state of Iowa, or be substantially equivalent to a  
23 “participating abstractor” as determined by the State Court  
24 Administrator or the State Court Administrator’s designee.

1           *d. Registration complete.* When a registration form is  
2 completed and a login and password is assigned the individual or  
3 entity may utilize the electronic document management system.

4           *e. Changing passwords.* Once registered, the individual or  
5 entity may change their password. If the registered individual or  
6 entity believes the security of an existing password has been  
7 compromised, the registered individual or entity must change the  
8 password immediately. The court may require password changes  
9 periodically.

10           *f. Changes in filer's contact information.* If a registered filer's  
11 e-mail address, mailing address, or telephone number changes,  
12 the filer must promptly make the necessary changes to the  
13 registered filer's information contained in the registration system.  
14 The filer may make the changes on the registration website at  
15 [www. E-File/EDMS Helpdesk](http://www.E-File/EDMS Helpdesk) . The filer shall provide appropriate  
16 notice of changes in contact information to any nonregistered filer  
17 in every active case.

18           *g. Duties of registered filer.* Each registered filer shall  
19 ensure that the filer's electronic document management system e-  
20 mail account information is current, that the account is monitored  
21 regularly, and that e-mail notices sent to the account are timely  
22 opened.

23           *h. Withdrawal from participation.* A registered individual or  
24 entity may withdraw from participation in the electronic document  
25 management system by contacting the registration website at [www](http://www).

1 E-File/EDMS Helpdesk .] Upon withdrawal, the registered  
2 individual's or entity's login and password will be canceled and a  
3 registered filer's name will be deleted from any applicable  
4 electronic service list. A registered filer's withdrawal from  
5 participation in the electronic document management system is  
6 not authorization to file cases or documents nonelectronically. A  
7 withdrawal from participation in the electronic document  
8 management system by a registered filer is not a withdrawal from a  
9 case.

10  
11 **16.305(2)** *Logins and passwords.* To file documents in a  
12 court utilizing the electronic document management system, a filer  
13 must use a login and password.

14 a. A registered filer is responsible for all documents filed  
15 with the filer's login and password.

16 b. A registered lawyer shall not knowingly cause or permit  
17 the lawyer's login or password to be used by anyone other than the  
18 lawyer or an authorized member or staff of the lawyer's law office.  
19 Registered self-represented filers must not knowingly cause or  
20 permit their login or password to be used by any other person.

21 c. Any electronic filing, downloading, or viewing of an  
22 electronic file made by use of a login and password shall be  
23 deemed to be made with the authorization of the person registered  
24 to use the login and password unless and until proven by clear and  
25 convincing evidence to the contrary.

1           d. If a login or password is lost, misappropriated, misused,  
2 or compromised in any way, the person registered to use that login  
3 or password must promptly notify the registration website at www.  
4 E-File/EDMS Helpdesk. For system security reasons, a  
5 registration may be immediately suspended. The registered  
6 individual or entity may apply for a new password and login by  
7 completing a new registration form. If a login and password have  
8 been lost, misappropriated, misused or compromised in any way,  
9 the court may cancel the registration.

10           e. For good cause, the court may refuse to allow a user or a  
11 filer to electronically file or download information in the electronic  
12 document management system. The affected user or filer may file  
13 an application with the court to reregister.

14  
15       **Rule 16.306 Signatures.**

16       **16.306(1) Registered filer.** A registered filer's login name  
17 and password required for submission of documents to the  
18 electronic document management system serve as the registered  
19 filer's signature on all electronic documents filed with the court.  
20 They also serve as a signature for purposes of Iowa Rule of Civil  
21 Procedure 1.413(1), any other applicable Iowa Court Rule, and any  
22 other purpose for which a signature is required in connection with  
23 proceedings before the court. All documents filed electronically  
24 must include a signature block in the form set out in 16.306(4).

1           **16.306(2)** *Nonelectronic signature.* If a document contains a  
2 nonelectronic signature, the original document must be scanned  
3 before it is electronically filed in the electronic document  
4 management system.

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6           **16.306(3)** *Documents requiring oaths, affirmations or*  
7 *verifications.* Any document requiring a signature be made under  
8 oath or affirmation or with verification may be either signed  
9 nonelectronically and scanned into the electronic document  
10 management system or may be signed by an electronic process  
11 which accurately reproduces or forms a durable medium for  
12 accurately and legibly reproducing an unaltered image of the  
13 required signature.

14  
15           **16.306(4)** *Format.* Any filing requiring a signature must be  
16 signed, with either an actual signature, the symbol “/es/”, or a  
17 digitized signature.

18           *a.* The following information about the person signing the  
19 filing, if applicable, must be typewritten or printed under the  
20 person’s signature:

- 21           (1) Name;  
22           (2) Law firm;  
23           (3) Mailing address;  
24           (4) Telephone number;

1 (5) E-mail address; and

2 (6) The e-mail addresses of any other persons at the law firm  
3 who are to be notified of additions or corrections to the electronic  
4 document management system file.

5 *b.* Filers are responsible for promptly updating the  
6 information in (1) through (6) on the electronic document  
7 management system. Non-registered filers are responsible for  
8 informing the court of any changes in this information with respect  
9 to all cases in which they have appeared.

10  
11 **16.306(5)** *Multiple signatures.* The following procedure  
12 applies to a document containing two or more signatures:

13 *a.* By filing the document the registered filer confirms that  
14 the content of the document is acceptable to all persons signing  
15 the document and all such persons consent to having their  
16 signatures appear on the document.

17 *b.* After following the requirements of 16.306(5)(a), the  
18 registered filer must either:

19 (1) Scan the original document, with all of the signatures  
20 attached and file the document electronically; or

21 (2) Electronically file the document in .pdf format using the  
22 signature format as set out in 16.306(4).

1           **16.306(6)** *Disputing authenticity.* A lawyer or a party who  
2           disputes the authenticity of any signature on an electronically-filed  
3           document must file an objection to the signature within 30 days  
4           after the lawyer or party knew or should have known the signature  
5           is not authentic. A signature will be presumed authentic until  
6           established otherwise by clear and convincing evidence.

7

8           **Rule 16.307 Electronic filing.**

9           **16.307(1)** *Cover sheet.*

10           *a. Registered filers.* All registered filers shall complete an  
11           electronic cover sheet for each filing. The cover sheet provides the  
12           information to correctly docket and route the filing through the  
13           system.

14           *b. Exceptions for authorized governmental agencies.* Certain  
15           governmental agencies will be allowed to file documents and  
16           transfer data by a court-approved alternative method of  
17           transferring the document or data from the agency's electronic  
18           system to the court's electronic document management system.  
19           This alternative method for filing or presenting documents will  
20           enable correct routing and docket entry of the documents. The  
21           alternative method will also allow for requests for expedited relief  
22           and requests to seal documents where appropriate.

23           **16.307(2)** *Filing.* The electronic transmission of a document  
24           to the electronic document management system consistent with

1 the procedures specified in these rules, together with the  
2 production and transmission of a notice of electronic filing  
3 constitutes filing of the document. A copy of the notice of electronic  
4 filing will be provided to nonregistered filers upon request to the  
5 clerk of court.

6 **16.307(3)** *E-mailing or faxing documents does not constitute*  
7 *filing.* E-mailing or faxing a document to the clerk or to the court  
8 will not generate a notice of electronic filing and does not  
9 constitute “filing” of the document.

10  
11 **Rule 16.308 Electronic file stamp.** Each electronically filed  
12 document shall receive an electronic file stamp consistent with the  
13 notice of electronic filing. The file stamp shall merge with the  
14 electronic document and be visible when the document is printed  
15 and viewed on-line. Electronic documents are not officially filed  
16 without the electronic filing stamp. Filings so endorsed shall have  
17 the same force and effect as documents time stamped in a  
18 nonelectronic manner.

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20  
21 **16.309 Docket entries.**

22 **16.309(1)** *Docket text.* A registered filer electronically filing a  
23 document will be required to designate an accurate docket entry  
24 for the document by using one of the docket event categories listed  
25 on the cover sheet.

1           **16.309(2)** *Court responsibility.* The court is responsible for  
2 the accuracy of all docket entries.

3           **16.309(3)** *Correcting docket entries.*

4           *a. Clerk to correct docket entries.* Once a document is  
5 submitted into the electronic document management system, only  
6 the clerk may make corrections to the docket. Any changes to the  
7 docket will be noted in the docket.

8           *b. Errors discovered by filer.* If a filer discovers an error in  
9 the electronic filing or docketing of a document, the filer shall  
10 contact the clerk as soon as possible. When contacting the clerk,  
11 the filer shall have available the case number of the document that  
12 was filed or docketed erroneously. The clerk will research the error  
13 and advise the filing party how the error will be addressed by the  
14 clerk and what further action by the filer, if any, is required to  
15 address the error. A filer shall not refile or attempt to refile a  
16 document that has been erroneously filed or docketed unless  
17 specifically directed to do so by the clerk.

18           *c. Errors discovered by clerk.* If errors in the filing or  
19 docketing of a document are discovered by the clerk, the clerk will  
20 ordinarily notify the filer of the error and advise the filer of what  
21 further action, if any, is required to address the error. If the error  
22 is a minor one, the clerk may, with or without notifying the parties,  
23 either correct or disregard the error.

24

1       **Rule 16.310 Payment of fees.**

2               **16.310(1)** All applicable fees shall be paid by court  
3 approved electronic means unless otherwise allowed.

4               **16.310(2)** Applications to proceed without the prepayment  
5 of filing fees shall be supported by an affidavit, *see* Iowa Code  
6 section 610.1. The application and supporting affidavit may be  
7 submitted to the clerk nonelectronically.

8

9       **Rule 16.311 Date and time of filing, deadlines, and system**  
10 **unavailability.**

11               **16.311(1)** *Date and time of filing, deadlines.*

12               *a.* An electronic filing can be made any day of the week,  
13 including holidays and weekends, and any time of the day the  
14 electronic document management system is available. However,  
15 the expanded availability of electronic filing shall not affect the  
16 provisions for extension of deadlines under the criteria set forth in  
17 Iowa Code section 4.1(34). When a document is filed using the  
18 electronic document management system, the system will generate  
19 a notice of electronic filing. The notice of electronic filing will record  
20 the date and time of the filing of the document in local time for the  
21 state of Iowa. This will be the official filing date and time of the  
22 document regardless of when the filer actually transmitted the  
23 document.

24               *b.* A document is timely filed if it is filed before midnight on

1 the date the filing is due.

2 c. If there is a deadline established in these rules that is  
3 different from a deadline established by a court order in a  
4 particular case, the deadline established in the court order  
5 controls.

6 d. As the electronic document management system may not  
7 always be available due to system maintenance or technical  
8 difficulties, filers should not wait until the last moment to file  
9 documents electronically.

10

11 **16.311(2)** *System unavailable.*

12 a. Some deadlines are jurisdictional and cannot be  
13 extended. The filer must ensure, by whatever means necessary, a  
14 document is timely filed to comply with jurisdictional deadlines. A  
15 technical failure, including a failure of the electronic document  
16 management system, will not excuse a failure to comply with a  
17 jurisdictional deadline.

18 b. If a filer is unable to meet a nonjurisdictional deadline  
19 due to a technical failure, the filer must file the document using  
20 the soonest available electronic or nonelectronic means. The filing  
21 will not be considered untimely unless determined to be untimely  
22 by the court after an opportunity to be heard.

23

1           **16.311(3)** *Notice of system downtime.*

2           *a. Anticipated downtime.* When the electronic document  
3 management system will not be available due to scheduled  
4 maintenance, registered filers and users will be notified by e-mail  
5 and a notice will be posted on the court's web site of the date, time,  
6 and anticipated length of the unavailability.

7           *b. Unexpected downtime.* When the electronic document  
8 management system is unexpectedly unable to accept filings  
9 continuously or intermittently for more than one hour, registered  
10 filers will be notified of the problem by e-mail or by the posting of a  
11 notice of the problem on the court's web site.

12  
13           **Rule 16.312 Format of electronic documents.**

14           **16.312(1)** *Generally.* All documents shall be formatted in  
15 accordance with the applicable rules governing formatting of paper  
16 documents. *See e.g.,* Rs. Civ. P. 1.411, 1.412; Iowa Rs. App. P.  
17 6.14, 6.16, 6.22. A document must be converted to a portable  
18 document format (".pdf") before the document is filed in the  
19 electronic document management system. The registered filer shall  
20 ensure that the filing is an accurate representation of the  
21 document and is complete and readable.

22           **16.312(2)** *Exceptions for authorized governmental agencies.*

23 All documents shall be formatted in accordance with the applicable  
24 rules governing formatting of paper documents. *See e.g.* Rs. Civ. P.  
25 1.411, 1.412; Iowa Rs. App. P. 6.14, 6.16, 6.22. If authorized by

1 the supreme court a governmental agency may use an approved  
2 data transfer method to file documents in the court's electronic  
3 document management system.

4  
5 **Rule 16.313 Electronic attachment of other electronic**  
6 **documents.**

7 **16.313(1)** The following documents shall be electronically  
8 attached to another document without a separate cover sheet:

9 *a.* A proposed document, such as an amended petition,  
10 shall be electronically attached to a motion for leave to file that  
11 document. If the court grants the motion, the clerk shall file and  
12 docket the documents.

13 *b.* Any item that would normally be included as an exhibit to  
14 a paper-filed document shall be electronically attached as an  
15 exhibit to the applicable electronic document.

16  
17 **16.313(2)** Documents that would be filed separately if the  
18 documents were filed as paper documents shall each be filed  
19 separately with a separate cover sheet. Examples of such  
20 documents include a petition for dissolution of marriage, a motion  
21 for temporary support, and a financial affidavit.

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1       **Rule 16.314   Hyperlinks and other electronic navigational**  
2       **aids.**

3               **16.314(1)** Hyperlinks and other electronic navigational aids  
4       may be included in an electronically filed document as an aid to  
5       the court. Each hyperlink must contain a text reference to the  
6       target of the link.

7               **16.314(2)** Although hyperlinks may be included in a  
8       document as an aid to the court, the material referred to by the  
9       hyperlinks are not considered part of the official record or filing  
10      unless already part of the record in the case.

11              **16.314(3)** Hyperlinks to cited authority may not replace  
12      standard citation format for constitutional citations, statutes,  
13      cases, rules, or other similarly cited materials.

14              **16.314(4)** Hyperlinks may be used to provide an electronic  
15      link to other portions of the same document or other portions of  
16      the court file.

17  
18       **Rule 16.315   Documents and other items to be filed non-**  
19       **electronically and not maintained in the electronic case file.**

20              **16.315(1)** *Items not to be electronically filed.* Unless  
21      otherwise required or authorized by these rules, by the clerk or the  
22      court, or as specifically noted below, the following documents and  
23      other items may be filed nonelectronically and need not be  
24      maintained in the electronic case file:

1           a. The administrative record in cases in which the court is  
2 asked to rule based on that record unless the underlying  
3 administrative record is already an electronic record or is  
4 submitted electronically by agreement of the parties. The petition,  
5 answer, briefs, and motions in such cases shall be filed  
6 electronically, and shall be maintained in the electronic case file.

7           b. Transcripts of proceedings before the court not available  
8 in electronic format unless submitted electronically by agreement  
9 of the parties.

10          c. Any item that is not capable of being filed in an electronic  
11 format.

12           **16.315(2)** *Service of notice of items filed nonelectronically.*  
13 Parties who file paper documents or other items pursuant to rule  
14 16.315(1) must electronically file a notice of the filing of the item.

15  
16           **Rule 16.316 Original notice.**

17           **16.316(1)** *Form of original notice.* When a party  
18 electronically files a new case, the party shall attach an original  
19 notice in the form required by Iowa Rule of Civil Procedure 1.302(1)  
20 to the petition. In addition to the information required by rule  
21 1.302(1), the original notice must:

22           (1) State that the case has been filed in a county that utilizes  
23 electronic filing.

1           (2) Direct the other party to Iowa Court Rules Chapter 16 for  
2 general rules and information on electronic filing.

3           (3) Refer the other party to the rules in Chapter 16, division  
4 VI regarding the protection of personal information in court filings.

5  
6           **16.316(2)** *Clerk's certification of original notice.* After a  
7 petition is filed, the clerk shall electronically certify the original  
8 notice and electronically return a certified original notice back to  
9 the registered filer.

10  
11           **16.316(3)** *Service of original notices.* Original notices must  
12 be served upon the party against whom an action has been filed in  
13 accordance with the Iowa Code and the Iowa Court Rules.

14  
15           **16.316(4)** *Return of service.* After the original notice is  
16 served, the return of service must be scanned and electronically  
17 filed.

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20           **Rule 16.317 Service of documents subsequent to original**  
21 **notice.**

22           **16.317(1)** *Service of documents by registered filers.*  
23           *a. Electronic distribution of electronically filed documents.*

24           (1) A registration form, *see* 16.305(1), signed by a filer

1 constitutes a request for, and consent to, electronic service of  
2 court-generated documents, and documents filed electronically by  
3 other parties.

4 (2) When a document is electronically filed, it will be served  
5 through the electronic document management system to the e-mail  
6 address of all parties who are registered filers. The electronic  
7 document management system serves parties by sending them a  
8 notice of electronic filing. The notice of electronic filing constitutes  
9 service of the document for purposes of the Iowa Court Rules. No  
10 other service on those parties is required. Electronic service is not  
11 effective if the filer learns the notice of electronic filing was not  
12 transmitted to a party.

13 *b. Service on parties who are nonregistered filers.* Parties  
14 must serve a paper copy of any filed document on a person entitled  
15 to service who is not a registered filer in the manner required by  
16 Iowa Rule of Civil Procedure 1.442 and Iowa Rule of Criminal  
17 Procedure 2.34(2), unless otherwise agreed by the parties. When  
18 serving paper copies of documents that have been filed  
19 electronically, the filer must include a copy of the notice of  
20 electronic filing.

1           **16.317(2)** *Service of documents filed by nonregistered filers.*

2           Nonregistered filers must serve a paper copy of documents filed  
3           with the court on all persons entitled to service who are  
4           nonregistered filers in the manner required by Iowa Rule of Civil  
5           Procedure 1.442 and Iowa Rule of Criminal Procedure 2.34(2). No  
6           separate service is required for parties who are registered filers.  
7           Service on such persons will be made electronically through the  
8           electronic document management system.

9           **Rule 16.318 Certificate of service.** A certificate of service shall  
10          be filed for all documents not served by the electronic document  
11          management system. These include documents that must be  
12          served on parties who are nonregistered filers, documents that  
13          must be served on parties seeking to intervene in a confidential  
14          case, and service of discovery materials. *See e.g.* rules 16.317(1)(b),  
15          16.321(3), and 16.401(1)(a). The certificate shall be filed promptly  
16          and shall show the date and manner of service. The certificate of  
17          service may be included on the last page of the document.

18          **Rule 16.319 Additional time after electronic service.** When  
19          service of a document is made by electronic means, the time to  
20          respond shall be computed in the same manner as required by  
21          Iowa R. Civ. P. 1.443(2).

1       **Rule 16.320 Court-generated documents.**

2               **16.320(1)** *Electronic filing of court-generated documents.* All  
3 court-generated documents issued in cases governed by this  
4 chapter, *see* rule 16.102, shall be electronically filed.

5               **16.320(2)** *Service of court-generated documents.*

6               *a. Electronic notice and service.* The electronic document  
7 management system will electronically transmit any court-  
8 generated document to all registered filers entitled to service.  
9 Electronic service of the notice of electronic filing upon a registered  
10 filer constitutes service or notice of the document.

11              *b. Nonelectronic notice and service.* The clerk shall mail  
12 paper copies of electronically-filed court-generated documents to  
13 nonregistered filers. The clerk shall include a copy of the notice of  
14 electronic filing with the paper copy of the document.

15  
16  
17       **Rule 16.321 Intervention in confidential cases.**

18              **16.321(1)** *Manner in which to intervene.* A party seeking to  
19 intervene in a case deemed confidential by law, rule, or court order  
20 shall, unless authorized to file nonelectronically under rule  
21 16.302(2), electronically file the motion to intervene and all related  
22 documents.

23              **16.321(2)** *Access to file.* Until the court grants the motion  
24 to intervene, the party seeking to intervene is not allowed to  
25 download or view any part of the confidential file, nor will that

1 party receive a notice of electronic filing of any document filed in  
2 the case.

3 **16.321(3)** *Service.* If the court or a party files a document  
4 related to the motion to intervene, a paper copy of the document  
5 shall be served on the potential intervenor in the same manner as  
6 a nonregistered filer. *See* rules 16.317(1)(b) and 16.320(2)(b). If the  
7 motion to intervene is granted, the intervenor will subsequently be  
8 served copies of filed documents pursuant to rules 16.317 and  
9 16.320(2).

10  
11 **Rules 16.322 to 16.400** Reserved.

12  
13 **DIVISION IV**

14  
15 **SPECIFIC TYPES OF DOCUMENTS**

16  
17 **Rule 16.401 Discovery.**

18  
19 **16.401(1)** *Service of discovery materials.*

20  
21 *a. Service.* Requests for discovery, responses to discovery,  
22 and notices of deposition may be served by e-mail to a registered  
23 filer.  
24

25 *b. Time service occurs.* When service is made by e-mail the  
26 time to respond shall be computed in the same manner as required  
27 by Iowa R. Civ. P. 1.443(2).

28 **16.401(2)** *Filing notice of discovery requests and responses.*

29 Parties shall file a notice with the court when a notice of deposition

1 or a discovery request or response is served on another party. The  
2 notice shall identify the document served, and include the date,  
3 manner of service, and the names and addresses of the persons  
4 served. This rule only requires the filing of a notice indicating a  
5 discovery request or response was made. The parties should  
6 continue to follow Iowa R. Civ. P. 1.502 with respect to the filing of  
7 discovery materials.

8  
9 **Rule 16.402 Transcripts.** Transcripts shall be filed electronically  
10 in a secure format in accordance with directives established by the  
11 state court administrator.

12  
13 **Rule 16.403 Expedited relief** Requests for expedited relief shall  
14 be noted on the electronic document management system cover  
15 sheet.

16  
17 **Rule 16.404 Briefs.** Legal briefs and memoranda shall be  
18 electronically filed.

19  
20 **Rule 16.405 Documents to be filed under seal.**

21 **16.405(1) Motions to seal.** A party seeking to file under seal  
22 documents that are not deemed confidential by statute or rule,  
23 shall file a motion to seal the document. The document sought to  
24 be filed under seal must not be attached to the motion or it will be

1 part of the public case file. The document may be filed under seal  
2 only after the motion is granted. The documents proposed to be  
3 filed under seal shall be electronically presented for review by the  
4 court. If the court enters an order granting the motion, the  
5 electronically presented document will be filed and sealed.

6 **16.405(2)** *Documents filed subsequent to order to seal.* If the  
7 court enters a protective order or an order directing or permitting  
8 the filing of documents under seal, the parties shall, without  
9 further order from the court, file under seal all documents covered  
10 by the order. The parties shall also file under seal all documents  
11 referring to or disclosing confidential information in the sealed  
12 documents. A document filed under this rule must be so  
13 designated on the cover sheet.

14  
15 **16.405(3)** *System-sealed documents.* Certain categories of  
16 documents are sealed within the electronic document management  
17 system without a motion by a party or an order of the court. A  
18 current list of system-sealed filings is available from the clerk and  
19 is available on the court's web site at [www.judicial.state.ia.us](http://www.judicial.state.ia.us). For  
20 such documents, no motion for leave to file under seal is  
21 necessary.

22  
23 **16.405(4)** *Access to sealed documents and docket entries.*  
24 Access to documents filed under seal is managed by the electronic

1 document management system in three different ways:

2 a. Some documents are available for viewing only by the  
3 parties and the court, but are referenced in a docket entry  
4 available to the public. Examples of these documents include  
5 presentence investigation reports, minutes of testimony, and  
6 documents filed under seal pursuant to this rule.

7 b. Some documents are available for viewing only by the  
8 parties and the court, and are not referenced in a docket entry  
9 available to the public. Examples of these documents include  
10 filings in a child in need of assistance case.

11 c. Some documents are available for viewing only by the  
12 court, and are not referenced in a docket entry available to the  
13 parties or the public. Examples of these documents include  
14 applications for search warrants and search warrants that have  
15 not been executed.

16 In civil cases, most documents filed under seal are  
17 referenced in a docket entry available to the public, but are  
18 available for viewing only by the parties and the court.

19 **16.405(5)** *Paper documents.* Paper documents must  
20 conform to the privacy rules that apply to electronic documents.

21

1       **Rule 16.406 In camera inspection.** Material may be  
2 electronically presented to the court for in camera inspection. After  
3 the court has examined the material and has entered an order  
4 concerning the issues raised by the material, the electronically  
5 presented material will be filed and sealed.  
6

7       **Rule 16.407 Subpoenas.** The clerk of court will provide  
8 subpoenas in either electronic or paper form at the request of the  
9 registered filer.

10       **Rule 16.408 Certification of documents by the clerk.** Certified  
11 copies of electronically filed documents may be obtained  
12 electronically or nonelectronically. The fee for a certified copy will  
13 be in accordance with the fee established in Iowa Code section  
14 602.8105. The clerk may certify documents by digital signature  
15 and seal.  
16

17       **Rule 16.409 Proposed orders.** If a proposed order is  
18 electronically presented, *see* definition 16.201 (electronic  
19 presentation), it may be electronically attached to a motion or  
20 presented without a motion. The proposed order shall be  
21 submitted in an editable format capable of being read by Microsoft  
22 Word.  
23

1       **Rule 16.410 Court reporter notes.** Court reporters who have  
2 computer-aided transcription capability shall electronically file the  
3 court reporter notes.

4  
5       **Rule 16.411 Original documents.** Where the law requires the  
6 filing of an original document, such as a will, mortgage document,  
7 or birth certificate, the filer may scan the original document and  
8 file the scanned document in the electronic document management  
9 system. The filer must retain the original document for a period no  
10 less than two years or until the conclusion of the case or the  
11 conclusion of an appeal, or the conclusion of the estate, whichever  
12 is later. The filer must immediately deliver the original document to  
13 the court upon request of the court or the other party for  
14 inspection and electronic preservation, if necessary.

15  
16       **Rule 16.412 Exhibits.** Exhibits offered at trials or hearings that  
17 are capable of being maintained in an electronic format shall,  
18 unless otherwise ordered by the court, be maintained electronically  
19 for purposes of the official court record. For example, the  
20 submitting party shall convert photographs into digital images.

21  
22       **Rules 16.413 to 16.500 Reserved.**

23

24

1 **DIVISION V**

2 PUBLIC ACCESS

3 **Rule 16.501 General rule.** All filed court documents are public  
4 unless confidential, protected, or sealed. The fact that a case is  
5 electronically filed has no effect on the scope of what is accessible  
6 to the public. Access to information in the court file will depend on  
7 the nature of the information and the level of authorization of  
8 those seeking to access the file.

9 **Rule 16.502 Access to electronic court files.**

10 **16.502(1) Registered filers.**

11 *a. Lawyer licensed to practice law in Iowa.* A lawyer,  
12 licensed to practice law in Iowa, shall have remote access to all  
13 non-confidential documents in non-confidential court files.  
14 Lawyers, licensed to practice law in Iowa, shall have limited access  
15 to birth dates and names of children, normally considered  
16 protected information under rule 16.602, in non-confidential court  
17 files. The access to the birth dates and names of children, in cases  
18 in which the lawyer has not entered an appearance, will be limited  
19 to requesting the electronic document management system to  
20 confirm or deny that the birth date or child's name supplied by the  
21 lawyer is the same as the individual involved in a particular case.

22 *b. Lawyer admitted pro hac vice.* All lawyers admitted pro  
23 hac vice, see Iowa Ct. Rule 31.14, shall only have remote access to  
24 the documents filed in the cases in which the lawyer has been

1 admitted pro hac vice.

2 *c. Self-represented litigants and parties to an action.* Self-  
3 represented litigants and parties to an action who have registered  
4 and obtained a login and password shall only have remote access  
5 to the documents filed in the cases in which they are involved.

6 **16.502(2)** *Abstractors.* An abstractor, see rule  
7 16.305(1)(c)(2), shall have remote access to all non-confidential  
8 documents in non-confidential court files. Abstractors shall have  
9 limited access to birth dates and names of children, normally  
10 considered protected information under rule 16.602, in non-  
11 confidential court files. The access to the birth dates and names of  
12 children will be limited to requesting the electronic document  
13 management system confirm or deny that the birth date or child's  
14 name supplied by the abstractor is the same as the individual  
15 involved in a particular case.

16 **16.502(3)** *Specialized nonparty filers.* Specialized nonparty  
17 filers, see rule 16.305(1)(c)(1), will be able to file documents in  
18 cases in which they are not a party consistent with the terms  
19 specified in their particular registration agreements. Specialized  
20 nonparty filers will not have remote access to electronic court  
21 documents.

22 **16.502(4)** *Members of the general public.* Documents in  
23 electronic court files may be viewed by use of a public access  
24 terminal in the county in which the case originated. To view

1 electronic documents in a public case on appeal to the Iowa  
2 Supreme Court members of the general public may use a public  
3 access terminal located in the Judicial Branch Building in Des  
4 Moines, Iowa, or a public access terminal located in the county in  
5 which the underlying case originated.

6

7 **Rule 16.503 Public access terminals.** At least one public access  
8 terminal shall be maintained in each courthouse.

9 **Rule 16.504 Bulk distribution.** The judicial branch will not  
10 make a bulk disclosure, or sell database information, that is  
11 confidential or otherwise protected by court order.

12

13 **Rules 16.505 to 16.600** Reserved.

14

15

## **DIVISION VI**

16

### **PROTECTION OF PERSONAL PRIVACY**

17

**Rule 16.601 Responsibility to redact or mask protected or  
18 confidential information.**

19

**16.601(1)** *Responsibility of filer, generally.* It is the  
20 responsibility of the filer to ensure, according to the rules of this  
21 division, that protected information, see rule 16.602, is omitted or  
22 redacted from documents before the documents are filed. The clerk

1 of court will not review filings to determine whether appropriate  
2 omissions or redactions have been made. The clerk will not, on the  
3 clerk's own initiative, redact documents or seal documents  
4 containing protected information.  
5

6 **16.601(2) *Transcripts.*** At the time a transcript is filed, the  
7 court reporter shall, in accordance with supreme court policy,  
8 designate information that is included in the list of protected  
9 information in rule 16.602. After the court reporter has filed the  
10 certified transcript with the designated protected information, each  
11 party shall, within ten days from the date of certification of the  
12 transcript, review the designated material and, if necessary,  
13 request additional designation of protected information. Any  
14 disagreement as to whether information should be so designated  
15 shall be decided by the court. The parties to the action are  
16 responsible for ensuring the appropriate information is designated  
17 as protected material. The system will not allow viewing of the  
18 protected information by those without proper access.  
19

20 **16.601(3) *Exhibits.*** At the conclusion of the hearing or trial  
21 the parties shall designate protected information included in the  
22 exhibits. Any disagreement as to whether information should be so  
23 designated shall be decided by the court. The system will not allow  
24 viewing of the protected information by those without proper  
25 access.

1       **Rule 16.602 Protected information.**     Protected information  
2 includes the following:

- 3           1. Social Security numbers.
- 4           2. Financial account numbers.
- 5           3. Dates of birth.
- 6           4. Names of minor children.
- 7           5. Individual Taxpayer Identification Numbers.
- 8           6. Personal identification numbers.
- 9           7. Other unique identifying numbers.

10  
11       **Rule 16.603 Omission and redaction requirements.**

12           **16.603(1)**     *Protected information not required and not*  
13           *material.* A party shall omit protected information from documents  
14           filed with the court when the information is not required by law  
15           and is not material to the proceedings.

16           **16.603(2)**     *Protected information that is required or material.*  
17           When protected information is required by law to be included or is  
18           material to the case, a party shall record the protected information  
19           on a separate protected information form, see rule 16.606. The  
20           party shall redact the protected information, see rule 16.605  
21           (manner in which to redact protected information), from any other  
22           document before filing the document with the court.

23           **16.603(3)**     *Confidential or sealed documents.* Parties are not  
24           required to redact protected information from documents deemed  
25           confidential by statute, rule or court order; however redaction is

1 required for materials that are initially confidential but which later  
2 become public, such as documents in dissolution proceedings.

3 **16.603(4)** *Full disclosure allowed.* A party may disclose  
4 protected information only when full disclosure of that information  
5 is an essential or required component of the document, for  
6 example, when a writ of execution requires a full financial account  
7 number.

8  
9 **Rule 16.604 Information that may be redacted.** A party may  
10 redact the following information from publicly available documents  
11 unless the information is material to the proceedings or disclosure  
12 is otherwise required by law:

- 13 1. Driver's license numbers.
- 14 2. Information concerning medical treatment or diagnosis.
- 15 3. Employment history.
- 16 4. Personal financial information.
- 17 5. Proprietary or trade secret information.
- 18 6. Information concerning a person's cooperation with the  
19 government.
- 20 7. Information concerning crime victims.
- 21 8. Sensitive security information.
- 22 9. Home addresses.

23

24

1       **Rule 16.605 Manner in which to redact protected**  
2       **information.** When protected information is required or is  
3       material to the case, only a portion of the protected information  
4       should be used. By way of example, and not limitation:

5               1. If a Social Security number must be included in a  
6       document, only the last four digits of that number should be used.

7               2. If financial account numbers are relevant, only  
8       incomplete numbers should be recited in the document.

9               3. If an individual's date of birth is necessary, only the year  
10      should be used.

11              4. If a minor child must be mentioned, only that child's  
12      initials should be used.

13  
14       **Rule 16.606 Protected information form.**

15               **16.606(1)** *Protected information form required.* When a party  
16      is required to include protected information in a filed document,  
17      the party shall file a protected information form. A copy of the form  
18      can be found at [www./coverpage](http://www./coverpage). The protected information form  
19      shall contain the protected information in its entirety as well as the  
20      redacted version of the information used in the filed document. All  
21      references in the case to the redacted information included in the  
22      protected information form shall be construed to refer to the  
23      corresponding complete protected information. The protected  
24      information form shall be confidential.

25               **16.606(2)** *Supplementing protected information form.* When

1 new information is needed to supplement the record, or if  
2 information already contained in the protected information form  
3 needs to be updated or corrected, the parties shall file an updated  
4 protected information form reflecting all previously disclosed  
5 protected information plus any additions, changes, or corrections.

6  
7 **Rule 16.607 Orders and other court-generated documents.** All  
8 orders and other court-generated documents shall follow the  
9 omission and redaction requirements in rule 16.603. Orders and  
10 other court-generated documents will use the redacted version of  
11 the protected information found in the protected information form  
12 filed by the parties. See rule 16.606.

13  
14 **Rule 16.608 Improperly included protected information.**

15 **16.608(1)** A party may move to redact improperly included  
16 protected information from a filed document and may request an  
17 immediate order to temporarily seal the document pending notice  
18 and opportunity to be heard by all parties.

19 **16.608(2)** If, after all parties have been provided an  
20 opportunity to be heard, the court finds protected information was  
21 improperly included in a filed document, the court may seal the  
22 document and may cause a properly redacted document to be filed.

23  
24 **Rule 16.609 Sanctions.** If a party purposefully files documents  
25 containing unredacted protected information, the court, upon its

1 own motion or upon the motion of any party, may impose  
2 sanctions which may include an order requiring a violator to pay a  
3 party all damages and reasonable expenses, costs, and attorney  
4 fees incurred because a party purposely filed documents  
5 containing unredacted protected information.

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8 **DIVISION VII**

9 **CRIMINAL CASES**

10 **Rule 16.701 Criminal cases and the electronic document**  
11 **management system.**

12 **16.701(1)** *Use of electronic document management system.*

13 All criminal cases shall be opened using the electronic document  
14 management system. All filings made in criminal cases shall be  
15 done through the electronic document management system.

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

20  
21 **Rule 16.702 Documents requiring oaths, affirmations or**  
22 **verifications.** Any document requiring a signature be made under

1 oath or affirmation or with verification may be either signed non-  
2 electronically and scanned into the electronic document  
3 management system or may be signed by an electronic process  
4 which accurately reproduces or forms a durable medium for  
5 accurately and legibly reproducing an unaltered image of the  
6 required signature.

7  
8 **Rule 16.703 Warrants and other similar applications.** When  
9 made during regular court hours, applications for search warrants,  
10 arrest warrants, and other similar applications shall, if at all  
11 possible, be electronically presented to the court. Applications  
12 made when the courthouse is closed may be electronically  
13 presented to the court on a computer tablet or similar electronic  
14 device capable of allowing the court to modify the documents and  
15 capable of accepting a judge or magistrate's signature. If the  
16 applicant does not have immediate access to such technology, the  
17 application shall be presented to the court in paper form and shall  
18 later be scanned into the electronic document management  
19 system.

20  
21 **Rule 16.704 Documents initiating criminal cases.**

22 **16.704(1)** *Trial informations and indictments.*

23 *a. Trial informations.* A trial information shall be  
24 electronically presented to the court for approval. After the court  
25 has approved or refused to approve a trial information, the

1 information shall be electronically returned to the prosecuting  
2 attorney. The prosecuting attorney is responsible for filing an  
3 approved information.

4 *b. Indictments.* An indictment containing a nonelectronic  
5 signature of the foreperson of the grand jury shall be scanned  
6 before it is electronically filed in the electronic document  
7 management system.

8 **16.704(2)** *Complaints, traffic tickets, and similar citations.* A  
9 complaint, traffic ticket, or similar citation containing the  
10 electronic signature of an arresting officer or other person shall be  
11 transmitted to the electronic document management system in  
12 such a manner as to legibly reproduce an unaltered image of the  
13 required signature or display a realistic visual image of the  
14 signature.

15  
16 **Rule 16.705 Signature of defendant.** When a defendant's  
17 signature is required on a document the defendant's signature may  
18 be placed on the document in one of the following ways:

19 **16.705(1)** *Nonelectronic signature.* A defendant may sign a  
20 document nonelectronically, such as with the use of pen on paper.  
21 The document signed in this manner shall be scanned before it is  
22 electronically filed in the electronic document management system.

1           **16.705(2)** *Computer tablet signature.* A defendant may  
2 electronically sign a document by use of computer tablet or similar  
3 technology.

4           **16.705(3)** *Login and password.* A defendant who is a  
5 registered filer may sign the document by use of the defendant's  
6 login and password.

7

8           **Rule 16.706 Copies of documents for self-represented**  
9 **defendants.** A defendant who is not represented by counsel shall,  
10 unless waived, be provided by the court a paper copy of all  
11 documents submitted to the court or filed by the court during that  
12 hearing.

13           **Rule 16.707 Written plea agreements.** Written plea agreements  
14 may be electronically presented to the court, but need not be filed  
15 prior to a plea proceeding. If the plea is accepted the electronically  
16 presented plea agreement shall be filed.

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**DIVISION VIII**

**JUVENILE CASES**

**Rule 16.801 Juvenile cases and the electronic document management system.**

**16.801(1)** *Use of electronic document management system.*

All delinquency, child in need of assistance, termination, waiver of parental notification, and family in need of assistance cases shall be opened using the electronic document management system. All filings made in these cases shall be done through the electronic document management system.

**16.801(2)** *Applicability of electronic document management rules to juvenile cases.* The rules in divisions I through VI, including rules pertaining to the protection of personal privacy, apply in delinquency, child in need of assistance, termination, waiver of parental notification, and family in need of assistance cases.

**Rule 16.802 Emergency applications.** When made during regular court hours applications for emergency orders shall, if at all possible, be electronically presented to the court. Applications made when the courthouse is closed may be electronically presented to the court on a computer tablet or similar electronic device capable of allowing the court to modify the documents and capable of accepting a judge's signature. If the applicant does not

1 have immediate access to such technology, the application shall be  
2 presented to the court in paper form and shall later be scanned  
3 into the electronic document management system. Examples of  
4 emergency applications include applications for placement in  
5 shelter care, placement in detention, requests for emergency  
6 medical care, and removal from parental custody.  
7

8 **Rule 16.803 Signatures.** When the signature of a parent,  
9 guardian, custodian, child, as defined in Iowa Code section  
10 232.2(5), or adult within the jurisdiction of the juvenile court is  
11 required on a document the signature may be placed on the  
12 document in one of the following ways:

13 **16.803(1) Nonelectronic signature.** The person may sign a  
14 document nonelectronically, such as with the use of pen on paper.  
15 The document signed in this manner shall be scanned before it is  
16 electronically filed in the electronic document management system.

17 **16.803(2) Computer tablet signature.** The person may  
18 electronically sign a document by use of computer tablet or similar  
19 technology.

20 **16.803(3) Login and password.** If the person is a registered  
21 filer the person may sign the document by use of the person's login  
22 and password.

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**Rule 16.804 Documents requiring oaths, affirmations or verifications.** Any document requiring a signature be made under oath or affirmation or with verification may be either signed non-electronically and scanned into the electronic document management system or may be signed by an electronic process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered image of the required signature.

**Rule 16.805 Written plea agreements.** Written plea agreements may be electronically presented to the court but need not be filed prior to a plea proceeding. If the plea is accepted the electronically presented plea agreement shall be filed.

**DIVISION IX**

**Rules 16.901 to 16.1000** Reserved.

**DIVISION X**

**Rules 16.1001 to 16.1100** Reserved.

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**DIVISION XI**

**Rules 16.1101 to 16.1200** Reserved.

**DIVISION XII**

APPEALS TO THE IOWA APPELLATE COURTS

A. EFFECTIVE DATE, SCOPE, APPLICABILITY OF OTHER RULES

**Rule 16.1201 Effective date of appellate rules.** The rules in division XII of this chapter are effective beginning [insert date] and govern the filing of all documents in all appeals to the Iowa Supreme Court commenced on or after [insert date].

**Rule 16.1202 Applicability of electronic filing requirements to cases before the appellate courts.**

**16.1202(1)** *Appeals commenced on or after [insert date].* The rules in division XII of this chapter govern the filing of all documents in all appeals commenced on or after [insert date].

**16.1202(2)** *Appeals commenced prior to [insert date]--appendix not yet filed.* Appeals pending in the supreme court prior to the effective date of these rules and in which the appendix has not yet been filed shall not be subject to the requirements of this chapter until it is time to file the appendix. See Iowa R. App. P. 6.905(11) (time for filing appendix). The appendix and all subsequently filed documents shall be filed and served

1 electronically under the rules of this chapter. The parties, if not already  
2 registered to file documents in the electronic document management  
3 system, must register before the time the appendix is required to be filed  
4 and served. See rules 16.305 (registration), 16.1204(1) (if previously  
5 registered no additional registration required), 16.1204(2) (exceptions to  
6 electronic filing participation).

7 **16.1202(3)** *Appeals commenced prior to [insert date]--appendix*  
8 *already filed.* Appeals pending in the supreme court prior to the effective  
9 date of these rules and in which the appendix has already been filed  
10 shall not be subject to the requirements of this chapter.

11  
12 **Rule 16.1203 Applicability of rules in divisions I through VI to**  
13 **appellate court cases.** Except for rules 16.101, 16.102, 16.301(1),  
14 16.302(2), 16.302(3) and 16.304(2), the rules in divisions I through VI,  
15 including rules pertaining to the protection of personal privacy, apply in  
16 appellate court cases.

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20 B. GENERAL PROVISIONS

21 **Rule 16.1204 Use of electronic document management system**  
22 **mandatory for appellate cases.**

23 **16.1204(1)** *Electronic filing mandatory.* All lawyers authorized to  
24 practice law in Iowa, all lawyers admitted pro hac vice, see Iowa Ct. Rule  
25 31.14, and all self-represented litigants must register as provided in rule

1 16.305(1) to participate in the electronic document management system.  
2 If the lawyer or self-represented litigant previously registered to  
3 participate at the district court or appellate court level no additional  
4 registration is required. As provided in this chapter, registered filers  
5 must electronically submit all documents to be filed with the court  
6 unless otherwise required or authorized by these rules.

7  
8 **16.1204(2) *Exceptions***

9 *a. Good cause.* For good cause, the clerk of the supreme court, or  
10 the clerk's deputy, may authorize a filer to submit a document by  
11 nonelectronic means to the clerk for filing. Upon a showing of  
12 exceptional circumstances that it is not feasible for a party to file  
13 documents by electronic means, the supreme court may excuse the party  
14 from registering to participate in the electronic filing system for purposes  
15 of that case. If a party was excused from registering to participate in the  
16 electronic filing system in the underlying district court action, *see* rule  
17 16.302(2), a copy of the district court order granting the exemption shall  
18 be attached to a request to be excused from participating in the  
19 electronic system for purposes of the case on appeal.

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*b. Abortion notification appeals.* Abortion notification appeals are not subject to these rules and shall be governed by Iowa R. App. P. 6.401.



1 **Rule 16.1205 Paper case files.** Except as otherwise provided in these  
2 rules, *see e.g.* rule 16.315(1) (items not to be electronically filed), or  
3 directed by the supreme court, the clerk will not maintain paper case  
4 files in appeals initiated on or after [date of appellate pilot project].

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6 **Rules 16.1206 to 16.1208** Reserved.

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C. CERTIFICATION OF CONFIDENTIALITY

10 **Rule 16.1209 Certificate of confidentiality.** When a party files a  
11 document, other than a brief, that contains confidential material the  
12 party shall certify its confidential nature. *See* Iowa Rs. App. P. 6.110(2),  
13 6.110(3). The certificate of confidentiality shall be the first page of the  
14 document that contains the confidential material. The certificate page  
15 shall contain only the caption of the case, the certificate of confidentiality  
16 which includes the applicable statute or rule, and the signature of the  
17 party or counsel. Iowa R. App. P. 6.110(2). When filing a document that  
18 contains a certificate of confidentiality, the filer must note that fact on  
19 the appropriate place in the electronic cover sheet. *See* rule 16.201  
20 (definition of “cover sheet”).

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**Rules 16.1210 to 16.1211** Reserved.

D. STAYS AND CASES REQUIRING EXPEDITED RELIEF.

**Rule 16.1212 Stays and cases requiring expedited relief.** A party must note on the cover sheet the following:

1. Any request for a stay.
2. Any request for other immediate relief.
3. Any district court trial or hearing date scheduled within 90 days of the filing date of the request for relief.

See rule 16.201 (definition of “cover sheet”). The failure to include such a notation on the cover sheet can delay court action on a request for stay or other request for immediate relief.

E. SPECIAL SIGNATURE REQUIREMENTS

**Rule 16.1213 Special signature requirements for termination-of-parental-rights or child-in-need-of-assistance cases under Iowa Code chapter 232.**

**16.1213(1)** *Notice of appeal and applications for interlocutory appeal.* A notice of appeal or an application for interlocutory appeal in termination-of-parental-rights or child-in-need-of-assistance cases may follow either the rule 16.306(5)(b)(1) or 16.306(5)(b)(2) requirements for filing documents containing two or more signatures. See Iowa Rs. App. P. 6.102(1)(a), 6.104(1)(b)(1).

**16.1213(2)** *Petition on appeal.* In addition to the requirements of Iowa R. App. P. 6.201(1)(e) (attachments to petition), the filer must also attach a copy of the notice of appeal that is signed by both the appellant and the appellant's counsel. See Iowa Rs. App. P. 6.102(1)(a), 6.104(1)(b)(1). Appellant's signature on this attached document must be a nonelectronic signature and may not be a digitized or electronic signature. See rule 16.201 (definition of "signature"). The filer must follow the requirements of rule 16.306(5)(b)(1) and scan the original document with all the signatures attached before electronically attaching the document to the petition on appeal.

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F. INITIATION OF CASES IN APPELLATE COURTS

**16.1214 Initiation of appeal from final orders or judgments.**

**16.1214(1)** *Filing of notice of appeal in district court and service on other required parties.* The notice of appeal from a final order or judgment, *see* Iowa R. App. P. 6.102, shall be filed with the clerk of the district court where the order or judgment was entered. If the appeal is filed in a district court case governed by this chapter, *see* rules 16.101, 16.102, the notice of appeal shall be filed and served on the other parties according to the rules of this chapter. *See e.g.* Iowa R. App. P. 6.102(2)(b) (parties to be served), rules 16.317 (method of service), 16.318 (certificate of service). If the appeal is filed in a district court case not governed by the rules of this chapter the notice of appeal shall be filed and served on the other parties in the conventional manner. *See* Iowa R. Civ. P. 1.442(2), Iowa R. App. P. 6.102.

**16.1214(2)** *Service on the clerk of the supreme court.* Unless a filer has received authorization pursuant to rule 16.1204(2) to file nonelectronically, the notice of appeal must be served upon the clerk of the supreme court through the electronic document management system. Service on the clerk of the supreme court is accomplished by following the instructions on the electronic document management system cover sheet for filing a new appeal. *See* rule 16.201 (definition of “cover sheet”). The filer, if not already registered to file documents in the electronic document management system, must register before serving the notice of appeal on the clerk of the supreme court. *See* rule 16.305

1 (registration), 16.1204(1) (if previously registered no additional  
2 registration required).

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4 **16.1214(3) *Entry of appearance.*** If the appeal is from a district  
5 court case not subject to the rules of this chapter, all parties to the  
6 appeal, unless authorized to file nonelectronically under rule 16.1204(2)  
7 shall, within seven days after the filing of the notice of appeal,  
8 electronically file an entry of appearance in the appeal. *See generally,*  
9 Iowa R. App. P. 6.109(4) and (5), Iowa Ct. Rs. 16.101, 16.102. A party, if  
10 not already registered to file documents in the electronic document  
11 management system, must register before entering an electronic  
12 appearance. *See* rule 16.305. A party will not receive electronic  
13 notification and service of filed documents until an electronic entry of  
14 appearance is filed.

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18 **Rule 16.1215 Initiation of appeals from interlocutory rulings or**  
19 **orders, applications for discretionary review, petitions for writ of**  
20 **certiorari, certified questions of law, and other similar proceedings.**

21 **16.1215(1) *Initiating the proceeding.*** The application, petition, or  
22 certification order, *see generally* Iowa Rs. App. P. 6.104 (interlocutory ),  
23 6.106 (discretionary), 6.107 (certiorari), 6.302 (certification orders), 6.501  
24 (other proceedings), shall be electronically filed with the clerk of the  
25 supreme court. The filer, if not already registered to file documents in

1 the electronic document management system, must register before filing  
2 the document initiating the appellate court case with the clerk of the  
3 supreme court. See rules 16.305 (registration), 16.1204(1) (if previously  
4 registered no additional registration required).

5 **16.1215(2)** *Service on other parties.* The filer shall serve the  
6 document initiating the appellate court case on the other parties  
7 according to the rules governing service in the district court action. See  
8 Iowa R. Civ. P. 1.442(2), Iowa Rs. App. P. 6.104(1)(c), 6.106(1)(c),  
9 6.107(1)(c), 6.107(5), 6.302(3), Iowa Ct. Rs. 16.317, 16.320(2), and  
10 16.321(3).

11 **16.1215(3)** *Entry of appearance.* All parties shall, within seven  
12 days after the filing of the application or petition, electronically file an  
13 entry of appearance with the clerk of the supreme court. See generally  
14 Iowa R. Crim. P. 2.29(6), Iowa Rs. App. P. 6.107(5), 6.109(4) and (5). A  
15 party, if not already registered to file documents in the electronic  
16 document management system, must register before entering an  
17 appearance. See rules 16.305, 16.1204(1)(if previously registered no  
18 additional registration required). A party will not receive electronic  
19 notification and service of filed documents until an entry of appearance  
20 is filed.

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22 **Rules 16.1216 to 16.1218** Reserved.

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G. FILING AND SERVICE

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2 **Rule 16.1219 Facsimile (fax) transmission or e-mail transmission**  
3 **does not constitute filing.** Transmitting a document to the clerk of the  
4 supreme court or to an appellate court by fax or e-mail will not generate  
5 a notice of electronic filing and does not constitute a “filing” of the  
6 document. See rules 16.201 (definition “notice of electronic filing”),  
7 16.307 (electronic filing). Documents transmitted to the appellate court  
8 or to the clerk of the supreme court by fax or e-mail will only be filed if  
9 the party was authorized to submit the document in that manner under  
10 rule 16.1204(2) (exceptions to mandatory use of electronic document  
11 management system).

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15 **Rule 16.1220 Service of documents subsequent to notice of appeal,**  
16 **application for interlocutory review, or similar initiating document.**  
17 Service of all documents filed subsequent to the notice of appeal,  
18 application for interlocutory review, or similar initiating document shall  
19 follow rules 16.317, 16.320(2), and 16.321(3). Until a party files an entry  
20 of appearance, whether pro se or through an attorney, that party cannot  
21 be served through the electronic document management system and  
22 must be served as if that party was a nonregistered filer. See rule  
23 16.317(1)(b).

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1 **Rule 16.1221 Number of copies filed or served.**

2 **16.1221(1)** *Number of copies to be filed.* Except as otherwise  
3 specifically ordered by the appellate court in a particular case, when the  
4 Iowa Rules of Appellate Procedure require multiple copies of any  
5 document be filed, *see e.g.* Iowa Rs. App. P. 6.901(7), 6.905(11), 6.906(5),  
6 6.908(5), 6.1103(5), only one copy of the document shall be filed in the  
7 electronic document management system.

8 **16.1221(2)** *Number of copies to be served.* When the Iowa Rules  
9 of Appellate Procedure require service of a document upon counsel or a  
10 party service shall be accomplished pursuant to rule 16.1220. When a  
11 document is served through the electronic document management  
12 system no additional service is required. A party required to serve a  
13 document on any nonregistered filer shall serve one paper copy.

14 **Rules 16.1222 to 16.1224** Reserved.

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H. RECORD ON APPEAL

18 **Rule 16.1225 Transmission of record.**

19 **16.1225(1)** *Transmission of notice of appeal and docket entries.*  
20 The clerk of the district court shall electronically transmit copies of the  
21 notice of appeal, the notice of cross-appeal, if any, and the docket entries  
22 in the district court proceeding to the clerk of the supreme court within  
23 four days after the filing of the notice of appeal or the notice of cross  
24 appeal, if any. *See* Iowa R. App. P. 6.802(1).

1           **16.1225(2)** *Transmission of remaining record.* Within the time  
2 required by Iowa Rs. App. P. 6.204 or 6.802(3), the appellant shall  
3 request the clerk of the district court to transmit to the clerk of the  
4 supreme court any remaining record that was not created or is not stored  
5 in the electronic document management system. See Iowa Rs. App. P.  
6 6.204(1) (record in child-in-need-of-assistance appeals), 6.204(3) (record  
7 in termination-of-parental-rights appeals), 6.801 (composition of record  
8 on appeal), 6.802(3) (transmission of remaining record). These non-  
9 electronic documents or exhibits, unless otherwise ordered by the  
10 supreme court, shall be transmitted to the clerk of the supreme court  
11 nonelectronically.

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16           **16.1225(3)** *Request to transmit record in Iowa R. App. P. 6.1005*  
17 *cases.* Within fourteen days after filing a motion to withdraw pursuant  
18 to Iowa R. App. P. 6.1005(2), counsel shall request the clerk of the  
19 district court to transmit to the clerk of the supreme court any remaining  
20 record that was not created or is not stored in the electronic document  
21 management system. See Iowa R. App. P. 6.1005(4) (request to transmit  
22 record). Documents or exhibits not created or stored in the electronic  
23 document management system, unless otherwise ordered by the  
24 supreme court, shall be transmitted to the clerk of the supreme court  
25 nonelectronically.

1 **Rule 16.1226 Transcripts of proceedings.** The reporter shall  
2 electronically file the original of the transcript with the clerk of the  
3 supreme court. The format of the transcript shall comply with the  
4 requirements of Iowa R. App. P. 6.803(2).

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1 **Rules 16.1227 to 16.1229** Reserved.

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I. BRIEFS, APPENDIX, FURTHER REVIEW APPLICATIONS, OTHER

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DOCUMENTS

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**Rule 16.1230 Pro se supplemental briefs.**

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**16.1230(1)** *Pro se supplemental proof briefs, reply briefs or supplemental designations.* Any criminal defendant, applicant for postconviction relief, or respondent committed under Iowa Code chapter 229A, who is authorized to be a nonregistered filer, may submit a pro se supplemental proof brief, proof reply brief or supplemental designation of appendix to the clerk of the supreme court to be scanned and electronically filed. See Iowa R. App. P. 6.901(2) (pro se supplemental proof briefs), Iowa Ct. Rs. 16.201 (definition of “nonregistered filer”), 16.303 (submission of paper documents), 16.1204(2) (exemption from mandatory electronic filing).

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**16.1230(2)** *Pro se supplemental final briefs.* Counsel for the defendant, applicant, or respondent shall electronically file the final copies of the pro se supplemental briefs and ensure service is accomplished pursuant to rule 16.1220. See Iowa R. App. P. 6.901(2)(d).

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1 **Rule 16.1231 References in briefs, motions, and other documents**  
2 **submitted to the court.**

3 **16.1231(1)** *Hyperlinks and other electronic navigational aids.*

4 a. Hyperlinks and other electronic navigational aids may be  
5 included in an electronically filed document as an aid to the court. Each  
6 hyperlink must contain a text reference to the target of the link.

7 b. Although hyperlinks may be included in a document as an aid  
8 to the court, the material linked by a hyperlink is not considered part of  
9 the official record or filing unless already part of the record in the case.

10 c. Hyperlinks to cited authority may not replace standard citation  
11 format for constitutional citations, statutes, cases, rules, or other  
12 similarly cited materials.

13 **16.1231(2)** *References to the record in briefs.* All briefs shall  
14 comply with the requirements of Iowa Rs. App. P. 6.903 (briefs) and  
15 6.904(4) (references in briefs to the record). However, references made in  
16 a final brief to a part of the record shall include a citation to the page or  
17 pages of the appendix at which those parts appear and the final brief  
18 shall also contain a reference to the page of the actual record, e.g.,  
19 Petition p. 6, Judgment p. 5, Tr. p. 298, Ll. 15–24.

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22 **Rule 16.1232 Appendix.**

23 **16.1232(1)** *Appendix required.* An appendix is required in appeals  
24 governed by this chapter. An appendix shall comply with the

1 requirements of Iowa R. App. P. 6.905 (appendix) except as otherwise  
2 provided by these rules.

3 **16.1232(2)** *Transcripts filed electronically.* No portion of a  
4 transcript filed electronically shall be included in the appendix. See  
5 rules 16.402, 16.1226.

6 **16.1232(3)** *Nonelectronic transcripts.* Relevant portions of  
7 transcripts that have not been filed or stored in the electronic document  
8 management system shall be included in the appendix. See Iowa R. App.  
9 P. 6.905(2)(b). Examples of these types of transcripts include a paper  
10 copy of a criminal trial proceeding admitted as an exhibit in a  
11 postconviction relief action or a paper copy of a transcript from an  
12 administrative proceeding submitted to the court in a judicial review  
13 proceeding. See e.g., rule 16.315(1)(a), (b).

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15 **Rule 16.1233 Color of front covers.** Any time the Iowa Rules of  
16 Appellate Procedure require the front cover of a document be a particular  
17 color, see e.g. Iowa Rs. App. P. 6.903(1)(c), 16.905(3)(a), the electronic  
18 filing system will insert the color based on the information provided by  
19 the filer on the electronic cover sheet. See rule 16.201 (definition “cover  
20 sheet”).

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22 **Rule 16.1234 Attachments to motions.** The supporting documents to  
23 a motion shall be electronically attached as an exhibit to the motion. See  
24 Iowa R. App. P. 6.1002 (motions), 16.313(1)(b) (electronic attachment of

1 exhibits). A party may not use hyperlinks or other electronic  
2 navigational aids to circumvent the page limitations in Iowa R. App. P.  
3 6.1002.

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