

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

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

5
6 **Rule 16.104 Authority.** These rules are adopted under the
7 authority granted to the supreme court by article V section 4 of the
8 Iowa Constitution and Iowa Code section 602.1614.

9
10 **Rules 16.105 to 16.200** Reserved.

11
12 **DIVISION II**
13 **DEFINITIONS**

14
15 **Rule 16.201 Definitions.** The following terms, as used in these
16 rules, shall be defined as follows:

17
18 “*Confidential information*” means information excluded from
19 public access by federal or state law or administrative rule, court
20 rule, court order, or case law.

21
22 “*Cover sheet*” means an electronic form which registered
23 filers complete for documents electronically filed or presented to
24 the court. The electronic document management system generates
25 the cover sheet form to be completed by the filer. The cover sheet
26 enables the electronic document management system to correctly
27 route the filing.

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

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

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

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“*Electronic presentation*” means the process by which a party may electronically give a document to the court for review or other court action. A document electronically presented to the court through the electronic document management system is not filed. Examples of documents that will be electronically presented include trial informations presented to the court for approval, proposed orders, and documents to be viewed in camera.

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1 *"Electronic record"* means a record, file, or document created,
2 generated, sent, communicated, received, or stored by electronic
3 means.

4
5 *"Electronic service"* means the electronic transmission of a
6 copy of a document to registered filers entitled to receive notice.
7 Electronic service cannot be used to serve an original notice.
8 Documents that require personal service to confer jurisdiction as a
9 matter of law may not be served electronically.

10
11 *"Governmental agency"* means an executive, legislative, or
12 judicial agency, department, board, commission, authority,
13 institution, or instrumentality of the federal government, the state,
14 or a county, municipality, or other political subdivision of the
15 state.

16
17 *"Hyperlink"* means an electronic connection or reference to
18 another place in the document or other cite authorized by the
19 court which, when selected, shows the portion of the document or
20 the cite to which the hyperlink refers.

21
22 *"Information"* means document, text, images, sounds, codes,
23 computer programs, software, databases, or the like.

24
25 *"Judicial branch"* means all courts, all judicial officers, all
26 clerks of court and offices of the courts of the state.

1

2

“*Jurisdictional deadline*” means a deadline set by rule or statute that may not be extended or changed by the court.

4

5

“*Nonelectronic filing*” means a process by which a paper document or other nonelectronic item is filed with the court and retained in nonelectronic form. See rule 16.315.

6

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“*Nonregistered filer*” means a party who has received authorization to submit documents to the clerk for filing by nonelectronic means. See rule 16.302(2).

10

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13

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

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19

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

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When a proposed document, other than a document related to rules 16.703, 16.704, or 16.802, or a document that is proposed

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1 to be sealed is electronically presented to the court, the electronic
2 document management system shall send a notice of electronic
3 presentation to the e-mail address of all parties who are registered
4 filers in the case and they may view and download the proposed
5 order and any motion to which it was attached.

6
7 “*PDF*” means an electronic document filed in a portable
8 document format which is readable by the free Adobe® Acrobat®
9 Reader.

10
11 “*Protected information*” means personal information, the
12 nature of which warrants protection from unlimited public access.
13 Rule 16.602 lists the type of information included in this
14 definition.

15
16 “*Public access terminal*” means a computer located in a
17 courthouse through which the public may view, print, and
18 electronically file documents.

19
20 “*Public information*” for purposes of these rules means
21 documents or information that is not confidential or protected.

22
23 “*Record*” means information that is inscribed on a tangible
24 medium or that is stored in an electronic or other medium and is
25 retrievable in perceivable form.

26

1 “*Registered filer*” means an individual or entity whose login
2 and password are used to electronically file documents. In cases in
3 which the registered filer is a party or has entered an appearance,
4 the registered filer will electronically serve and receive notice of
5 most filed documents. A registered filer can also electronically view
6 and download files. *See* rules 16.305 (registration, logins, and
7 passwords); and 16.317 (service of documents subsequent to
8 original notice). *But see* rule 16.316(3) (service of original notice).

9
10 “*Registered user*” means an individual or entity, that is
11 registered to be able to electronically view and download
12 information from electronic files that are not confidential or
13 protected. Registered users will be required to pay a registration
14 fee. *See* rule 16.305 (1)(c) (2) (specialized nonparty user
15 registration).

16
17 “*Remote access*” means the ability to electronically search,
18 view, copy, or download electronic documents in a court record
19 without the need to physically visit a courthouse. Remote access
20 to documents will be made available to registered filers and
21 registered users. The level of remote access available to registered
22 filers and registered users is determined by the status of the
23 registered filer or user. *See* rule 16.502.

24
25 “*Scanned document*” means an electronic image created by
26 scanning a paper document.

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“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.

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“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.

15

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2. *“Digitized signature”* means a computerized representation of a person's handwritten signature.

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

21

22

“View” means to look at or visually inspect a document. It does not include downloading a document.

23

24

Rules 16.202 to 16.300 Reserved.

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DIVISION III
GENERAL PROVISIONS

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

5 **16.301(1)** Unless otherwise required or authorized by these
6 rules, all documents in cases commenced in [name of test county]
7 and [name of test county] after [insert actual date] must be filed
8 using the court’s electronic document management system.

9 **16.301(2)** The clerk of court is responsible for maintaining
10 an electronic case file in the court’s electronic document
11 management system for all cases filed under these rules, receiving
12 case filings into the electronic document management system by
13 electronic transmission, and scanning documents into the
14 electronic document management system for nonregistered parties.

15
16 **Rule 16.302 Electronic filing mandatory.**

17 **16.302(1)** *Electronic filing mandatory.* All lawyers
18 authorized to practice law in Iowa, all lawyers admitted pro hac
19 vice, *see* Iowa Ct. Rule 31.14, and all self-represented litigants
20 must register as provided in rule 16.305(1) to participate in the
21 electronic document management system. As provided in this
22 chapter registered filers must electronically submit all documents
23 to be filed with the court unless otherwise required or authorized
24 by these rules or the court.

25 **16.302(2)** *Exceptions.* For good cause, the court, or clerk if
26 no judge is available, may authorize a filer to submit a document
27 by nonelectronic means to the clerk for filing. Upon a showing of

1 exceptional circumstances that it is not feasible for a party to file
2 documents by electronic means, the chief judge of the district in
3 which a case is pending or the chief judge's designee may excuse
4 the party from registering to participate in the electronic filing
5 system for purposes of that case.

6 **16.302(3)** *Dual filing required.* For a period of 30 days after
7 [insert actual date], those who are required to electronically file
8 documents must also submit the documents in paper form to the
9 clerk for filing. In the event of a discrepancy, the date and time of
10 the electronic filing shall be the official date and time of filing
11 unless the court, for good cause, determines otherwise. During this
12 30 day period, parties must also serve notice of any filed document
13 by nonelectronic means.

14
15 **Rule 16.303 Submission of paper documents.**

16 **16.303(1)** *Submission of paper documents for scanning.* If a court
17 authorizes a document be scanned by the clerk, the document
18 must be printed on only one side and be delivered to the clerk with
19 no tabs, staples, or permanent clips, but may be organized with
20 paperclips, clamps, or some other type of temporary fastener, or
21 may be delivered to the clerk in an appropriate file folder.

22 **16.303(2)** *Return of copies by mail.* If a party wants a
23 document that was submitted in paper form to be returned by
24 mail, the party must deliver to the clerk a self-addressed envelope,
25 with proper postage, large enough to accommodate the requested
26 material. Except as otherwise provided in these rules, *see e.g.,*

1 rules 16.302(3) (dual filing requirement) and 16.315(1) (items not
2 to be electronically filed), paper documents submitted to the court
3 will not be retained by the court.

4

5 **Rule 16.304 Official court record.**

6 **16.304(1) Court record.** The official court record for all cases
7 includes the following :

8 a. *Electronic files.* The electronic files maintained in the
9 court's electronic document management system.

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

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

14 **16.304(2) Paper case files.** Except as otherwise provided in
15 these rules, *see e.g.*, rules 16.302(3) (dual filing requirement) and
16 16.315(1) (items not to be electronically filed), or directed by the
17 court, the clerk will not maintain paper case files in cases initiated
18 on or after [date of start of pilot project].

19

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

21 **16.305(1) Registration.**

22 a. *Registration required.* Registration is required to file
23 documents in a case governed by these rules, *see* rule 16.301(1), to
24 download documents filed in the electronic document management
25 system, and to remotely access documents filed in the electronic
26 document management system.

1 *b. How to register.* To register, filers and users, *see* rule
2 16.201 (definitions of “registered filer,” and “registered user”), must
3 complete a registration form and obtain a login and password for
4 the electronic document management system. A copy of the form is
5 available on the registration website at [insert appropriate web
6 address here] and on the public access terminals.

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

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

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

1 “participating abstractor” as determined by the State Court
2 Administrator or the State Court Administrator’s designee.

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

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

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

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

25 *h. Withdrawal from participation.* A registered individual or
26 entity may withdraw from participation in the electronic document

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

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.

26 *d.* If a login or password is lost, misappropriated, misused,

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

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

13
14 **Rule 16.306 Signatures.**

15 **16.306(1)** *Registered filer.* A registered filer's login name
16 and password required for submission of documents to the
17 electronic document management system serve as the registered
18 filer's signature on all electronic documents filed with the court.
19 They also serve as a signature for purposes of Iowa Rule of Civil
20 Procedure 1.413(1), any other applicable Iowa Court Rule, and any
21 other purpose for which a signature is required in connection with
22 proceedings before the court. All documents filed electronically
23 must include a signature block in the form set out in 16.306(4).

24 **16.306(2)** *Nonelectronic signature.* If a document contains a
25 nonelectronic signature, the original document must be scanned
26 before it is electronically filed in the electronic document

1 management system.

2 **16.306(3)** *Documents requiring oaths, affirmations or*
3 *verifications.* Any document requiring a signature be made under
4 oath or affirmation or with verification may be either signed
5 nonelectronically and scanned into the electronic document
6 management system or may be signed by an electronic process
7 which accurately reproduces or forms a durable medium for
8 accurately and legibly reproducing an unaltered image of the
9 required signature.

10 **16.306(4)** *Format.* Any filing requiring a signature must be
11 signed, with either an actual signature, the symbol “/es/”, or a
12 digitized signature.

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

16 (1) Name;

17 (2) Law firm;

18 (3) Mailing address;

19 (4) Telephone number;

20 (5) E-mail address; and

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

24 *b.* Filers are responsible for promptly updating the
25 information in (1) through (6) on the electronic document
26 management system. Non-registered filers are responsible for

1 informing the court of any changes in this information with respect
2 to all cases in which they have appeared.

3 **16.306(5)** *Multiple signatures.* The following procedure
4 applies to a document containing two or more signatures:

5 a. By filing the document the registered filer confirms that
6 the content of the document is acceptable to all persons signing
7 the document and all such persons consent to having their
8 signatures appear on the document.

9 b. After following the requirements of 16.306(5)(a), the
10 registered filer must either:

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

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

15 **16.306(6)** *Disputing authenticity.* A lawyer or a party who
16 disputes the authenticity of any signature on an electronically-filed
17 document must file an objection to the signature within 30 days
18 after the lawyer or party knew or should have known the signature
19 is not authentic. A signature will be presumed authentic until
20 established otherwise by clear and convincing evidence.

21
22 **Rule 16.307 Electronic filing.**

23 **16.307(1)** *Cover sheet.*

24 a. *Registered filers.* All registered filers shall complete an
25 electronic cover sheet for each filing. The cover sheet provides the
26 information to correctly docket and route the filing through the

1 system.

2 *b. Exceptions for authorized governmental agencies.* Certain
3 governmental agencies will be allowed to file documents and
4 transfer data by a court-approved alternative method of
5 transferring the document or data from the agency's electronic
6 system to the court's electronic document management system.
7 This alternative method for filing or presenting documents will
8 enable correct routing and docket entry of the documents. The
9 alternative method will also allow for requests for expedited relief
10 and requests to seal documents where appropriate.

11 **16.307(2) Filing.** The electronic transmission of a document
12 to the electronic document management system consistent with
13 the procedures specified in these rules, together with the
14 production and transmission of a notice of electronic filing
15 constitutes filing of the document. A copy of the notice of electronic
16 filing will be provided to nonregistered filers upon request to the
17 clerk of court.

18 **16.307(3) E-mailing or faxing documents does not constitute**
19 *filing.* E-mailing or faxing a document to the clerk or to the court
20 will not generate a notice of electronic filing and does not
21 constitute "filing" of the document.

22
23 **Rule 16.308 Electronic file stamp.** Each electronically filed
24 document shall receive an electronic file stamp consistent with the
25 notice of electronic filing. The file stamp shall merge with the
26 electronic document and be visible when the document is printed

1 and viewed on-line. Electronic documents are not officially filed
2 without the electronic filing stamp. Filings so endorsed shall have
3 the same force and effect as documents time stamped in a
4 nonelectronic manner.

5
6
7 **16.309 Docket entries.**

8 **16.309(1)** *Docket text.* A registered filer electronically filing a
9 document will be required to designate an accurate docket entry
10 for the document by using one of the docket event categories listed
11 on the cover sheet.

12 **16.309(2)** *Court responsibility.* The court is responsible for
13 the accuracy of all docket entries.

14 **16.309(3)** *Correcting docket entries.*

15 *a. Clerk to correct docket entries.* Once a document is
16 submitted into the electronic document management system, only
17 the clerk may make corrections to the docket. Any changes to the
18 docket will be noted in the docket.

19 *b. Errors discovered by filer.* If a filer discovers an error in
20 the electronic filing or docketing of a document, the filer shall
21 contact the clerk as soon as possible. When contacting the clerk,
22 the filer shall have available the case number of the document that
23 was filed or docketed erroneously. The clerk will research the error
24 and advise the filing party how the error will be addressed by the
25 clerk and what further action by the filer, if any, is required to
26 address the error. A filer shall not refile or attempt to refile a

1 document that has been erroneously filed or docketed unless
2 specifically directed to do so by the clerk.

3 *c. Errors discovered by clerk.* If errors in the filing or
4 docketing of a document are discovered by the clerk, the clerk will
5 ordinarily notify the filer of the error and advise the filer of what
6 further action, if any, is required to address the error. If the error
7 is a minor one, the clerk may, with or without notifying the parties,
8 either correct or disregard the error.
9

10 **Rule 16.310 Payment of fees.**

11 **16.310(1)** All applicable fees shall be paid by court
12 approved electronic means unless otherwise allowed.

13 **16.310(2)** Applications to proceed without the prepayment
14 of filing fees shall be supported by an affidavit, *see* Iowa Code
15 section 610.1. The application and supporting affidavit may be
16 submitted to the clerk nonelectronically.
17

18 **Rule 16.311 Date and time of filing, deadlines, and system**
19 **unavailability.**

20 **16.311(1)** *Date and time of filing, deadlines.*

21 *a.* An electronic filing can be made any day of the week,
22 including holidays and weekends, and any time of the day the
23 electronic document management system is available. However,
24 the expanded availability of electronic filing shall not affect the
25 provisions for extension of deadlines under the criteria set forth in

1 Iowa Code section 4.1(34). When a document is filed using the
2 electronic document management system, the system will generate
3 a notice of electronic filing. The notice of electronic filing will record
4 the date and time of the filing of the document in local time for the
5 state of Iowa. This will be the official filing date and time of the
6 document regardless of when the filer actually transmitted the
7 document.

8 *b.* A document is timely filed if it is filed before midnight on
9 the date the filing is due.

10 *c.* If there is a deadline established in these rules that is
11 different from a deadline established by a court order in a
12 particular case, the deadline established in the court order
13 controls.

14 *d.* As the electronic document management system may not
15 always be available due to system maintenance or technical
16 difficulties, filers should not wait until the last moment to file
17 documents electronically.

18 **16.311(2)** *System unavailable.*

19 *a.* Some deadlines are jurisdictional and cannot be
20 extended. The filer must ensure, by whatever means necessary, a
21 document is timely filed to comply with jurisdictional deadlines. A
22 technical failure, including a failure of the electronic document
23 management system, will not excuse a failure to comply with a
24 jurisdictional deadline.

25 *b.* If a filer is unable to meet a nonjurisdictional deadline
26 due to a technical failure, the filer must file the document using

1 the soonest available electronic or nonelectronic means. The filing
2 will not be considered untimely unless determined to be untimely
3 by the court after an opportunity to be heard.

4 **16.311(3)** *Notice of system downtime.*

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

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

15
16 **Rule 16.312 Format of electronic documents.**

17 **16.312(1)** *Generally.* All documents shall be formatted in
18 accordance with the applicable rules governing formatting of paper
19 documents. *See e.g.,* Rs. Civ. P. 1.411, 1.412; Iowa Rs. App. P.
20 6.803(2), 6.903, 6.905(3), 6.1002. A document must be converted
21 to a portable document format (".pdf") before the document is filed
22 in the electronic document management system. The registered
23 filer shall ensure that the filing is an accurate representation of the
24 document and is complete and readable.

25 **16.312(2)** *Exceptions for authorized governmental agencies.*

26 All documents shall be formatted in accordance with the applicable

1 rules governing formatting of paper documents. *See e.g.* Rs. Civ. P.
2 1.411, 1.412; Iowa Rs. App. P. 6.903, 6.905(3), 6.1002. If
3 authorized by the state court administrator a governmental agency
4 may use an approved data transfer method to file documents in
5 the court's electronic document management system.

6
7 **Rule 16.313 Electronic attachment of other electronic**
8 **documents.**

9 **16.313(1)** The following documents shall be electronically
10 attached to another document without a separate cover sheet:

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

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

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

23
24 **Rule 16.314 Hyperlinks and other electronic navigational**
25 **aids.**

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

5 **16.314(2)** Although hyperlinks may be included in a
6 document as an aid to the court, the material referred to by the
7 hyperlinks are not considered part of the official record or filing
8 unless already part of the record in the case.

9 **16.314(3)** Hyperlinks to cited authority may not replace
10 standard citation format for constitutional citations, statutes,
11 cases, rules, or other similarly cited materials.

12 **16.314(4)** Hyperlinks may be used to provide an electronic
13 link to other portions of the same document or other portions of
14 the court file.

15
16 **Rule 16.315 Documents and other items to be filed non-**
17 **electronically and not maintained in the electronic case file.**

18 **16.315(1)** *Items not to be electronically filed.* Unless
19 otherwise required or authorized by these rules, by the clerk or the
20 court, or as specifically noted below, the following documents and
21 other items may be filed nonelectronically and need not be
22 maintained in the electronic case file:

23 *a.* The administrative record in cases in which the court is
24 asked to rule based on that record unless the underlying
25 administrative record is already an electronic record or is
26 submitted electronically by agreement of the parties. The petition,

1 answer, briefs, and motions in such cases shall be filed
2 electronically, and shall be maintained in the electronic case file.

3 *b.* Transcripts of proceedings before the court not available
4 in electronic format unless submitted electronically by agreement
5 of the parties.

6 *c.* Any item that is not capable of being filed in an electronic
7 format.

8 **16.315(2)** *Service of notice of items filed nonelectronically.*

9 Parties who file paper documents or other items pursuant to rule
10 16.315(1) must electronically file a notice of the filing of the item.

11
12 **Rule 16.316 Original notice.**

13 **16.316(1)** *Form of original notice.* When a party
14 electronically files a new case, the party shall attach an original
15 notice in the form required by Iowa Rule of Civil Procedure 1.302(1)
16 to the petition. In addition to the information required by rule
17 1.302(1), the original notice must:

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

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

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

24 **16.316(2)** *Clerk's certification of original notice.* After a
25 petition is filed, the clerk shall electronically certify the original

1 notice and electronically return a certified original notice back to
2 the registered filer.

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

6 **16.316(4)** *Return of service.* After the original notice is
7 served, the return of service must be scanned and electronically
8 filed.

9
10 **Rule 16.317 Service of documents subsequent to original**
11 **notice.**

12 **16.317(1)** *Service of documents by registered filers.*

13 *a. Electronic distribution of electronically filed documents.*

14 (1) A registration form, *see* 16.305(1), signed by a filer
15 constitutes a request for, and consent to, electronic service of
16 court-generated documents, and documents filed electronically by
17 other parties.

18 (2) When a document is electronically filed, it will be served
19 through the electronic document management system to the e-mail
20 address of all parties who are registered filers. The electronic
21 document management system serves parties by sending them a
22 notice of electronic filing. The notice of electronic filing constitutes
23 service of the document for purposes of the Iowa Court Rules. No
24 other service on those parties is required. Electronic service is not
25 effective if the filer learns the notice of electronic filing was not
26 transmitted to a party.

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

9 **16.317(2)** *Service of documents filed by nonregistered filers.*

10 Nonregistered filers must serve a paper copy of documents filed
11 with the court on all persons entitled to service who are
12 nonregistered filers in the manner required by Iowa Rule of Civil
13 Procedure 1.442 and Iowa Rule of Criminal Procedure 2.34(2). No
14 separate service is required for parties who are registered filers.
15 Service on such persons will be made electronically through the
16 electronic document management system.
17

18 **Rule 16.318 Certificate of service.** A certificate of service shall
19 be filed for all documents not served by the electronic document
20 management system. These include documents that must be
21 served on parties who are nonregistered filers, documents that
22 must be served on parties seeking to intervene in a confidential
23 case, and service of discovery materials. *See e.g.* rules 16.317(1)(b),
24 16.321(3), and 16.401(1)(a). The certificate shall be filed promptly
25 and shall show the date and manner of service. The certificate of
26 service may be included on the last page of the document.
27

1 **Rule 16.319 Additional time after electronic service.** When
2 service of a document is made by electronic means, the time to
3 respond shall be computed in the same manner as required by
4 Iowa R. Civ. P. 1.443(2) and Iowa R. App. P. 6.701(6).

5

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

7 **16.320(1)** *Electronic filing of court-generated documents.* All
8 court-generated documents issued in cases governed by this
9 chapter, *see* rule 16.102, shall be electronically filed.

10 **16.320(2)** *Service of court-generated documents.*

11 *a. Electronic notice and service.* The electronic document
12 management system will electronically transmit any court-
13 generated document to all registered filers entitled to service.
14 Electronic service of the notice of electronic filing upon a registered
15 filer constitutes service or notice of the document.

16 *b. Nonelectronic notice and service.* The clerk shall mail
17 paper copies of electronically-filed court-generated documents to
18 nonregistered filers. The clerk shall include a copy of the notice of
19 electronic filing with the paper copy of the document.

20

21 **Rule 16.321 Intervention in confidential cases.**

22 **16.321(1)** *Manner in which to intervene.* A party seeking to
23 intervene in a case deemed confidential by law, rule, or court order
24 shall, unless authorized to file nonelectronically under rule
25 16.302(2), electronically file the motion to intervene and all related
26 documents.

1 **16.321(2)** *Access to file.* Until the court grants the motion
2 to intervene, the party seeking to intervene is not allowed to
3 download or view any part of the confidential file, nor will that
4 party receive a notice of electronic filing of any document filed in
5 the case.

6 **16.321(3)** *Service.* If the court or a party files a document
7 related to the motion to intervene, a paper copy of the document
8 shall be served on the potential intervenor in the same manner as
9 a nonregistered filer. *See* rules 16.317(1)(b) and 16.320(2)(b). If the
10 motion to intervene is granted, the intervenor will subsequently be
11 served copies of filed documents pursuant to rules 16.317 and
12 16.320(2).

13
14 **Rule 16.322 Limited appearance.**

15 **16.322(1)** *Entry of appearance.* An attorney whose role in a
16 case is limited to one or more matters shall file a document labeled
17 “Limited Appearance pursuant to Iowa R. Prof’l Conduct 32:1.2(c).”
18 Upon the filing of this document the attorney will receive electronic
19 service of filed documents pursuant to rules 16.317 and 16.320(2).
20 *See generally* Iowa Rs. Civ. P. 1.404(3), 1.442(2), Iowa R. Prof’l
21 Conduct 32:1.2(c).

22 **16.322(2)** *Termination of limited appearance.* At the
23 conclusion of the matters covered by the limited appearance the
24 attorney shall file a notice of completion of limited appearance.
25 Upon the filing of this document the attorney will no longer receive

1 electronic service of filed documents. *See generally* Iowa R. Civ. P.
2 1.404(4).

3 **16.322(3)** *Service on litigant.* During the course of the
4 limited appearance the litigant on whose behalf the attorney has
5 entered a limited appearance shall continue to receive service of all
6 documents pursuant to rules 16.317 and 16.320(2).

7
8 **Rules 16.323 to 16.400** Reserved.

9
10 **DIVISION IV**
11 **SPECIFIC TYPES OF DOCUMENTS**

12
13 **Rule 16.401 Discovery.**

14 **16.401(1)** *Service of discovery materials.*

15 *a. Service.* Requests for discovery, responses to discovery,
16 and notices of deposition may be served by e-mail to a registered
17 filer.

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

21 **16.401(2)** *Filing notice of discovery requests and responses.*

22 Parties shall file a notice with the court when a notice of deposition
23 or a discovery request or response is served on another party. The
24 notice shall identify the document served, and include the date,
25 manner of service, and the names and addresses of the persons
26 served. This rule only requires the filing of a notice indicating a
27 discovery request or response was made. The parties should

1 continue to follow Iowa R. Civ. P. 1.502 with respect to the filing of
2 discovery materials.

3
4 **Rule 16.402 Transcripts.** Transcripts shall be filed electronically
5 in a secure format in accordance with directives established by the
6 state court administrator and with the formatting requirements of
7 Iowa R. App. P. 6.803(2).

8
9 **Rule 16.403 Expedited relief** Requests for expedited relief shall
10 be noted on the electronic document management system cover
11 sheet.

12
13 **Rule 16.404 Briefs.** Legal briefs and memoranda shall be
14 electronically filed.

15
16 **Rule 16.405 Documents to be filed under seal.**

17 **16.405(1) Motions to seal.** A party seeking to file under seal
18 documents that are not deemed confidential by statute or rule,
19 shall file a motion to seal the document. The document sought to
20 be filed under seal must not be attached to the motion or it will be
21 part of the public case file. The document may be filed under seal
22 only after the motion is granted. The documents proposed to be
23 filed under seal shall be electronically presented for review by the
24 court. If the court enters an order granting the motion, the
25 electronically presented document will be filed and sealed.

26 For information on filing confidential papers in appeals to

1 the Iowa Supreme Court see rule 16.1209.

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

10 **16.405(3)** *System-sealed documents.* Certain categories of
11 documents are sealed within the electronic document management
12 system without a motion by a party or an order of the court. A
13 current list of system-sealed filings is available from the clerk and
14 is available on the court's web site at www.iowacourts.gov. For
15 such documents, no motion for leave to file under seal is
16 necessary.

17 **16.405(4)** *Access to sealed documents and docket entries.*
18 Access to documents filed under seal is managed by the electronic
19 document management system in three different ways:

20 a. Some documents are available for viewing only by the
21 parties and the court, but are referenced in a docket entry
22 available to the public. Examples of these documents include
23 presentence investigation reports, minutes of testimony, and
24 documents filed under seal pursuant to this rule.

25 b. Some documents are available for viewing only by the
26 parties and the court, and are not referenced in a docket entry

1 available to the public. Examples of these documents include
2 filings in a child in need of assistance case.

3 c. Some documents are available for viewing only by the
4 court, and are not referenced in a docket entry available to the
5 parties or the public. Examples of these documents include
6 applications for search warrants and search warrants that have
7 not been executed.

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

11 **16.405(5) Paper documents.** Paper documents must
12 conform to the privacy rules that apply to electronic documents.

13
14 **Rule 16.406 In camera inspection.** Material may be
15 electronically presented to the court for in camera inspection. After
16 the court has examined the material and has entered an order
17 concerning the issues raised by the material, the electronically
18 in either electronic or paper form at the request of the presented
19 material will be filed and sealed.

20
21 **Rule 16.407 Subpoenas.** The clerk of court will provide
22 subpoenas registered filer.

23
24
25 **Rule 16.408 Certification of documents by the clerk.** Certified
26 copies of electronically filed documents may be obtained

1 electronically or nonelectronically. The fee for a certified copy will
2 be in accordance with the fee established in Iowa Code section
3 602.8105 and Iowa Court Rule 6.702(3). The clerk may certify
4 documents by digital signature and seal.

5
6 **Rule 16.409 Proposed orders.** If a proposed order is
7 electronically presented, *see* definition 16.201 (electronic
8 presentation), it may be electronically attached to a motion or
9 presented without a motion. The proposed order shall be
10 submitted in an editable format capable of being read by Microsoft
11 Word.

12
13 **Rule 16.410 Court reporter notes.** Court reporters who have
14 computer-aided transcription capability shall electronically file the
15 court reporter notes.

16
17 **Rule 16.411 Original documents.** Where the law requires the
18 filing of an original document, such as a will, mortgage document,
19 or birth certificate, the filer may scan the original document and
20 file the scanned document in the electronic document management
21 system. The filer must retain the original document for a period no
22 less than two years or until the conclusion of the case or the
23 conclusion of an appeal, or the conclusion of the estate, whichever
24 is later. The filer must immediately deliver the original document to
25 the court upon request of the court or the other party for
26 inspection and electronic preservation, if necessary.

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DIVISION V
PUBLIC ACCESS

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

Rules 16.413 to 16.500 Reserved.

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

Rule 16.502 Access to electronic court files.

22

16.502(1) *Registered filers.*

23

24

25

26

a. Lawyer licensed to practice law in Iowa. A lawyer, licensed to practice law in Iowa, shall have remote access to all non-confidential documents in non-confidential court files. Lawyers, licensed to practice law in Iowa, shall have limited access

1 to birth dates and names of children, normally considered
2 protected information under rule 16.602, in non-confidential court
3 files. The access to the birth dates and names of children, in cases
4 in which the lawyer has not entered an appearance, will be limited
5 to requesting the electronic document management system to
6 confirm or deny that the birth date or child's name supplied by the
7 lawyer is the same as the individual involved in a particular case.

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

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

16 **16.502(2)** *Abstractors.* An abstractor, see rule
17 16.305(1)(c)(2), shall have remote access to all non-confidential
18 documents in non-confidential court files. Abstractors shall have
19 limited access to birth dates and names of children, normally
20 considered protected information under rule 16.602, in non-
21 confidential court files. The access to the birth dates and names of
22 children will be limited to requesting the electronic document
23 management system confirm or deny that the birth date or child's
24 name supplied by the abstractor is the same as the individual
25 involved in a particular case.

PROTECTION OF PERSONAL PRIVACY

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

16.601(1) *Responsibility of filer, generally.* It is the responsibility of the filer to ensure, according to the rules of this division, that protected information, see rule 16.602, is omitted or redacted from documents before the documents are filed. The clerk of court will not review filings to determine whether appropriate omissions or redactions have been made. The clerk will not, on the clerk's own initiative, redact documents or seal documents containing protected information.

16.601(2) *Transcripts.* At the time a transcript is filed, the court reporter shall, in accordance with directives established by the state court administrator, designate information that is included in the list of protected information in rule 16.602. After the court reporter has filed the certified transcript with the designated protected information, each party shall, within ten days from the date of certification of the transcript, review the designated material and, if necessary, request additional designation of protected information. Any disagreement as to whether information should be so designated shall be decided by the court. The parties to the action are responsible for ensuring the appropriate information is designated as protected material. The transcript will not be subject to public access until any requests for additional designation have been resolved. The system will not

1 allow viewing of the protected information by those without proper
2 access.

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

9
10 **Rule 16.602 Protected information.** Protected information
11 includes the following:

- 12 1. Social security numbers.
- 13 2. Financial account numbers.
- 14 3. Dates of birth.
- 15 4. Names of minor children.
- 16 5. Individual taxpayer identification numbers.
- 17 6. Personal identification numbers.
- 18 7. Other unique identifying numbers.

19
20 **Rule 16.603 Omission and redaction requirements.**

21 **16.603(1)** *Protected information not required and not*
22 *material.* A party shall omit protected information from documents
23 filed with the court when the information is not required by law
24 and is not material to the proceedings.

25 **16.603(2)** *Protected information that is required or material.*
26 When protected information is required by law to be included or is

1 material to the case, a party shall record the protected information
2 on a separate protected information form, *see* rule 16.606. The
3 party shall redact the protected information, *see* rule 16.605
4 (manner in which to redact protected information), from any other
5 document before filing the document with the court.

6 **16.603(3)** *Confidential or sealed documents.* Parties are not
7 required to redact protected information from documents deemed
8 confidential by statute, rule or court order; however redaction is
9 required for materials that are initially confidential but which later
10 become public, such as documents in dissolution proceedings.

11 **16.603(4)** *Full disclosure allowed.* A party may disclose
12 protected information only when full disclosure of that information
13 is an essential or required component of the document, for
14 example, when a writ of execution requires a full financial account
15 number.

16
17 **Rule 16.604 Information that may be redacted.** A party may
18 redact the following information from publicly available documents
19 unless the information is material to the proceedings or disclosure
20 is otherwise required by law:

- 21 1. Driver's license numbers.
- 22 2. Information concerning medical treatment or diagnosis.
- 23 3. Employment history.
- 24 4. Personal financial information.
- 25 5. Proprietary or trade secret information.
- 26 6. Information concerning a person's cooperation with the

1 government.

2 7. Information concerning crime victims.

3 8. Sensitive security information.

4 9. Home addresses.

5

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

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

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

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

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

18

19 **Rule 16.606 Protected information form.**

20 **16.606(1)** *Protected information form required.* When a party
21 is required to include protected information in a filed document,
22 the party shall file a protected information form. A copy of the form
23 can be found at www./coverpage. The protected information form
24 shall contain the protected information in its entirety as well as the
25 redacted version of the information used in the filed document. All
26 references in the case to the redacted information included in the

1 protected information form shall be construed to refer to the
2 corresponding complete protected information. The protected
3 information form shall be confidential.

4 **16.606(2)** *Supplementing protected information form.* When
5 new information is needed to supplement the record, or if
6 information already contained in the protected information form
7 needs to be updated or corrected, the parties shall file an updated
8 protected information form reflecting all previously disclosed
9 protected information plus any additions, changes, or corrections.

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

17
18 **Rule 16.608 Improperly included protected information.**

19 **16.608(1)** A party may move to redact improperly included
20 protected information from a filed document and may request an
21 immediate order to temporarily seal the document pending notice
22 and opportunity to be heard by all parties.

23 **16.608(2)** If, after all parties have been provided an
24 opportunity to be heard, the court finds protected information was
25 improperly included in a filed document, the court may seal the
26 document and may cause a properly redacted document to be filed.

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DIVISION VII
CRIMINAL CASES

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Rule 16.701 Criminal cases and the electronic document management system.

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

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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.

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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.

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Rule 16.702 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-

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

6
7 **Rule 16.703 Warrants and other similar applications.** When
8 made during regular court hours, applications for search warrants,
9 arrest warrants, and other similar applications shall, if at all
10 possible, be electronically presented to the court. Applications
11 made when the courthouse is closed may be electronically
12 presented to the court on a computer tablet or similar electronic
13 device capable of allowing the court to modify the documents and
14 capable of accepting a judge or magistrate's signature. If the
15 applicant does not have immediate access to such technology, the
16 application shall be presented to the court in paper form and shall
17 later be scanned into the electronic document management
18 system.

19
20 **Rule 16.704 Documents initiating criminal cases.**

21 **16.704(1)** *Trial informations and indictments.*

22 *a. Trial informations.* A trial information shall be
23 electronically presented to the court for approval. After the court
24 has approved or refused to approve a trial information, the
25 information shall be electronically returned to the prosecuting
26 attorney. The prosecuting attorney is responsible for filing an

1 approved information.

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

6 **16.704(2)** *Complaints, traffic tickets, and similar citations.* A
7 complaint, traffic ticket, or similar citation containing the
8 electronic signature of an arresting officer or other person shall be
9 transmitted to the electronic document management system in
10 such a manner as to legibly reproduce an unaltered image of the
11 required signature or display a realistic visual image of the
12 signature.

13
14 **Rule 16.705 Signature of defendant.** When a defendant's
15 signature is required on a document the defendant's signature may
16 be placed on the document in one of the following ways:

17 **16.705(1)** *Nonelectronic signature.* A defendant may sign a
18 document nonelectronically, such as with the use of pen on paper.
19 The document signed in this manner shall be scanned before it is
20 electronically filed in the electronic document management system.

21 **16.705(2)** *Computer tablet signature.* A defendant may
22 electronically sign a document by use of computer tablet or similar
23 technology.

24 **16.705(3)** *Login and password.* A defendant who is a
25 registered filer may sign the document by use of the defendant's
26 login and password.

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Rule 16.706 Copies of documents for self-represented

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defendants. A defendant who is not represented by counsel shall,

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unless waived, be provided by the court a paper copy of all

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documents submitted to the court or filed by the court during that

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hearing.

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Rule 16.707 Written plea agreements. Written plea agreements

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may be electronically presented to the court, but need not be filed

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prior to a plea proceeding. If the plea is accepted the electronically

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presented plea agreement shall be filed.

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DIVISION VIII

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JUVENILE CASES

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Rule 16.801 Juvenile cases and the electronic document

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management system.

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

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All delinquency, child in need of assistance, termination, waiver of

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parental notification, and family in need of assistance cases shall

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be opened using the electronic document management system. All

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filings made in these cases shall be done through the electronic

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document management system.

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16.801(2) *Applicability of electronic document management*

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rules to juvenile cases. The rules in divisions I through VI,

1 including rules pertaining to the protection of personal privacy,
2 apply in delinquency, child in need of assistance, termination,
3 waiver of parental notification, and family in need of assistance
4 cases.

5
6 **Rule 16.802 Emergency applications.** When made during
7 regular court hours applications for emergency orders shall, if at
8 all possible, be electronically presented to the court. Applications
9 made when the courthouse is closed may be electronically
10 presented to the court on a computer tablet or similar electronic
11 device capable of allowing the court to modify the documents and
12 capable of accepting a judge's signature. If the applicant does not
13 have immediate access to such technology, the application shall be
14 presented to the court in paper form and shall later be scanned
15 into the electronic document management system. Examples of
16 emergency applications include applications for placement in
17 shelter care, placement in detention, requests for emergency
18 medical care, and removal from parental custody.

19
20 **Rule 16.803 Signatures.** When the signature of a parent,
21 guardian, custodian, child, as defined in Iowa Code section
22 232.2(5), or adult within the jurisdiction of the juvenile court is
23 required on a document the signature may be placed on the
24 document in one of the following ways:

25 **16.803(1) Nonelectronic signature.** The person may sign a
26 document nonelectronically, such as with the use of pen on paper.

1 The document signed in this manner shall be scanned before it is
2 electronically filed in the electronic document management system.

3 **16.803(2)** *Computer tablet signature.* The person may
4 electronically sign a document by use of computer tablet or similar
5 technology.

6 **16.803(3)** *Login and password.* If the person is a registered
7 filer the person may sign the document by use of the person's login
8 and password.

9
10 **Rule 16.804 Documents requiring oaths, affirmations or**
11 **verifications.** Any document requiring a signature be made under
12 oath or affirmation or with verification may be either signed non-
13 electronically and scanned into the electronic document
14 management system or may be signed by an electronic process
15 which accurately reproduces or forms a durable medium for
16 accurately and legibly reproducing an unaltered image of the
17 required signature.

18
19 **Rule 16.805 Written plea agreements.** Written plea agreements
20 may be electronically presented to the court but need not be filed
21 prior to a plea proceeding. If the plea is accepted the electronically
22 presented plea agreement shall be filed.

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DIVISION IX

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Rules 16.901 to 16.1000 Reserved.

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DIVISION X

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Rules 16.1001 to 16.1100 Reserved.

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DIVISION XI

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Rules 16.1101 to 16.1200 Reserved.

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DIVISION XII
APPEALS TO THE IOWA APPELLATE COURTS

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A. EFFECTIVE DATE, SCOPE, APPLICABILITY OF OTHER RULES

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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].

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

3 **16.1202(1)** *Appeals commenced on or after [insert date].* The rules
4 in division XII of this chapter govern the filing of all documents in all
5 appeals commenced on or after [insert date].

6 **16.1202(2)** *Appeals commenced prior to [insert date]--appendix not*
7 *yet filed.* Appeals pending in the supreme court prior to the effective date
8 of these rules and in which the appendix has not yet been filed shall not
9 be subject to the requirements of this chapter until it is time to file the
10 appendix. *See* Iowa R. App. P. 6.905(11) (time for filing appendix). The
11 appendix and all subsequently filed documents shall be filed and served
12 electronically under the rules of this chapter. The parties, if not already
13 registered to file documents in the electronic document management
14 system, must register before the time the appendix is required to be filed
15 and served. *See* rules 16.305 (registration), 16.1204(1) (if previously
16 registered no additional registration required), 16.1204(2) (exceptions to
17 electronic filing participation).

18 **16.1202(3)** *Appeals commenced prior to [insert date]--appendix*
19 *already filed.* Appeals pending in the supreme court prior to the effective
20 date of these rules and in which the appendix has already been filed
21 shall not be subject to the requirements of this chapter.

22
23 **Rule 16.1203 Applicability of rules in divisions I through VI to**
24 **appellate court cases.** Except for rules 16.101, 16.102, 16.301(1),
25 16.302(2), 16.302(3) and 16.304(2), the rules in divisions I through VI,

1 including rules pertaining to the protection of personal privacy, apply in
2 appellate court cases.

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B. GENERAL PROVISIONS

6 **Rule 16.1204 Use of electronic document management system**
7 **mandatory for appellate cases.**

8 **16.1204(1) *Electronic filing mandatory.*** All lawyers authorized to
9 practice law in Iowa, all lawyers admitted pro hac vice, *see* Iowa Ct. Rule
10 31.14, and all self-represented litigants must register as provided in rule
11 16.305(1) to participate in the electronic document management system.
12 If the lawyer or self-represented litigant previously registered to
13 participate at the district court or appellate court level no additional
14 registration is required. As provided in this chapter, registered filers
15 must electronically submit all documents to be filed with the court
16 unless otherwise required or authorized by these rules.

17 **16.1204(2) *Exceptions***

18 *a. Good cause.* For good cause, the clerk of the supreme court, or
19 the clerk's deputy, may authorize a filer to submit a document by
20 nonelectronic means to the clerk for filing. Upon a motion showing
21 exceptional circumstances that it is not feasible for a party to file
22 documents by electronic means, the supreme court may excuse the party
23 from registering to participate in the electronic filing system for purposes
24 of that case. If a party was excused from registering to participate in the
25 electronic filing system in the underlying district court action, *see* rule
26 16.302(2), a copy of the district court order granting the exemption shall

1 be attached to a request to be excused from participating in the
2 electronic system for purposes of the case on appeal.

3 *b. Abortion notification appeals.* Abortion notification appeals are
4 not subject to these rules and shall be governed by Iowa R. App. P.
5 6.401.

6

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

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12 **Rules 16.1206 to 16.1208** Reserved.

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14 C. CERTIFICATION OF CONFIDENTIALITY

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

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1 **Rules 16.1210 to 16.1211** Reserved.

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D. STAYS AND CASES REQUIRING EXPEDITED RELIEF.

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

7

1. Any request for a stay.

8

2. Any request for other immediate relief.

9

3. Any district court trial or hearing date scheduled within 90 days of
10 the filing date of the request for relief.

10

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

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E. SPECIAL SIGNATURE REQUIREMENTS

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

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16.1213(1) *Notice of appeal and applications for interlocutory
21 appeal.* A notice of appeal or an application for interlocutory appeal in
22 termination-of-parental-rights or child-in-need-of-assistance cases may
23 follow either the requirements of rule 16.306(5)(b)(1) or (b)(2) for filing
24 documents containing two or more signatures. *See* Iowa Rs. App. P.
25 6.102(1)(a), 6.104(1)(b)(1).

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

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12
13 F. INITIATION OF CASES IN APPELLATE COURTS

14 **16.1214 Initiation of appeal from final orders or judgments.**

15 **16.1214(1)** *Filing of notice of appeal in district court and service on*
16 *other required parties.* The notice of appeal from a final order or
17 judgment, see Iowa R. App. P. 6.102, shall be filed with the clerk of the
18 district court where the order or judgment was entered. If the appeal is
19 filed in a district court case governed by this chapter, see rules 16.101,
20 16.102, the notice of appeal shall be filed and served on the other parties
21 according to the rules of this chapter. See e.g. Iowa R. App. P.
22 6.102(2)(b) (parties to be served), rules 16.317 (method of service),
23 16.318 (certificate of service). If the appeal is filed in a district court case
24 not governed by the rules of this chapter the notice of appeal shall be
25 filed and served on the other parties in the conventional manner. See
26 Iowa R. Civ. P. 1.442(2), Iowa R. App. P. 6.102.

1 **16.1214(2)** *Service on the clerk of the supreme court.* Unless a filer
2 has received authorization pursuant to rule 16.1204(2) to file
3 nonelectronically, the notice of appeal must be served upon the clerk of
4 the supreme court through the electronic document management
5 system. Service on the clerk of the supreme court is accomplished by
6 following the instructions on the electronic document management
7 system cover sheet for filing a new appeal. See rule 16.201 (definition of
8 “cover sheet”). The filer, if not already registered to file documents in the
9 electronic document management system, must register before serving
10 the notice of appeal on the clerk of the supreme court. See rule 16.305
11 (registration), 16.1204(1) (if previously registered no additional
12 registration required).

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

24

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

4 **16.1215(1)** *Initiating the proceeding.* The application, petition, or
5 certification order, *see generally* Iowa Rs. App. P. 6.104 (interlocutory),
6 6.106 (discretionary), 6.107 (certiorari), 6.302 (certification orders), 6.501
7 (other proceedings), shall be electronically filed with the clerk of the
8 supreme court. The filer, if not already registered to file documents in
9 the electronic document management system, must register before filing
10 the document initiating the appellate court case with the clerk of the
11 supreme court. *See* rules 16.305 (registration), 16.1204(1) (if previously
12 registered no additional registration required).

13 **16.1215(2)** *Service on other parties.* The filer shall serve the
14 document initiating the appellate court case on the other parties
15 according to the rules governing service in the district court action. *See*
16 Iowa R. Civ. P. 1.442(2), Iowa Rs. App. P. 6.104(1)(c), 6.106(1)(c),
17 6.107(1)(c), 6.107(5), 6.302(3), Iowa Ct. Rs. 16.317, 16.320(2), and
18 16.321(3).

19 **16.1215(3)** *Entry of appearance.* All parties shall, within seven
20 days after the filing of the application or petition, electronically file an
21 entry of appearance with the clerk of the supreme court. *See generally*
22 Iowa R. Crim. P. 2.29(6), Iowa Rs. App. P. 6.107(5), 6.109(4) and (5). A
23 party, if not already registered to file documents in the electronic
24 document management system, must register before entering an
25 appearance. *See* rules 16.305, 16.1204(1)(if previously registered no
26 additional registration required). A party will not receive electronic

1 notification and service of filed documents until an entry of appearance
2 is filed.

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4 **Rules 16.1216 to 16.1218** Reserved.

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G. FILING AND SERVICE

8 **Rule 16.1219 Facsimile (fax) transmission or e-mail transmission**

9 **does not constitute filing.** Transmitting a document to the clerk of the
10 supreme court or to an appellate court by fax or e-mail will not generate
11 a notice of electronic filing and does not constitute a “filing” of the
12 document. See rules 16.201 (definition “notice of electronic filing”),
13 16.307 (electronic filing). Documents transmitted to the appellate court
14 or to the clerk of the supreme court by fax or e-mail will only be filed if
15 the party was authorized to submit the document in that manner under
16 rule 16.1204(2) (exceptions to mandatory use of electronic document
17 management system).

18

19 **Rule 16.1220 Service of documents subsequent to notice of appeal,**
20 **application for interlocutory review, or similar initiating document.**

21 Service of all documents filed subsequent to the notice of appeal,
22 application for interlocutory review, or similar initiating document shall
23 follow rules 16.317, 16.320(2), and 16.321(3). Until a party files an entry
24 of appearance, whether pro se or through an attorney, that party cannot
25 be served through the electronic document management system and

1 must be served as if that party was a nonregistered filer. See rule
2 16.317(1)(b).

3

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

5 **16.1221(1)** *Number of copies to be filed.* Except as otherwise
6 specifically ordered by the appellate court in a particular case, when the
7 Iowa Rules of Appellate Procedure require multiple copies of any
8 document be filed, see e.g. Iowa Rs. App. P. 6.901(7), 6.905(11), 6.906(5),
9 6.908(5), 6.1103(5), only one copy of the document shall be filed in the
10 electronic document management system.

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

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18 **Rules 16.1222 to 16.1224** Reserved.

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H. RECORD ON APPEAL

22 **Rule 16.1225 Transmission of record.**

23 **16.1225(1)** *Transmission of notice of appeal and docket entries.*
24 The clerk of the district court shall electronically transmit copies of the
25 notice of appeal, the notice of cross-appeal, if any, and the docket entries
26 in the district court proceeding to the clerk of the supreme court within

1 four days after the filing of the notice of appeal or the notice of cross
2 appeal, if any. See Iowa R. App. P. 6.802(1).

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

14 **16.1225(3)** *Request to transmit record in Iowa R. App. P. 6.1005*
15 *cases.* Within fourteen days after filing a motion to withdraw pursuant
16 to Iowa R. App. P. 6.1005(2), counsel shall request the clerk of the
17 district court to transmit to the clerk of the supreme court any remaining
18 record that was not created or is not stored in the electronic document
19 management system. See Iowa R. App. P. 6.1005(4) (request to transmit
20 record). Documents or exhibits not created or stored in the electronic
21 document management system, unless otherwise ordered by the
22 supreme court, shall be transmitted to the clerk of the supreme court
23 nonelectronically.

24

25 **Rule 16.1226 Transcripts of proceedings.** The reporter shall
26 electronically file the original of the transcript with the clerk of the

1 supreme court. The format of the transcript shall comply with the
2 requirements of Iowa R. App. P. 6.803(2).

3
4 **Rules 16.1227 to 16.1229** Reserved.

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6
7 I. BRIEFS, APPENDIX, FURTHER REVIEW APPLICATIONS, OTHER
8 DOCUMENTS

9 **Rule 16.1230 Pro se supplemental briefs.**

10 **16.1230(1)** *Pro se supplemental proof briefs, reply briefs or*
11 *supplemental designations.* Any criminal defendant, applicant for
12 postconviction relief, or respondent committed under Iowa Code chapter
13 229A, who is authorized to be a nonregistered filer, may submit a pro se
14 supplemental proof brief, proof reply brief or supplemental designation of
15 appendix to the clerk of the supreme court to be scanned and
16 electronically filed. See Iowa R. App. P. 6.901(2) (pro se supplemental
17 proof briefs), Iowa Ct. Rs. 16.201 (definition of “nonregistered filer”),
18 16.303 (submission of paper documents), 16.1204(2) (exemption from
19 mandatory electronic filing).

20 **16.1230(2)** *Pro se supplemental final briefs.* Counsel for the
21 defendant, applicant, or respondent shall electronically file the final
22 copies of the pro se supplemental briefs and ensure service is
23 accomplished pursuant to rule 16.1220. See Iowa R. App. P. 6.901(2)(d).

24
25 **Rule 16.1231 References in briefs, motions, and other documents**
26 **submitted to the court.**

27 **16.1231(1)** *Hyperlinks and other electronic navigational aids.*

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

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

7 c. Hyperlinks to cited authority may not replace standard citation
8 format for constitutional citations, statutes, cases, rules, or other
9 similarly cited materials.

10 **16.1231(2)** *References to the record in briefs.* All briefs shall
11 comply with the requirements of Iowa Rs. App. P. 6.903 (briefs) and
12 6.904(4) (references in briefs to the record). However, references made in
13 a final brief to a part of the record shall include a citation to the page or
14 pages of the appendix at which those parts appear and the final brief
15 shall also contain a reference to the page of the actual transcript.

16
17 **Rule 16.1232 Appendix.**

18 **16.1232(1)** *Appendix required.* An appendix is required in appeals
19 governed by this chapter. An appendix shall comply with the
20 requirements of Iowa R. App. P. 6.905 (appendix) except as otherwise
21 provided by these rules.

22 **16.1232(2)** *Transcripts filed electronically.* No portion of a
23 transcript filed electronically shall be included in the appendix. See
24 rules 16.402, 16.1226.

25 **16.1232(3)** *Nonelectronic transcripts.* Relevant portions of
26 transcripts that have not been filed or stored in the electronic document

1 management system shall be included in the appendix. See Iowa R. App.
2 P. 6.905(2)(b). Examples of these types of transcripts include a paper
3 copy of a criminal trial proceeding admitted as an exhibit in a
4 postconviction relief action or a paper copy of a transcript from an
5 administrative proceeding submitted to the court in a judicial review
6 proceeding. See e.g., rule 16.315(1)(a), (b).

7

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

14

15 **Rule 16.1234 Attachments to motions.** The supporting documents to
16 a motion shall be electronically attached as an exhibit to the motion. *See*
17 Iowa R. App. P. 6.1002 (motions), 16.313(1)(b) (electronic attachment of
18 exhibits). A party may not use hyperlinks or other electronic
19 navigational aids to circumvent the page limitations in Iowa R. App. P.
20 6.1002.

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