

**Chapter 16**  
**Iowa Rules of**  
**Electronic Filing Procedure**

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11

12                                   **Chapter 16**  
13                                   **Iowa Rules of**  
14                                   **Electronic Filing Procedure**

15                                   **Division I**  
16                                   Scope and Authority

17           **Rule 16.101 Scope and applicability.**

18                    **16.101(1)** The rules in this chapter govern the filing of all  
19 documents in the Iowa Judicial Branch electronic document  
20 management system (EDMS) in cases commenced on or after the  
21 initiation of electronic filing in an Iowa county or in the Iowa  
22 appellate courts. The rules of this chapter also govern the  
23 electronic filing of documents in cases converted to electronic  
24 cases.

25                    **16.101(2)** Chapter 16 comments serve solely as explanation  
26 of the Iowa Rules of Electronic Procedure and are not a part of the  
27 rules.

1                    **16.101(3)** The Iowa Rules of Electronic Procedure will be  
2                    cited as “Iowa R. Elec. P.”

3                    **Comment:**

4                    **Rule 16.101.** EDMS is designed to provide a more efficient and less  
5                    costly access to the Iowa court system for parties, attorneys, and other users by  
6                    enabling access to their cases 24 hours per day, 7 days per week from anywhere  
7                    with Internet access.

8                    **Rule 16.102 Cases pending prior to electronic filing.**

9                    **16.102(1)** A case pending prior to the initiation of electronic  
10                  filing in a particular county is not subject to the requirements of  
11                  this chapter. A party, however, may apply to convert a case not  
12                  subject to the requirements of this chapter to an electronic case.

13                  **16.102(2)** If the court approves an application to convert a  
14                  case to electronic filing, the rules of this chapter govern the  
15                  electronically converted portion of the case. The court will  
16                  determine how the case will be converted to an electronic file and  
17                  which party, if any, should bear the costs of such conversion.

18                  **16.102(3)** For efficiency in court operations, the chief judge  
19                  of the judicial district may order the electronic conversion of any  
20                  case not already subject to the requirements of this chapter.

21                  **16.102(4)** Any electronically converted document is subject  
22                  to the redaction requirements related to protected information in  
23                  ~~Division~~division VI of this chapter. Documents filed prior to the  
24                  conversion order may be ~~converted but will remain scanned for the~~  
25                  convenience of the court, but the electronic documents will be set  
26                  at a security level available only to the court. The original paper  
27                  portion of any converted file is not subject to the Iowa Rules of  
28                  Electronic ~~Filing~~Procedure unless the court orders otherwise.

**Rule 16.103 Relationship to other court rules.** To the extent these rules are inconsistent with any other Iowa Court Rule, the rules in this chapter govern electronically filed cases ~~or~~ and cases converted to electronic filing.

**Rule 16.104 Authority.** These rules are adopted under the authority granted to the Iowa Supreme Court by article V section 4 of the Iowa Constitution and by Iowa Code section 602.1614 (judicial branch acceptance, distribution, and retention of electronic records).

**Rules 16.105 to 16.200 Reserved.**

## Division II

### Definitions

**Rule 16.201 Definitions.** The following terms, as used in this chapter, are defined as follows:

**16.201(1) Confidential.** “Confidential” ~~refers to~~ means court files, documents, or information excluded from public access by federal or state law or administrative rule, court rule, court order, or case law.

**16.201(2)** *Court-generated document.* “Court-generated document” means a document that is created and signed by court personnel, including judges, magistrates, court administrators, clerks of court, and ~~their~~ any designees of each.

1        **16.201(3) Court record.** “Court record” means for all cases  
2 the electronic files maintained in EDMS, filings the clerk of court  
3 maintains in paper form when permitted by these rules, and  
4 exhibits and other materials filed with or delivered to the court that  
5 the clerk maintains.

6        **16.201(4) Document.** “Document” means an instrument on  
7 which is recorded, by means of letters, figures, or marks, the  
8 original, official, or legal form of something, which may be used in  
9 evidence. A document is any physical embodiment of information  
10 or ideas, which may be in electronic or paper form.

11       **16.201(5) EDMS.** “EDMS” means the electronic document  
12 management system, the Iowa Judicial Branch electronic filing and  
13 case management system.

14       **16.201(6) Electronic.** “Electronic” means technology having  
15 electrical, digital, magnetic, wireless, optical, electromagnetic, or  
16 similar capabilities.

17       **16.201(7) Electronic cover sheet.** “Electronic cover sheet”  
18 means the information that registered filers type into EDMS when  
19 they create a new case or electronically file or present documents  
20 to the court. The cover sheet enables EDMS to correctly route the  
21 filing.

22       **16.201(8) Electronic filing.** “Electronic filing” means  
23 ~~submission of a document to EDMS consistent with the~~  
24 ~~procedures in this chapter together with the production and~~  
25 ~~transmission of a notice of electronic filing or presentation from~~  
26 ~~EDMS.~~ the EDMS receipt of a document submitted to EDMS for  
27 filing. The posting of “received,” “awaiting approval,” or “filed”



1 status in the filer's EDMS account serves as confirmation that  
2 EDMS has received the filer's submission.

3 **16.201(9) Electronic presentation.** "Electronic presentation"  
4 means the process by which a party or filer may electronically ~~give~~  
5 ~~or proposed deliver~~ a document to the court for review or other court  
6 action. A document is not filed when electronically presented to  
7 the court through EDMS ~~is not filed~~.

8 **Comment:**

9 **"Electronic presentation."** Formerly, parties and attorneys could  
10 physically hand a judge an unfiled document or draft order for consideration.  
11 With the implementation of EDMS, this must now be done electronically.  
12 Electronic presentation is initiated through the selection of the "Document Type"  
13 on the electronic cover sheet. Most document types that are electronically  
14 presented are "Proposed Document" types (proposed orders, proposed  
15 dissolution decrees, or documents proposed for restricted access, for example).  
16 Other document types, however, such as trial informations and accompanying  
17 minutes of testimony, are also ~~automated to go directly~~ presented electronically  
18 to the court. A document that is electronically presented is available for the  
19 court to view, and is not a part of the court file unless the court or a party or  
20 attorney later files the document. The electronic presentation of a document has  
21 no impact on whether a party or attorney should or must be present when the  
22 court reviews the document. In addition, electronic presentation does not  
23 modify the ethical obligations or requirements of the parties, attorneys, and  
24 court regarding ex parte communications ~~are not modified by electronic~~  
25 ~~presentation.~~

26 **16.201(10) Electronic record.** "Electronic record" ~~for~~  
27 ~~purposes of this chapter,~~ means a record, file, or document  
28 created, generated, sent, communicated, received, or stored by  
29 electronic means.

30 **16.201(11) Electronic service.** "Electronic service" means the  
31 EDMS electronic posting of a notice of electronic filing or  
32 presentation into the registered parties' or attorneys' EDMS  
33 accounts, along with a link to the document presented or filed.  
34 Although a courtesy copy of the notice of electronic filing or service  
35 may be sent by email, service is considered complete when the  
36 notice is electronically posted to the user's EDMS account. The

1 ~~notice of electronic filing or presentation is sent to registered~~  
2 ~~parties party entitled to receive service, who may view and~~  
3 ~~download the presented or filed document. Electronic service is~~  
4 ~~not made on certain filings or presentations to the court. See rule~~  
5 ~~16.315(1)(f) (electronic service of documents).~~

6 **16.201(12) File stamp.** “File stamp” means in the district  
7 court the date, time, and county information that is affixed at the  
8 top of the first page of a document when it is filed in EDMS. “File  
9 stamp” means in the appellate courts the date of filing with the  
10 clerk of the supreme court affixed along the left margin of a  
11 document’s first page when it is filed in EDMS.

12 **16.201(13) Filing agent.** “Filing agent” means an officer,  
13 employee, or nonattorney representative of an entity, such as a  
14 partnership, association, corporation, or tribe, who is authorized  
15 by Iowa law to appear on behalf of that entity because of the  
16 nature of the proceeding. See rule 16.201(34) (definition of “self-  
17 represented”~~litigant~~).

18 **16.201(14) Governmental agency.** “Governmental agency”  
19 means an executive, legislative, or judicial agency, department,  
20 board, commission, authority, institution, or instrumentality of the  
21 federal government, the state, or a county, municipality, or other  
22 political subdivision of the state, including a court-approved  
23 nonprofit designee of such governmental agency.

24 **16.201(15) Hyperlink.** “Hyperlink” means an electronic  
25 connection or reference to another place in the document or other  
26 cited authority which, when selected, shows the portion of the  
27 document or the cited authority to which the hyperlink refers.

1        **16.201(16)** *In camera.* “In camera” means in the judge’s  
2 chambers, or in private, out of public view.

3        **16.201(17)** *Information.* “Information” means documents,  
4 text, images, sounds, codes, computer programs, software,  
5 databases, or the like.

6        **16.201(18)** *Judicial branch.* “Judicial branch” means the  
7 Iowa Judicial Branch of government and all courts, judicial  
8 officers, clerks of court, and offices of the courts of the State of  
9 Iowa.

10       **16.201(19)** *Jurisdictional deadline.* “Jurisdictional deadline”  
11 means a deadline set by rule or statute that the court may not  
12 extend or change.

13       **16.201(20)** *Nonelectronic filing.* “Nonelectronic filing” means  
14 a process by which a paper document or other nonelectronic item  
15 is filed with the court and retained in nonelectronic form. See rule  
16 16.313 (nonelectronic filings). “Nonelectronic filing” means, for  
17 parties with an exception from the electronic filing registration  
18 requirement, submitting a paper document to the clerk for  
19 scanning and electronic filing. See rule 16.303 (submission of  
20 paper documents).

21       **16.201(21)** *Nonregistered filer.* “Nonregistered filer” means a  
22 party who has received an exception from the Iowa Judicial Branch  
23 electronic registration requirement and is authorized to submit  
24 nonelectronic documents in a case. See rule 16.302(2) (exceptions  
25 from electronic filing requirements).

26       **16.201(22)** *Notice of case association.* “Notice of case  
27 association” means an electronic submission by a party or filing

1 agent to obtain access to the case and receive notifications of  
2 filings after the party or filing agent has registered in EDMS.

3 **16.201(23) Notice of electronic filing or presentation.** “Notice  
4 of electronic filing or presentation” means the notice EDMS  
5 generates when a document is electronically filed or electronically  
6 presented to the court. The notice of electronic filing or  
7 presentation ~~records the~~ indicates the official file stamp date and  
8 time of the electronic filing of the document in local time for the  
9 State of Iowa. See rule 16.307 (electronic file stamp). When a  
10 document or proposed document is electronically filed or presented  
11 to the court, EDMS will ~~send~~ post a notice of electronic filing or  
12 presentation to the ~~eFiling~~ EDMS account of all parties who are  
13 registered filers in the case. Such parties may view and download  
14 the document or proposed document by logging in to their  
15 accounts. ~~A courtesy notice of electronic filing or presentation is~~  
16 ~~sent by email to any other registered party who has entered an~~  
17 ~~appearance or answer in the case, filed a notice of case~~  
18 ~~association, or filed an appearance as a court-approved intervenor.~~  
19 ~~Electronic service is not made on certain filings or presentations to~~  
20 ~~the court. See rule 16.315.~~

21 **Comment:**

22 **“Notice of electronic filing or presentation.”** EDMS sends a courtesy  
23 notice of electronic filing or presentation by email to the filer and to any other  
24 registered party who has entered an appearance or answer in the case, filed a  
25 notice of case association, or filed an appearance as a court-approved  
26 intervenor. However, parties are cautioned that such emails are provided only  
27 as a courtesy service and should not be relied upon as a party’s source for  
28 obtaining notifications. A courtesy email message is not an official notification  
29 of the filing of a document and is not official service of any document listed in  
30 the message. Due to the unique features and settings of individual email  
31 accounts, EDMS cannot ensure that emailed notices of electronic filing or  
32 presentation will actually be received by a party or that such notices will be  
33 received in a timely manner. Parties receive official notifications through their  
34 EDMS accounts and they should rely solely upon those accounts to obtain

1 notices of electronic filing or presentation. EDMS sends additional courtesy  
2 email messages to the filer when the status of a filing is updated to “received,”  
3 “approved,” “filed” (for presented documents only), or “returned not filed.” The  
4 official update to the status of a filing is posted to the filer’s EDMS account  
5 under My Filings.

6 **16.201(24)** *Party.* “Party” means a person or entity by or  
7 against whom a lawsuit case or part of a case is brought, ~~who has~~  
8 ~~a right to control the lawsuit either personally, through a~~  
9 ~~representative, or through someone appointed to protect the~~  
10 ~~person’s or entity’s interests. including a plaintiff, petitioner,~~  
11 ~~defendant, third-party defendant, or respondent. “Party” also~~  
12 ~~includes a court-approved intervenor, or any other person or entity~~  
13 ~~defined as a party to a case by a statute, rule, or court order.~~  
14 When a party appears, The clerk of court will index a that party  
15 to a the case, providing case access and receipt of notifications.  
16 ~~“Party” includes a plaintiff or petitioner, or a defendant or~~  
17 ~~respondent who has filed an answer, an appearance, or a notice of~~  
18 ~~case association. Additionally, a person may be defined as a party~~  
19 ~~to a case by statute, rule, or court order. When one or more~~  
20 ~~attorneys have entered an appearance on a party’s behalf,~~  
21 ~~references in these rules to service upon or filings by a party mean~~  
22 ~~service upon or filings by that attorney or those attorneys. When a~~  
23 ~~rule or statute requires a criminal defendant to be served with a~~  
24 ~~document, service on the defendant must be made personally or~~  
25 ~~electronically.~~

26 **16.201(25)** *Proposed document.* “Proposed document”  
27 means a document electronically presented to the court for review  
28 or other court action. A proposed document, other than a

1 proposed exhibit, is not filed until the court takes action on it. See  
2 rule 16.412(2) (electronic submission of proposed exhibits).

3 **16.201(26)** *Protected information.* “Protected information”  
4 means ~~personal~~ the types of information referenced in rule 16.602.  
5 ~~, the nature of which warrants protection from unlimited public~~  
6 ~~access. Rule 16.602 lists the types of information included in this~~  
7 ~~definition.~~

8 **16.201(27)** *Public.* “Public” refers to court files, documents,  
9 or information that is not confidential or protected.

10 **16.201(28)** *Public access terminal.* “Public access terminal”  
11 means a computer located in a courthouse through which the  
12 public may view, print, and electronically file documents.

13 **16.201(29)** *Redact.* “Redact” means to delete, white out,  
14 black out, or otherwise hide text or images on a copy of an original  
15 document. The original document becomes confidential and the  
16 redacted version becomes the public version of the document.

17 **16.201(30)** *Registered filer.* “Registered filer” means ~~an~~  
18 ~~individual~~ a person or entity who has registered with EDMS and  
19 uses a login and password to file documents electronically in the  
20 Iowa court system. In cases in which the registered filer is a party  
21 and has entered an appearance or filed an answer, filed a notice of  
22 case association, or filed an appearance as a court-approved  
23 intervenor, the registered filer will electronically serve and receive  
24 notice of most filed or presented documents. A registered filer,  
25 other than a registered specialized nonparty filer, can also  
26 electronically view and download files. See rules 16.305  
27 (registration, logins, and passwords) and 16.315 (service of

documents subsequent to original notice). *But see* rule 16.314(3) (service of original notices).

**16.201(31)** *Remote access.* “Remote access” means the ability to electronically search, view, copy, or download electronic court documents ~~in a court file without the need to physically visit~~ visiting a courthouse. Remote access to documents is available to registered filers and specialized nonparty users. ~~The level of remote access available to registered filers and specialized nonparty users is determined by the~~ The status of the registered filer or specialized nonparty user determines the filer’s or user’s level of remote access to restricted access documents. See rule 16.502 (access to electronic court files).

**16.201(32)** *Restricted access.* “Restricted access” means a case, docket entry, or document, including physical or digital exhibits, which the court has placed at a nonpublic security level or that EDMS has automatically placed at a nonpublic security level based on federal or state law or by court rule or administrative rule. *See* rule 16.405 (restricting access to filings).

**16.201(33)** *Scanned document.* “Scanned document” means an electronic version of a paper document created by scanning the document.

**16.201(34)** *Self-represented.* “Self-represented” means a ~~person—persons or party—parties who represents—represent~~ themselves without the assistance of an attorney. An entity such as a partnership, association, corporation, or tribe may be self-represented when it is otherwise authorized by law to be represented by an officer, employee, or nonattorney representative.

1       See, e.g., Iowa Code § 631.14(1); *In re N.N.E.*, 752 N.W.2d 1, 12-13  
2       (Iowa 2008). Except where this chapter specifically indicates  
3       otherwise, “attorney” includes self-represented litigants. See rule  
4       16.201(13) (definition of “filing agent”).

5       **16.201(35) Signature.** “Signature” means, for the purpose of  
6       electronically filing a document in EDMS, one of three formats.

7       a. For a registered filer electronically filing a document,  
8       “signature” means the registered filer’s login and password,  
9       accompanied by one of the following approved signature  
10      representations and a block of identifying information as described  
11      in rule 16.305(4) (signature block):

12           1. “Digitized signature” means an electronically  
13           applied, accurate, and unaltered image of a person’s  
14           handwritten signature.

15           2. “Electronic signature” means an electronic symbol,  
16           either {“/s/” or “/efiler’s name/,”} that a person has executed  
17           or adopted ~~by a person~~ with the intent to sign the document.

18           3. “Nonelectronic signature” means a handwritten  
19           signature applied to an original document that is then  
20           scanned and electronically filed.

21      b. For a nonregistered filer or party signing a document, or  
22      for a registered filer signing a document that another filer will  
23      electronically file, “signature” means the filer’s or party’s name  
24      affixed to the document as a digitized or nonelectronic signature,  
25      along with a block of identifying information as described in rule  
26      16.305(4).



**Comment:**

**“Signature.”** For EDMS filing, a “digital signature” must be treated like a nonelectronic signature. “*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. When a document is filed in EDMS it is modified by the electronic file stamp. This causes digitally signed documents to display as altered in EDMS. The filer should print the digitally signed document showing a representation of the signature and the verifying codes, then scan and electronically file the resulting document. If the digitally signed document is an original document as described in rule 16.411, the filer must retain the original document.

**16.201(36) Specialized nonparty filer.** “*Specialized nonparty filer*” means a filer who ~~is not a party to cases, but who~~ may file documents in multiple cases without being a party, such as a bail bond agent or a service provider. See rule 16.304(1)(b)(3) (specialized nonparty filer registration).

**16.201(37) Specialized nonparty user.** “*Specialized nonparty user*” means ~~an individual or entity a nonparty other than an attorney~~ registered to electronically view and download information from electronic files that are not confidential or protected. A specialized nonparty user ~~is not considered a party. The~~ may view or download documents in multiple cases ~~or view otherwise and~~ may have access to restricted information. ~~For example, an A~~ qualified abstractor is a specialized nonparty user who may have access to birth dates and names of children. See ~~rules~~ rule 16.304(1)(d) (requirements for specialized nonparty user registration) and 16.502(2) (abstractor remote access).

**Rules 16.202 to 16.300** Reserved.

**Division III**  
General Provisions

**Rule 16.301 Electronic document management system (EDMS).** The clerk of court is responsible for maintaining an electronic court file in EDMS for all cases filed under this chapter, receiving case filings into EDMS by electronic transmission and scanning documents into EDMS for nonregistered parties.

**Rule 16.302 Electronic filing mandatory.**

**16.302(1)** *Electronic registration and filing requirements.* All attorneys authorized to practice law in Iowa, all attorneys admitted pro hac vice, and all self-represented persons, except as this chapter provides, must register to use EDMS as provided in rule 16.304(1). ~~As this chapter provides~~ Registered filers must electronically submit all documents to be filed with the court unless otherwise required or authorized by this chapter or the court otherwise requires or authorizes.

**16.302(2)** *Exceptions from electronic filing requirements.*

*a. One-time exception.* For good cause, the court at any time, or the clerk of court if no judge is available ~~while the clerk of court office is open,~~ may will authorize a any filer to submit a document on a one-time basis nonelectronically to the clerk for filing.

*b. Self-represented defendant.* A self-represented individual defendant who is not yet a registered filer is permitted to make that defendant's initial filing, such as an answer, in paper.

1           ~~bc. Duration of case exception. Upon a showing of~~  
2 ~~exceptional circumstances that it is not feasible for a party to file~~  
3 ~~documents electronically For good cause, the chief judge of the~~  
4 ~~judicial district in which a case is pending, or the chief judge's~~  
5 ~~designee, may will excuse the a self-represented individual party~~  
6 ~~from registering to file electronically and from electronic filing~~  
7 ~~electronically throughout that the case. For purposes of this~~  
8 ~~paragraph, good cause includes lack of regular access to the~~  
9 ~~Internet through a device suitable for reading documents~~  
10 ~~maintained at the party's residence or on the party's person.~~

11           ~~ed. Court order requirement. Denials Grants and denials of~~  
12 ~~requests for exceptions from registering to file electronically~~  
13 ~~throughout the case will be made by court order.~~

14           **Comment:**

15           **Rule 16.302(2).** Implementation of electronic filing in Iowa courts  
16 should not impede any person's access to justice. When there are legitimate  
17 reasons preventing a person from electronic filing, the court will should grant  
18 that person an exception. A self-represented individual party not only needs to  
19 be able to make electronic filings, but also needs to be able to receive and read  
20 new electronic filings in a timely manner. Thus, if a party's only access to the  
21 Internet is through a public access terminal at a courthouse or through a public  
22 library, this should constitute good cause for an exception, if requested, from  
23 the requirements for electronic participation in a case. Other grounds may also  
24 constitute good cause for an exception from the EDMS registration requirement  
25 in a particular case.

26           **16.302(3) Exceptions by rule.** The following persons are  
27 excused from the EDMS registration and electronic filing  
28 requirements without the necessity of a court order:

29           ~~a. Exception for self represented~~Self-represented criminal  
30 defendants. A self-represented criminal defendant is not required  
31 to, but may choose to be a registered filer.

32           ~~b. Exception for confined~~Confined parties. A party who is  
33 confined ~~involuntarily~~ pursuant to governmental authority,

1 including but not limited to a person who is incarcerated or civilly  
2 committed, is excused from registering to file electronically.

3 c. ~~Exception for self-represented~~Self-represented parents.  
4 Self-represented parents of a minor who are parties in a juvenile  
5 case, ~~who are parties to the case,~~ are excused from registering to  
6 file electronically.

7 d. *Excused persons may seek to become registered filers.* If a  
8 person excused under this rule chooses to register, the person  
9 waives the exception from registering to file electronically and is  
10 governed by these rules in the same manner as any registered filer.  
11 If the person ~~subsequently~~later desires to be excused from  
12 registration, the person must apply for and receive an exception  
13 pursuant to the rules of this chapter.

14 **Comment:**

15 ~~**Rule 16.302(1)(b).** Examples of persons covered by the exception for~~  
16 ~~confined parties include incarcerated criminal defendants, persons involuntarily~~  
17 ~~confined as a result of substance-related disorder or mental health proceedings,~~  
18 ~~and others who may be confined.~~

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

20 **16.303(1)** *Submission of paper documents for scanning.*

21 a. *Delivery to clerk of court.* If a court authorizes the clerk of  
22 court to scan a paper document, the document must be printed on  
23 only one side and delivered to the clerk with no tabs, staples, or  
24 permanent clips, but it may be organized with paperclips, clamps,  
25 or some other type of temporary fastener, or it may be delivered to  
26 the clerk in an appropriate file folder.

27 b. *Redacted versions of paper documents containing*  
28 *protected information.* If a paper document contains protected

1 information, a redacted version of the document must be delivered  
2 to the clerk of court with the original document.

3 *c. Civil cover sheet and confidential information form.* When a  
4 filing requires it under the Iowa Rules of Civil Procedure, a filer  
5 who is excused from ~~registration~~ registering to file electronically  
6 must complete a civil cover sheet and confidential information form  
7 in paper.

8 **16.303(2)** *Return of ~~copies~~ documents by mail.* If a filer  
9 wants a ~~document~~ the clerk to return an original document that  
10 was submitted in paper ~~form to be returned by mail~~, the filer must  
11 ~~deliver~~ provide the clerk of court a self-addressed envelope large  
12 enough to accommodate the document ~~with proper postage~~.

13 **16.303(3)** *Court retention of paper documents.* Except as  
14 otherwise provided in these rules, ~~see, e.g., rule 16.313(1) (items~~  
15 ~~not to be electronically filed)~~, the court will not retain paper  
16 documents submitted to it. See, e.g., rule 16.313(1) (items that  
17 may be filed nonelectronically).

18 **16.303(4)** *Paper court files.* Except as otherwise provided in  
19 these rules, ~~see, e.g., rule 16.313(1) (items not to be electronically~~  
20 ~~filed)~~, or as the court directs, the clerk of court will not maintain  
21 paper court files in cases commenced on or after the initiation of  
22 electronic filing in a particular county or in the appellate courts.  
23 See, e.g., rule 16.313(1) (items that may be filed nonelectronically).

24 **16.303(5)** *Application of redaction rules for ~~protection of~~*  
25 *personal privacy protection.* The redaction rules for ~~protection of~~  
26 personal privacy protection in ~~Division~~ division VI of this chapter

1 apply to paper documents submitted for scanning and electronic  
2 filing.

3 **Rule 16.304 Registration; logins; passwords.**

4 **16.304(1) Registration.**

5 *a. Registration requirement.* Registration is required to file  
6 documents electronically in ~~any~~ case ~~governed by this chapter~~  
7 ~~governs, see rule 16.302(1),~~ and to remotely access and to  
8 download electronically filed documents ~~filed in EDMS~~. See rules  
9 16.302(1) (electronic registration and filing requirements) and  
10 16.502 (access to electronic court files).

11 *b. Filer registration.* To ~~register~~ file documents with the  
12 court electronically, filers, self-represented litigants, and  
13 specialized nonparty filers must complete the EDMS registration  
14 process. Filers can request an account and obtain a login and  
15 password for EDMS in the electronic filing section of the Iowa  
16 Judicial Branch website. Filers ~~may~~ can access the registration  
17 process with personal computers or by using public access  
18 terminals at county courthouses.

19 (1) *Requirements for pro hac vice registration.* Before  
20 registering to use EDMS, an out-of-state attorney must first make  
21 application for and be admitted pro hac vice pursuant to chapter  
22 31 of the Iowa Court Rules, Admission to the Bar. The in-state  
23 attorney ~~who appears~~ appearing with the out-of-state attorney in  
24 the ~~case proceeding~~ must electronically file an the application for  
25 admission pro hac vice. If the court grants the application, the  
26 out-of-state attorney must complete the registration process in the

1 electronic filing section of the Iowa Judicial Branch website and  
2 ~~file~~enter an appearance in the case.

3 (2) *Requirements for filing agent registration.* An officer,  
4 employee, or other nonattorney representative electronically filing  
5 for an entity such as a partnership, association, corporation, or  
6 tribe must register as a filing agent. If the filing agent appears on  
7 behalf of multiple entities under the rules of this chapter, the agent  
8 must register separately for each entity the agent represents. See  
9 rule 16.201(13) (definition of “filing agent”).

10 (3) *Requirements for specialized nonparty filer registration.*  
11 Specialized nonparty filers must register ~~for electronic filing to file~~  
12 electronically. Specialized nonparty filers may include bail bond  
13 agents, process servers, and other persons who generally are not  
14 considered parties but who need to file documents in multiple  
15 cases.

16 *c. Law student and law graduate registration.*

17 (1) ~~Before registering to~~To use EDMS, a law student or law  
18 graduate qualified to engage in the practice of law or appear as  
19 counsel must contact EDMS Support at the number or email  
20 address located on the electronic filing login page of the Iowa  
21 Judicial Branch website to obtain an application for registration.  
22 The student or graduate must submit a completed application,  
23 signed by a supervising attorney, to obtain a login and password.

24 (2) The student or graduate must ~~file~~enter an appearance in  
25 ~~the cases~~each case in which the student or graduate is practicing  
26 and must file to withdraw from ~~the cases~~each case when the  
27 student’s or graduate’s practice is completed.

1 (3) Upon termination of the supervision of the student's or  
2 graduate's practice, the supervising attorney must notify EDMS  
3 Support to have the student's or graduate's ~~account~~  
4 ~~withdrawn~~registration inactivated.

5 (4) A law student or law graduate in good standing who  
6 resumes practice before admittance to the bar must reinstate  
7 ~~the~~his or her former ~~law student~~ registration by submitting a new  
8 application for registration signed by a current supervising  
9 attorney.

10 (5) Once the student or graduate is licensed to practice law  
11 in Iowa, the new attorney must withdraw from the law student  
12 account and register with the attorney identification number (AT  
13 PIN) assigned by the office of professional regulation.

14 d. ~~Requirements~~Registration requirements for specialized  
15 ~~nonparty user~~users and abstractors.

16 (1) To register, specialized nonparty users must request an  
17 application through ~~the "Support" link~~ EDMS Support at the  
18 telephone number or email address located on the electronic filing  
19 login page of the Iowa Judicial Branch website.

20 (2) Abstractors are specialized nonparty users. For the  
21 purpose of remote access to court documents and otherwise  
22 restricted information, an abstractor must either qualify as a  
23 "participating abstractor" as recognized by the Title Guaranty  
24 Division of the Iowa Finance Authority, be a licensed abstractor at  
25 such time that abstractors are licensed in the State of Iowa, or be  
26 substantially equivalent to a "participating abstractor" as



1 determined by the state court administrator or the state court  
2 administrator's designee.

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

9 *f. Changes in filer's contact information.* If a registered filer's  
10 email address, mailing address, or telephone number changes, the  
11 filer must promptly make the necessary changes to the registered  
12 filer's account information on the My Profile page ~~on~~in the filer's  
13 EDMS account. The filer must provide appropriate notice of  
14 changes in contact information to any nonregistered filer in every  
15 active case.

16 *g. Duties of registered filer.*

17 (1) *To update email.* Registered filers ~~will ensure that~~  
18 ~~their~~must maintain current registered email account information ~~is~~  
19 ~~current.~~

20 (2) *To monitor account.* Registered filers ~~will ensure that~~  
21 must monitor their account ~~is monitored~~ regularly and ensure that  
22 notifications sent to the account are timely opened.

23 (3) *To notify the court when no longer able to participate.*  
24 Registered filers who can no longer participate electronically in  
25 their cases must notify the court and request an exception from  
26 electronic filing in ~~all cases~~each case. See rule 16.302(2). When  
27 the registered filer has received an exception in each of the filer's

1 open cases, the registered filer must withdraw from participation in  
2 electronic filing before the exceptions become effective.

3 *h. Withdrawal from electronic filing.* A registered filer may  
4 withdraw from participation in EDMS by logging in to the My  
5 Profile page of the filer's EDMS account or by contacting the clerk  
6 of court. Upon withdrawal, the ~~individual's~~ person's or entity's  
7 registration, login, and password are canceled and the filer's name  
8 is deleted from any applicable electronic service list. A registered  
9 filer's withdrawal from participation in EDMS is not authorization  
10 to file cases or documents nonelectronically. To file  
11 nonelectronically, the filer must obtain an exception from the  
12 electronic filing requirement from the chief judge of each judicial  
13 district where the filer has a case pending. Exceptions from  
14 electronic filing should be obtained before withdrawing from  
15 EDMS. A registered filer's withdrawal from participation in EDMS  
16 is not a withdrawal from a case.

17 **Comment:**

18 **Rule 16.304(1).** ~~An attorney may choose to list multiple email addresses~~  
19 ~~when registering for electronic filing. Multiple email addresses may be used to~~  
20 ~~track a large, complex case or to allow more than one person on the attorney's~~  
21 ~~staff to monitor documents served electronically. Attorneys are responsible for~~  
22 ~~the use or misuse of their registered login and password and are responsible for~~  
23 ~~proper monitoring of their EDMS accounts.~~

24 **16.304(2)** *Logins and passwords.* Filers must use logins  
25 and passwords to file documents electronically.

26 *a.* ~~A registered filer is responsible for all documents filed with~~  
27 ~~the filer's login and password.~~ Any electronic filing, downloading,  
28 or viewing of an electronic file or document is deemed to be made  
29 with the authorization of the person registered to use the login and

1 password unless and until clear and convincing evidence proves  
2 otherwise.

3 b. A registered filer must not knowingly ~~cause or~~ permit the  
4 filer's login and password to be used by any other person except:

5 (1) A registered attorney may ~~cause or~~ permit the attorney's  
6 login and password to be used by an authorized member or staff of  
7 the attorney's law office.

8 (2) A registered filer for an entity or governmental agency  
9 may ~~cause or~~ permit the filer's login and password to be used by  
10 an authorized member or staff of the entity or governmental  
11 agency.

12 ~~c. Any electronic filing, downloading, or viewing of an~~  
13 ~~electronic file or document is deemed to be made with the~~  
14 ~~authorization of the person registered to use the login and~~  
15 ~~password unless and until clear and convincing evidence proves~~  
16 ~~otherwise.~~

17 ~~d.~~ If a login or password is lost, misappropriated, misused,  
18 or compromised in any way, the person registered to use that login  
19 or password must promptly contact EDMS Support at the number  
20 or email address located on the electronic filing login page of the  
21 Iowa Judicial Branch website. ~~The registered person or entity may~~  
22 ~~apply for a new password and login by completing a new~~  
23 ~~registration.~~ If a login ~~and/or~~ password ~~have been~~is lost,  
24 misappropriated, misused, or compromised in any way, the court  
25 may cancel the registration. The registered person or entity may  
26 be required to apply for a new password and login by completing a  
27 new registration.

1        ed. For good cause, the court may refuse to allow a user or a  
2        filer to electronically file or download information in EDMS. The  
3        affected user or filer may ~~file an application~~ apply with the court to  
4        reregister. Improper use of electronic filing, such as an intentional  
5        misuse or reckless use of a password or login, may subject a  
6        person to court sanctions. A person prohibited from electronic  
7        filing is not excluded from using the court system, but the person  
8        must obtain authorization under rule 16.302(2) to submit paper  
9        documents to the clerk for filing.

10        e. For system security reasons, a registration may be  
11        immediately suspended.

12        **Comment:**

13        ~~**Rule 16.304(2).** A login and password may be immediately suspended~~  
14        ~~by an employee of the judicial branch if it appears that the login and password~~  
15        ~~may have been compromised. Only the court may cancel a login and password.~~  
16        ~~For good cause, the court may prohibit a person from using EDMS. Improper~~  
17        ~~use of electronic filing, such as an intentional misuse or reckless use of a~~  
18        ~~password or login, may subject a person to court sanctions. A person prohibited~~  
19        ~~from electronic filing is not excluded from using the court system, but the~~  
20        ~~person must obtain authorization under rule 16.302(2) to submit paper~~  
21        ~~documents to the clerk for filing.~~

22        **Rule 16.305 Signatures.**

23        **16.305(1) Registered filer.** A registered filer's login and  
24        password required for submission of documents to EDMS,  
25        accompanied by a digitized, electronic, or nonelectronic signature  
26        representation and a signature block as described in rule  
27        16.305(4)(a), serve as the registered filer's signature on all  
28        electronic documents filed with the court. These also serve as a  
29        signature for purposes of the Iowa Rules of Civil Procedure, any  
30        other applicable Iowa Court Rules, and for any other purpose for

1 which a signature is required in connection with proceedings  
2 before the court.

3 **16.305(2)** *Nonelectronic signature.* If a document contains a  
4 nonelectronic signature, the signed document must be scanned to  
5 ~~be filed electronically~~for electronic filing.

6 **16.305(3)** *Documents requiring oaths, affirmations,*  
7 *verifications, acknowledgements, or notarization.* Any document  
8 requiring that a signature be made under oath or affirmation or  
9 with verification or acknowledgement, or any document being  
10 notarized, ~~may~~must be either signed by the subscriber either  
11 nonelectronically and scanned for electronic filing or ~~may be signed~~  
12 by the subscriber with a digitized signature. The same  
13 requirements apply to ~~as well as~~ any oath giver's or witness's  
14 signature.

15 **Comment:**

16 **Rule 16.305(3).** A notary signature cannot be an electronic /s/  
17 signature; it must be a digitized or nonelectronic signature. The notary seal may  
18 be electronic pursuant to Iowa Code chapter 9B. If the law requires the  
19 document to be signed in the notary's presence, the oath giver's and ~~witness'~~  
20 witness's signatures must be either nonelectronic or digitized (applied by a  
21 mechanism such as a signature pad that captures an unaltered image of the  
22 signer's signature). See Iowa Secretary of State website for additional  
23 information on notarization.

24 **16.305(4)** *Signature block.* Any filing requiring a signature  
25 must be signed with a signature representation authorized by  
26 these rules and accompanied by a block of identifying information.

1           a. The following identifying information about the person  
2 signing the filing, to the extent applicable, must be typewritten or  
3 printed under the person's signature representation:

4           1. Name.

5           2. Law firm or name of partnership, association, corporation,  
6 or tribe on behalf of which the filing agent is signing.

7           3. Mailing address.

8           4. Telephone number.

9           5. Email address.

10          6. The email addresses of any other persons at the law firm  
11 who are to be notified of additions or corrections to the electronic  
12 file.

13          b. Victims and protected persons may omit mailing  
14 addresses, telephone numbers, and email addresses from their  
15 signature block when necessary for their protection.

16          c. Registered filers are responsible for promptly updating the  
17 information in (1) through (6) in their EDMS account.  
18 Nonregistered filers are responsible for informing the court of any  
19 changes in this information with respect to all cases in which they  
20 have appeared.

21           **Comment:**

22           **Rule 16.305(4).** Under the signature rules of chapter 16, the following  
23 signature blocks are valid:

24  
25           /s/Judith Attorney  
26           Attorney Law Firm  
27           1111 Court Ave., Des Moines, IA 50209  
28           515-555-5555  
29           [JAttorney@Law.gov](mailto:JAttorney@Law.gov)

30  
31           Or,

32  
33           /s/ with name typed beside symbol as follows:  
34           /s/ Judith Attorney

Judith Attorney  
Attorney Law Firm  
1111 Court Ave., Des Moines, IA 50209  
515-555-5555  
[JAttorney@Law.gov](mailto:JAttorney@Law.gov)

Or,

/Judith Attorney/  
Judith Attorney  
Attorney Law Firm  
1111 Court Ave., Des Moines, IA 50209  
515-555-5555  
[JAttorney@Law.gov](mailto:JAttorney@Law.gov)

Or,



Judith Attorney

Judith Attorney  
Attorney Law Firm  
1111 Court Ave., Des Moines, IA 50209  
515-555-5555  
[JAttorney@Law.gov](mailto:JAttorney@Law.gov)

If the attorney logged in is not the attorney signing, the document must be signed by both, including a signature block for each attorney.

/s/ Judith Attorney  
Judith Attorney  
Attorney Law Firm  
1111 Court Ave., Des Moines, IA 50209  
515-555-5555  
[JAttorney@Law.gov](mailto:JAttorney@Law.gov)

And

/s/ Andrew Attorney  
Andrew Attorney  
Attorney Law Firm  
1111 Court Ave., Des Moines, IA 50209  
515-555-5555  
[AAttorney@Law.gov](mailto:AAttorney@Law.gov)

**16.305(5) Multiple signatures.**

a. By filing a document containing two or more signatures, the registered filer confirms that the content of the document is acceptable to all persons signing the document, and that all such

1 persons consent to having their signatures appear on the  
2 document. All persons signing the document must be registered  
3 filers to receive notice of the filing of subsequent documents in the  
4 case.

5 b. To receive notice of the filing of subsequent documents in  
6 the case, any persons signing the document must be registered  
7 filers.

8 c. After following the requirements of this rule, the  
9 registered filer must either:

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

12 (2) Electronically file the document in ~~PDF~~ a portable  
13 document format (.pdf) using a signature format set out in  
14 ~~16.305(4)(comment)~~ the comment to rule 16.305(4).

15 **16.305(6)** *Signatures presumed valid.*

16 a. A signature on an electronically filed document is  
17 presumed valid and authentic until established otherwise by clear  
18 and convincing evidence.

19 ~~b. Digitized~~ A digitized or nonelectronic ~~signatures~~ signature  
20 ~~on documents~~ a document that a governmental agencies ~~agency~~  
21 ~~electronically file~~ files for the purpose of obtaining court action ~~and~~  
22 ~~or~~ any other signature the court has approved, is presumed valid  
23 even if the signature is not from a registered filer.

24 **Comment:**

25 **Rule 16.305(6).** This rule does not supersede any foundation or proof  
26 requirements contained in the Iowa Code or the Iowa Court Rules.

27 **16.305(7)** *Disputing authenticity or validity of signatures.* An  
28 attorney or a party who disputes the authenticity or validity of any



1 digitized, nonelectronic, or electronic signature on an electronically  
2 filed document must file an objection to the signature within 30  
3 days after the attorney or party knew or should have known the  
4 signature was not authentic or valid.

5 **Rule 16.306 Electronic filing.**

6 **16.306(1)** *Electronic cover sheet.*

7 *a. ~~Registered filers.~~ All A registered ~~filers~~ filer must*  
8 *complete an electronic cover sheet for each filing by ~~typing~~ entering*  
9 *the proper information into EDMS.*

10 *b. ~~Exceptions for authorized governmental agencies.~~*  
11 *Governmental agencies may obtain state court administration*  
12 *approval to use ~~alternate~~ alternative software to exchange*  
13 *electronic records with EDMS. ~~This~~ The alternative method for*  
14 *filing or presenting documents ~~will~~ must enable correct routing and*  
15 *docket entry of the documents to permit an exception to the*  
16 *electronic cover sheet requirement. The alternative method ~~will~~*  
17 *must also ~~allow for~~ accommodate requests for expedited relief and*  
18 *requests to restrict access to documents ~~when appropriate~~.*

19 **Comment:**

20 **Rule 16.306(1).** A filer must complete the electronic equivalent of a  
21 cover sheet when initiating a case or filing or presenting a document or group of  
22 documents for electronic filing. The electronic cover sheet is a series of web  
23 pages ~~that a filer types information into~~ on which the filer enters information.  
24 These web pages differ depending on whether the document is related to a  
25 criminal or civil case or whether the document is being filed in a new case or an  
26 existing case. ~~The filer must properly complete the electronic cover sheet.~~ A  
27 properly completed electronic cover sheet will route the document to the correct  
28 electronic file and will create a correct docket entry for the document. The  
29 electronic cover sheet may also notify the court of a request for expedited relief  
30 or ensure access to a document is properly restricted. An electronic cover sheet  
31 for a new civil case replaces the paper civil cover sheet required by Iowa Rule of  
32 Civil Procedure 1.301(2). Only parties excused from registration will file the  
33 paper form of the civil cover sheet and the confidential information form.

1           **16.306(2) Filing.** ~~Submission of a document to EDMS~~  
2 ~~consistent with the procedures in this chapter, together with the~~  
3 ~~production and transmission of a notice of electronic filing or~~  
4 ~~presentation, constitutes filing of the document.~~ A document is  
5 considered filed or presented at the time EDMS has received it,  
6 unless the clerk of court returns it.

7           **Comment:**

8           **Rule 16.306(2).** ~~When a filer submits a document to EDMS, the system~~  
9 ~~tracks the date and time of submission and generates a status email to the filer~~  
10 ~~with that information. A document is not filed until the filer has received a~~  
11 ~~status email at case initiation, or a notice of electronic filing or presentation in~~  
12 ~~all other instances, that confirms the document has been received. When EDMS~~  
13 ~~receives a district court document, the file stamp records the date and time and~~  
14 ~~generates a status update in the filer's EDMS account. The document is not~~  
15 ~~considered received until the status of "received," "awaiting approval," or "filed"~~  
16 ~~is displayed in the filer's EDMS account. EDMS will generate a status update~~  
17 ~~upon case initiation or a notice of electronic filing or presentation in all other~~  
18 ~~instances that confirms EDMS has received the document. Subject to security~~  
19 ~~and jurisdictional rules, the system also generates a notice of electronic filing or~~  
20 ~~presentation to indexed case parties. When the clerk of court reviews and~~  
21 ~~approves the submission, the system generates a file date and time stamp on~~  
22 ~~the document that is the same as the date and time the system noted in the~~  
23 ~~status email update—the time the filer's submission was~~ EDMS first received the  
24 filer's submission in the system. This is the date and time of the official filing of  
25 the document with the court system. For example, a filer submits a document  
26 to the system at 9:58 p.m. on Thursday, March 30, 2016. Soon after, the status  
27 message on the filer's My Filings page will read "Received" and then "Awaiting  
28 approval" (for presented documents, the status will be "Filed"). The filer then  
29 knows the date and time that the court has received the filing. The following  
30 Monday morning the clerk reviews and approves the filing. The system will  
31 place a file stamp on the document of 9:58 p.m., March 30, 2016. The clerk of  
32 court may also return an incorrect submission with instructions to correct the  
33 filing. See rule 16.308(2)(d)(2). In this circumstance, the document is not filed  
34 and the original file stamp date and time of filing that the system tracked are  
35 lost not retained. Upon resubmission of the document, a new file stamp is new  
36 date and time of filing are assigned and a new status update and notice of  
37 electronic filing or presentation is are generated.

38           **16.306(3) Emailing or faxing documents does not constitute**  
39 *electronic filing.* Emailing or faxing a document to the clerk of  
40 court or to the court will not generate a file stamp or a notice of  
41 electronic filing or presentation and ~~does not constitute~~ will not  
42 result in filing of the document.

**Rule 16.307 ~~Electronic date and time~~file stamp.**

**16.307(1)** Each document electronically filed ~~document~~with the clerk of court receives ~~an electronic date and time~~ a file stamp consistent with the notice of electronic filing or presentation reflecting the date and time that it was initially received by EDMS.

**16.307(2)** Each document electronically filed with the clerk of supreme court receives a file stamp reflecting the date that it was received by EDMS.

**16.307(3)** The date and time on the file stamp will be consistent with the notice of electronic filing or presentation on the filer's status update. The electronic file time stamp ~~merges with~~ becomes a part of the electronic document and is visible when the document is printed or viewed online. Electronic documents are not officially filed ~~without the~~ unless they have an electronic file stamp. ~~Documents with electronic date and time~~ Electronic file stamps have the same force and effect for electronic submissions as documents with nonelectronic ~~nonelectronic~~ file stamps for nonelectronic submissions. See rule 16.201(12) (definition of "file stamp").

**Rule 16.308 Docket entries.**

**16.308(1)** *Selecting a document type.* ~~A~~For each electronically filed document, a filer must choose an accurate document type

1 ~~from the document type category from the options~~ listed on the  
2 electronic cover sheet ~~for each electronically filed document.~~

3 **16.308(2)** *Correcting a document type.*

4 *a. Clerk of court to correct document type.* Once a document  
5 is submitted into EDMS, only the clerk of court may make  
6 corrections to the document type the filer has chosen.

7 *b. Clerk of court to correct docket entries.* If a docket entry is  
8 incorrect, only a clerk of court can correct the docket entry. The  
9 docket will reflect ~~any change that the clerk makes~~ made a change  
10 to a docket entry.

11 *c. Errors filers discover.*

12 (1) If a filer discovers an error in the electronic filing or  
13 docketing of a document, the filer must contact the clerk of court  
14 as soon as possible. When contacting the clerk, the filer must  
15 have available the case number of the document that was filed or  
16 docketed erroneously.

17 (2) A filer may not refile or attempt to refile a document that  
18 has been erroneously filed or docketed unless ~~specifically directed~~  
19 ~~to do so by the clerk of court~~ specifically directed the filer to do so.

20 (3) To meet a ~~jurisdictional~~ deadline, a filer who discovers an  
21 error in the electronic filing or docketing of a document but who  
22 cannot immediately contact the clerk of court ~~but is reasonably~~  
23 ~~certain the clerk will return a document as unfileable~~ may  
24 resubmit a corrected document.

25 *d. Errors clerks of court discover.*

26 (1) If the clerk of court discovers an error~~error~~ in the filing  
27 or docketing of a document, the clerk will ordinarily notify the filer

1 of the error and advise the filer of what further action, ~~if any, is~~  
2 ~~required~~ the filer must take, if any, to address the error.

3 (2) The clerk of court may return the submission to the filer  
4 with an explanation of the error and instructions to correct the  
5 filing. In such instances, it is the responsibility of the filer to keep  
6 a record of the notice EDMS generated to verify the date and time  
7 of the original submission. The rules of this chapter are not  
8 intended to address whether a filer who submits a corrected filing  
9 after return of the original submission may have the date and time  
10 of the corrected filing relate back to the date and time of the  
11 original submission.

12 (3) If the error is minor, the clerk of court may, with or  
13 without notifying the parties, either correct or disregard the error.

14 (4) An error in the filing or docketing of a document refers to  
15 an error that adversely affects the proper processing of the  
16 document by EDMS, such as a document being filed in the wrong  
17 case, a document being filed with the wrong event code, or a  
18 document that is scanned incorrectly. It also refers to the  
19 omission of information necessary to properly identify the parties  
20 initiating a new case or the subjects of a warrant, a failure to pay a  
21 required filing fee, an error that prevents the correct filing fee from  
22 being charged, or the omission of a signature from a filing that  
23 must be signed.

24 **Comment:**

25 **Rule 16.308(2).** This rule addresses instances when a filer selects an  
26 incorrect document type or submits documents that cannot be correctly filed or  
27 docketed. The clerk of court may return a submission to the filer for correction  
28 when, for example, a document is scanned upside down or sideways, is scanned  
29 in such a way that the file stamp cannot be applied, is improperly attached to  
30 other documents, or is submitted under the wrong docket entry ~~so that the~~  
31 ~~correct fees, signatures, or other configuration cannot be processed by EDMS~~

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1 such that EDMS cannot process the document correctly. It is the filer's  
2 responsibility to keep a record of the original submission date and time, as well  
3 as the reason for the return of the filing, contained in the ~~system notices emailed~~  
4 ~~to the filer in response to the submission~~ Filing Status Reports available through  
5 the filer's EDMS account under My Filings. ~~Those notices include the "Received~~  
6 ~~Notice" and the "Rejection Notice" sent by email to the filer, as well as the Filing~~  
7 ~~Status Reports available through the filer's EDMS account under My Filings.~~

8 **Rule 16.309 Date and time of filing; deadlines; system**  
9 **unavailabilitytechnical difficulties.**

10 **16.309(1) *Date and time of filing; deadlines.***

11 a. An electronic filing may be made ~~any day of the week,~~  
12 ~~including holidays and weekends, and any time of the~~  
13 ~~day~~ whenever EDMS is available, including holidays, weekends,  
14 and evenings. The availability of electronic filing, however, does  
15 not affect deadlines or the provisions for extension of deadlines in  
16 the Iowa Code or Iowa Court Rules. When a document is filed  
17 electronically, EDMS ~~generates a notice of electronic filing or~~  
18 ~~presentation~~ applies an electronic file stamp to the document  
19 reflecting the date or the date and time that it was actually  
20 received by EDMS. See rule 16.306(2) and comment and rule  
21 16.307.

22 (1) *Exceptions for trial informations and minutes of testimony.*  
23 Trial informations and accompanying minutes of testimony are not  
24 file stamped until the court approves them.

25 (2) ~~Exceptions for submissions~~ Submissions that the clerk of  
26 court returns. A submission that the clerk of court returns unfiled  
27 because of an error is given a ~~new date and time~~ file stamp when  
28 the filer submits the corrected version.

1           **b.** The date and time of the electronic file stamp are  
2 considered the official filing date and time for purposes of  
3 computing relevant deadlines.

4           ~~b~~c. A document is timely filed if it is filed before midnight on  
5 the date the filing is due.

6           ~~e~~d. If a deadline established in these rules is different from a  
7 deadline established in a court order in a particular case, the  
8 deadline established in the court order controls.

9           **16.309(2)** ~~System unavailability~~ *Technical difficulties.*

10           ~~a.~~ ~~Technical failures, including a failure or~~ A party's  
11 technical difficulty or the unavailability of EDMS, ~~de~~does not  
12 excuse a ~~failure to comply~~ party from complying with a  
13 jurisdictional deadline.

14           ~~b.~~ If a registered filer is unable to meet a nonjurisdictional  
15 deadline due to a technical ~~failure~~difficulty, the filer must file the  
16 document using the soonest available electronic or nonelectronic  
17 means. The filing is not ~~untimely~~timely unless the court  
18 determines it to be ~~untimely~~timely after the filer has had an  
19 opportunity to be heard on the matter.

20           **16.309(3)** *Notice of system unavailability.*

21           ~~a.~~ *Scheduled maintenance.* When EDMS will not be  
22 available due to scheduled maintenance, a notice of the date, time,  
23 and anticipated length of the unavailability will be posted on the  
24 Iowa Judicial Branch website and to other authorized social media.

25           ~~b.~~ *Unexpected unavailability.* When EDMS is unexpectedly  
26 unavailable, a notice of the problem will be posted on the Iowa  
27 Judicial Branch website and other authorized social media.

1           ~~e.~~ **16.309(4)** *Extended system unavailability; filing and*  
2           service. In the event of an extended period when EDMS is not  
3           available, the filer may take a paper document to the clerk of court  
4           during regular business hours for filing. In such instances, the  
5           filer is responsible for service of the document on case parties  
6           entitled to service.

7           **16.309(5)** *Court-generated documents; computation of*  
8           deadlines. Electronic filings by the court, such as court orders,  
9           may be made at any time. They will receive a file stamp reflecting  
10          the date and time when EDMS received the filing. The clerk of  
11          court will process such filings with reasonable promptness during  
12          regular weekday hours before the filing is served electronically on  
13          all registered filers. Regardless of when a party receives notice of  
14          electronic filing of a court-generated document, the date and time  
15          of the file stamp are the official filing date and time for purposes of  
16          computing all relevant deadlines.

17           **Comment:**

18           **Rule 16.309.** Electronic filing enables ~~filers to file the filing of~~  
19           documents outside of normal business hours. A document filed before midnight  
20           on the date the filing is due is considered timely filed. Filers are cautioned,  
21           however, not to wait until the last moment to file documents electronically as  
22           EDMS may not always be available. Just as a jurisdictional deadline cannot be  
23           extended for a filer who due to vehicle or traffic problems, for example, arrives at  
24           the courthouse moments after the clerk of court office has closed, jurisdictional  
25           deadlines cannot be extended for the filer who encounters system or other  
26           technical difficulties between the time of close of business and a midnight filing  
27           deadline.

28           **Rule 16.310 Format of electronic documents.** All documents  
29           filed electronically must be formatted according to applicable rules  
30           governing formatting of paper documents in the Iowa Rules of Civil  
31           Procedure and the Iowa Rules of Appellate Procedure. A document



1 must be converted to a portable document format (PDF.pdf) and  
2 must not be password protected before the document is filed  
3 electronically. The filer must ensure that the filing is an accurate,  
4 complete, and readable reproduction of the document.

5 **Rule 16.311 Attachments to electronic documents.**

6 **16.311(1)** The following documents must be attached  
7 electronically to a filed electronic document without a separate  
8 electronic cover sheet:

9 a. ~~An amended~~When a court order is required to amend a  
10 previously filed document, ~~such as an amended petition, the~~  
11 proposed amendment must be electronically attached to a motion  
12 for leave to file that document.

13 b. Any item that ~~would normally be~~is included as an exhibit  
14 to a document must be attached to the electronic document.

15 c. Any additional pages required to complete a court form.

16 **Comment:**

17 **Rule 16.311(1).** Supporting materials attached to an application,  
18 motion, court form, or verification of account, etc., were called “exhibits” prior to  
19 electronic filing. In EDMS, those supporting materials are called “attachments,”  
20 and the term “exhibit” is reserved for evidence entered into the record at a  
21 hearing or trial. Examples of documents that are attached to other documents  
22 include supporting documents that are attached to an adoption petition, a  
23 written notice of intention to file an application for default that must be attached  
24 to a request for default, additional pages completing a court form, and evidence  
25 or affidavits used to support an application or a motion. The filer uploads the  
26 application, form, or motion into EDMS, and then selects “Attachment” as the  
27 document type for the supporting materials. When the filer picks the  
28 “Attachment” document type, the system prompts the filer to pick the document  
29 to attach to. The document and attachment are then electronically linked and  
30 will show on the case docket as related. See rule 16.412(5) ~~on attaching~~  
31 (exhibits to pleadings).

32 **16.311(2)** Separate documents may be submitted at the  
33 same time but must be uploaded separately, with ~~a separate an~~  
34 individual document type selected for each document.

**Comment:**

**Rule 16.311(2).** ~~An example~~Examples of such a ~~submission~~is~~submissions are~~ a petition for dissolution of marriage, a motion for temporary support, and a financial affidavit. There are, however, some documents that ~~must not be electronically attached to another document~~cannot have other documents attached to them. For example, nothing should be attached to a proposed ~~order~~document. Also, a proposed order should not be attached to any other document, including the motion or application regarding that order.

**Rule 16.312 Hyperlinks and other electronic navigational aids.**

**16.312(1)** Hyperlinks and other electronic navigational aids may be included in an electronically filed document as an aid to the court and the parties. Each hyperlink must contain a complete text reference to the target of the link. This text reference, when copied, must enable a user to reach the same target that would be reached by activating the hyperlink.

**16.312(2)** If an electronically filed document contains hyperlinks, the filer is responsible for creating and embedding the links in the document.

**16.312(3)** ~~Although hyperlinks may be included in a document as an aid to the court, material~~ Material that hyperlinks refer to can be reached through a hyperlink in an electronic filing is not considered part of the official record or filing unless already part of the record in the case.

**16.312(4)** Hyperlinks to cited authority may not replace standard citation format for constitutional citations, statutes, cases, rules, or other similarly cited materials.

**16.312(5)** Hyperlinks may provide an electronic link to other portions of the same document. It is not possible, however,

1 to hyperlink from one document in the electronic court file to  
2 another document in the electronic court file.

3 **Comment:**

4 **Rule 16.312.** Use of hyperlinks for cited legal authorities is encouraged.  
5 Hyperlinks may also be used to refer the court to other information. Hyperlinks  
6 are not part of the filed document, so the filed document must comply with  
7 traditional citation requirements. Filers are cautioned, however, that links to  
8 external documents or websites may become invalid over time. ~~Hyperlinks will~~  
9 ~~be properly associated and function based on~~ Additionally, the functionality of  
10 hyperlinks will depend on the web browser or computer application used to view  
11 the document.

12 **Rule 16.313 Nonelectronic filings.**

13 **16.313(1)** *Items that may be filed nonelectronically.* The  
14 following documents and other items may be filed nonelectronically  
15 and need not be maintained in the electronic court file unless  
16 these rules, the clerk of court, or the court otherwise require or  
17 authorize electronic filing:

18 a. The administrative record in cases in which the court is  
19 asked to rule based on that record, but all other documents,  
20 including the petition, answer, briefs, and motions, ~~in such~~  
21 ~~eases~~ the judicial review proceedings must be filed electronically  
22 and maintained in the electronic court file.

23 b. Transcripts of proceedings before the court that are not  
24 available in electronic format.

25 c. Any item that is not capable of being filed in an electronic  
26 format.

27 **Comment:**

28 **Rule 16.313(1)(a).** This rule addresses the cost and time concerns in  
29 administrative review cases by allowing the administrative record to be filed in a  
30 nonelectronic format. Besides their size, these records often contain sensitive  
31 information, such as information protected by federal HIPAA laws. ~~Those types~~  
32 ~~of cases include, but are not limited to,~~ This rule does not encompass cases  
33 covered by Iowa Code chapters 252C, 252F, and 252H. The documents  
34 generated in those cases should be filed electronically.

1           **16.313(2)** *Service of notice of items filed nonelectronically.*

2           For items filed nonelectronically pursuant to rule 16.313(1), the  
3           filer must file an electronic notice of filing the item.

4           **Rule 16.314 Original notice.**

5           **16.314(1)** *Form of original notice.* When a party  
6           electronically files a new case, the party must submit an original  
7           notice as a separate document type along with the petition in the  
8           form the Iowa Rules of Civil Procedure require. In addition, the  
9           original notice—except in small claims actions—must:

- 10           1. State that the case has been filed electronically.
- 11           2. Direct the other party to chapter 16 of the Iowa Court  
12           Rules for general rules and information on electronic filing.
- 13           3. Refer the other party to chapter 16, division VI, of the  
14           Iowa Court Rules regarding the protection of personal or  
15           confidential information in court filings.

16           **16.314(2)** *Clerks of court affixing seal to original notice.*

17           After a petition is filed, the clerk of court will electronically  
18           affix the clerk’s seal to the original notice and electronically return  
19           a sealed and signed original notice to the registered filer.

20           **16.314(3)** *Service of original notices.* Original notices must  
21           be served upon the party against whom an action is brought in  
22           accordance with the Iowa Code and the Iowa ~~Court~~ Rules of Civil  
23           Procedure.

24           **Comment:**

25           **Rule 16.314(3).** Electronic service cannot be used to serve an original  
26           notice or any other document that is used to confer personal jurisdiction.

1           **16.314(4)** *Return of service.* After the original notice is  
2 served, the filer must scan and electronically file the return of  
3 service.

4           **Rule 16.315 Electronic service of documents subsequent to**  
5 **original notice.**

6           **16.315(1)** *Electronic service of documents filed by registered*  
7 *filers.*

8           a. Completing the registration process, see rule 16.304(1),  
9 constitutes a request for, and consent to, electronic service of  
10 court-generated documents and documents other parties file  
11 electronically.

12           b. When a document is electronically filed, EDMS serves the  
13 document ~~to~~on all parties who are registered filers. See rule  
14 16.201(11) (definition of “electronic service”). ~~EDMS serves parties~~  
15 ~~by~~Service occurs by posting a notice of electronic filing or  
16 presentation into the filer’s EDMS account along with a link to the  
17 document or documents presented or filed. The posting of the  
18 notice of electronic filing or presentation constitutes service of the  
19 document for purposes of the Iowa Court Rules. No other service  
20 on those parties is required.

21           c. Notice of electronic filing or presentation will only be  
22 ~~sent~~provided to registered filers and registered case parties who  
23 have filed an entry of appearance or filed an answer, filed a notice  
24 of case association, or filed an appearance as a court-approved  
25 intervenor.

1           d. Notices of electronic filing or presentation will continue to  
2 be ~~sent~~provided to a registered filer~~filers~~ until ~~they have the filer~~  
3 has filed a withdrawal from the case and, if applicable, obtained an  
4 order allowing the withdrawal.

5           e. Electronic service is not effective if the filer learns the  
6 notice of electronic filing or presentation was not transmitted to a  
7 party.

8           f. EDMS will not ~~send notifications on~~provide notices of  
9 electronic filing or presentation for documents related filed  
10 pursuant to rule 16.405(4), 16.703, 16.704, or 16.802, or on  
11 documents that require personal service to confer jurisdiction. The  
12 filer is responsible for service of documents that must be  
13 personally served to confer jurisdiction in accordance with rule  
14 16.315(2) on service to nonregistered filers.

15           **Comment:**

16           **Rule 16.315(1)(e).** ~~When the system~~Subject to the exceptions in rule  
17 16.315(1)(f), when EDMS receives a filing covered by this rule, EDMS will  
18 automatically generate a notice of electronic filing or presentation, which  
19 contains a list of the parties who were served electronically and a list of the  
20 parties who must be served by other means. It is the responsibility of the filer to  
21 review the notice of electronic filing or presentation to ensure that all parties  
22 that require service have received it. If the filer learns of a delivery failure, the  
23 filer must provide service to that person by other means. ~~Additionally, a A~~  
24 notice of electronic filing or presentation will not be generated on case initiation,  
25 on applications for warrants, ~~and on~~ emergency applications (such as emergency  
26 removals or emergency detention in juvenile cases), or on documents proposed  
27 for restricted access or filed under an order restricting access.

28           **16.315(2)** Service of paper copies on parties who are filers  
29 nonregistered parties. Parties must serve a paper copy of any filed  
30 document on a ~~person entitled to service party~~ who is not a  
31 registered filer in ~~the a~~ manner ~~required~~authorized by the Iowa  
32 ~~Rules of Civil Procedure Code~~ or the Iowa Court Rules of Criminal  
33 Procedure, unless the parties ~~otherwise agree to another method of~~

1 service. When serving paper copies of electronically filed  
2 documents ~~on~~in cases with multiple nonregistered filers other than  
3 criminal defendants, the filer must include a copy of the notice of  
4 electronic filing or presentation. The clerk of court will provide a  
5 copy of the notice of electronic filing or presentation upon a  
6 nonregistered filer's request.

7 **16.315(3)** *Service of documents filed that nonregistered filers*  
8 *file or presented by nonregistered filers present.*

9 a. Service on registered filers of documents ~~filed or~~  
10 ~~presented by that~~ nonregistered filers file or present will be made  
11 by the clerk electronically through EDMS, except for service of  
12 restricted access documents filed under rule 16.405. See rule  
13 16.201(11) (definition of electronic service).

14 b. When a nonregistered filer submits a document to the  
15 clerk of court, the clerk will process the filing or presentation with  
16 reasonable promptness during regular weekday business hours  
17 before the filing is served electronically on all registered filers. In  
18 such event, the date and time on the file stamp are considered the  
19 official date and time of service for purposes of computing all  
20 relevant deadlines.

21 ~~b~~c. Nonregistered filers must serve a paper copy of  
22 documents they file with or present to the court on all persons  
23 entitled to service who are nonregistered filers in the manner the  
24 Iowa Rules of Civil Procedure or the Iowa Rules of Criminal  
25 Procedure require.

1           d. If a party receives a one-time exception to electronic filing  
2           pursuant to rule 16.302(2)(a), the procedures and requirements of  
3           rule 16.315(3) apply.

4           **Rule 16.316 Certificate of service.** A certificate of service must  
5           be filed for all documents EDMS does not serve. These include  
6           documents that must be served on parties who are nonregistered  
7           filers, documents that must be served on persons or entities  
8           seeking to intervene in a confidential case, documents persons or  
9           entities file pursuant to rule 16.319(2), and discovery materials.  
10          See, e.g., rules 16.315(1)(b), 16.319(1)(c), and 16.401(1)(a). The  
11          certificate must be filed promptly and show the date and manner of  
12          service. The certificate of service may be included on the last page  
13          of the document.

14          **Rule 16.317 Additional time after electronic service.** When  
15          service of a document is made electronically, the time to respond is  
16          computed in the same manner as the Iowa Rules of Civil Procedure  
17          and the Iowa Rules of Appellate Procedure require for service by  
18          mail, fax, or email.

19          **Rule 16.318 Service of court-generated documents.**

20                 **16.318(1)** *Electronic notice and service for registered filers.*  
21                 EDMS will electronically serve any court-generated  
22                 document ~~to~~on all registered filers entitled to service. See rule  
23                 16.201(11) (definition of “electronic service”). ~~Electronic service of~~  
24                 Posting the notice of electronic filing or presentation ~~upon a~~



1 ~~registered filer by posting in the~~ registered filer's EDMS account  
2 ~~Notifications page~~ constitutes service or notice of the document.  
3 Notice of electronic filing or presentation will only be ~~sent~~provided  
4 to registered parties who have ~~filed an entry~~ entered an appearance  
5 or filed an answer, filed a notice of case association, or filed an  
6 appearance as a court-approved intervenor. Notices of electronic  
7 filing or presentation will continue to be ~~sent~~provided to a  
8 registered ~~filers~~filer until ~~they have~~ the filer has filed a proper  
9 withdrawal of appearance in a case and, if applicable, obtained an  
10 order allowing the withdrawal.

11 **16.318(2)** *Nonelectronic notice and service* ~~on case parties for~~  
12 nonregistered filers. The clerk of court will mail paper copies of  
13 electronically filed court-generated documents to nonregistered  
14 filers entitled to service. ~~The~~ In cases with additional  
15 nonregistered filers the clerk will ~~may~~ include a copy of the notice  
16 of electronic filing or presentation with the paper copy of the  
17 document. The clerk will not mail paper copies to registered  
18 parties who have not properly ~~entered an~~ filed an entry of  
19 appearance or filed an answer, filed a notice of case association, or  
20 filed an appearance as a court-approved intervenor. The clerk will  
21 not mail paper copies of court-generated documents to  
22 nonregistered parties represented by counsel unless ~~required by~~  
23 the rules or ~~required by a~~ court order otherwise require it.

24 **16.318(3)** *Certificate of service*. ~~Instead of filing a certificate~~  
25 ~~of service for~~ For court-generated documents that EDMS does not  
26 electronically serve, the clerk of court may note on the docket the

1 parties served and the method of service instead of filing a  
2 certificate of service.

3 **Rule 16.319 Filing by a potential intervenor or by a nonparty.**

4 **16.319(1) Potential intervenor.**

5 *a. Manner in which to intervene.* A person or entity seeking  
6 to intervene, to become a party to a case, must electronically file  
7 the application to intervene and all related documents unless  
8 excused from EDMS registration under rule 16.302(2).

9 *b. Access to court file.*

10 (1) Until the court grants the application to intervene, the  
11 person or entity seeking to intervene cannot download or view any  
12 confidential part of the court file, and the person or entity will not  
13 receive a notice of electronic filing or presentation of any document  
14 filed in the case.

15 (2) If the court grants the application to intervene, the  
16 person or entity must promptly file an entry of appearance or a  
17 notice of case association.

18 (3) ~~A notice~~ An entry of appearance or a notice of case  
19 association must be filed before the person or entity can receive a  
20 notice of electronic filing or presentation.

21 *c. Service.*

22 (1) The documents a person or entity seeking to intervene  
23 files must be served pursuant to rules 16.315(1)(b) and 16.315(2).

24 (2) The person or entity seeking to intervene is required to  
25 serve a paper copy of the document on parties who are  
26 nonregistered filers. See rule 16.315(2).

1 (3) If the court or a party files a document related to the  
2 application to intervene, a paper copy of the document must be  
3 served on the potential intervenor in the same manner as a  
4 nonregistered filer. *See* rules 16.315(2) and 16.318(1).

5 (4) If the application to intervene is granted, the intervenor  
6 will subsequently be served copies of filed documents pursuant to  
7 rules 16.315 and 16.318(2).

8 **16.319(2) Nonparty filers.**

9 *a. Filing.* ~~A nonparty person~~Nonparty persons or entities  
10 seeking~~entitled~~ to file documents in a case, ~~but not to become~~  
11 without becoming a party ~~to the case, are not required to need not~~  
12 ~~appear in the case in order to file documents in the case. Unless~~  
13 ~~excused from EDMS registration under rule 16.302(2). However, a~~  
14 ~~nonparty filer must use electronic filing electronically file the~~  
15 ~~motion, application, or other documents unless excused from~~  
16 EDMS registration under rule 16.302(2).

17 *b. Access to court file.* A nonparty ~~person or entity~~ cannot  
18 access the case remotely or download or view any confidential part  
19 of the court file. Additionally, a nonparty, ~~and the person or entity~~  
20 will not receive a notice of electronic filing or presentation of any  
21 document filed in the case.

22 *c. Service.* EDMS will serve on registered parties ~~documents~~  
23 ~~that any documents~~ a nonparty ~~person or entity files, pursuant to~~  
24 See rule 16.315(1)(b). The nonparty, however, ~~filer is required to~~  
25 must serve a paper copy of the document on parties who are  
26 nonregistered filers, ~~pursuant to~~ See rule 16.315(2). If service of a  
27 document on the nonparty is required, ~~the court or a party files a~~

1 ~~document related to the documents filed by the nonparty person or~~  
2 ~~entity,~~ a paper copy of the document must be served on the  
3 nonparty ~~person or entity~~ in the same manner as on a  
4 nonregistered filer. See rules 16.315(2) and 16.318(2).

5 **Comment:**

6 **Rule 16.319(1).** Examples of a party seeking to intervene in a case  
7 include a grandparent or relative seeking to become a party in a chapter 232  
8 Child in Need of Assistance case or an attorney for an interested party in an  
9 estate.

10 **Rule 16.319(2).** ~~Any filer can file on any case in EDMS, regardless of~~  
11 ~~whether the filer is a party to the case or not.~~ This rule describes the filing and  
12 serving of documents when the filer does not intend to intervene to become a  
13 party to the case and will not enter an appearance or file an answer or a notice  
14 of case association in order to be indexed to the case by the clerk of court. An  
15 example of a nonparty filer who wishes to file on a case but not become a party  
16 to the case is a person ~~or entity~~ who ~~files a motion~~seeks to quash a subpoena.

17 **Rule 16.320 Limited appearance.**

18 **16.320(1)** *Entry of appearance.* An attorney whose role in a  
19 case is limited to one or more individual proceedings in the case  
20 must file a notice of limited appearance ~~prior to or simultaneously~~  
21 ~~with~~before or at the time of the proceeding. Upon the filing of this  
22 document the attorney will receive electronic service of filed  
23 documents.

24 **16.320(2)** *Termination of limited appearance.* At the  
25 conclusion of the matters covered by the limited appearance, the  
26 attorney must file a notice of completion of limited appearance.  
27 Upon the filing of this document the attorney will no longer receive  
28 electronic service of documents filed in the case.

1                   **16.320(3)** *Service on party.* During ~~the course of the a~~  
2 limited appearance, the party on whose behalf the attorney has  
3 entered ~~a limited~~the appearance will continue to receive service of  
4 all documents.

5                   **Comment:**

6                   **Rule 16.320(1).** An entry of limited appearance is made on behalf of a  
7 case party and gives the attorney full case access and electronic notifications on  
8 the case. If an attorney is not filing on behalf of ~~a case~~an existing party, the  
9 attorney should file an application to intervene pursuant to rule 16.319(1) or file  
10 as a nonparty filer (rule 16.319(2)). Access to some confidential files or  
11 documents may require a court order. An example of an attorney filing an entry  
12 of limited appearance is an attorney hired by a petitioner in a dissolution case to  
13 represent that petitioner at a hearing on temporary custody. This rule is  
14 consistent with the Iowa Rules of Civil Procedure on limited appearances in that  
15 electronically filing the notice of limited appearance will cause EDMS to serve  
16 the notice on all registered parties. If there is a nonregistered party in the case,  
17 the filer must serve the notice on that party by other means. See chapter 32:1.2  
18 Rules of Professional Conduct.

19                   **Rules 16.321 to 16.400** Reserved.

20                                   **Division IV**  
21                                   Filing Processes

22                   **Rule 16.401 Discovery.**

23                   **16.401(1)** *Service of discovery materials.*

24                   a. *Service.* Parties may serve requests for discovery,  
25 responses to discovery, and notices of deposition by email ~~to~~on  
26 registered filers.

27                   b. *Time service occurs.* When service is made by email the  
28 time to respond is computed according to the Iowa Rules of Civil  
29 Procedure.

1           **16.401(2)** *Filing notice of discovery requests and responses.*

2           Parties must file a notice with the court when serving a request for  
3           discovery, a response to discovery, or a notice of deposition ~~or~~  
4           ~~when a discovery request or response is served~~ on another party.

5           The notice must identify the document served and include the  
6           date, manner of service, and the names and addresses of the  
7           persons served. This rule only requires the filing of a notice of  
8           deposition or a notice indicating a discovery request or response  
9           was made. Parties should continue to follow the Iowa Rules of  
10          Civil Procedure with respect to the filing of discovery materials.

11                   **Comment:**

12           **Rule 16.401(2).** This rule adds a layer of protection for parties.  
13           Registered filers' computer filters may occasionally filter out an ~~electronically~~  
14           ~~sent~~ emailed discovery request or response ~~from opposing parties~~. Rule  
15           16.401(2) assures that registered filers will at least know they should have  
16           received a discovery document.  
17  
18

19          **Rule 16.402     Transcripts.**     Transcripts must be filed  
20          electronically in a secure format in accordance with rule 16.601(2),  
21          any administrative directive from the state court administrator,  
22          and the formatting requirements of the Iowa ~~Rules~~ Rule of  
23          Appellate Procedure 6.803(2). Transcripts of court proceedings on  
24          ~~appeals~~ appeal from the district court must be electronically filed  
25          into the district court case file.

26          **Rule 16.403     Expedited relief.**     Requests for expedited  
27          relief must be noted on the electronic cover sheet.

28          **Rule 16.404     Briefs.**     Legal briefs and memoranda must be  
29          electronically filed.

**Rule 16.405 Restricting access to filings.**

**16.405(1)** *Scope.* This rule covers restricting access to filings in the court system, including documents, exhibits, docket entries, cases, and other items or materials.

**16.405(2)** *Applications to restrict access.*

a. A filer seeking to restrict access to ~~items this rule governs~~ materials that are not deemed confidential by statute or rule must file an application to restrict access ~~to the item~~.

b. If a filer seeks to restrict access to a document or exhibit, the document or exhibit must not be attached to the application or it will become part of the public ~~case~~ court file.

c. Documents or exhibits proposed for restricted access must be electronically presented to the court for review ~~whenever possible~~ when reasonably practicable.

d. Either in the application to restrict access or in a proposed order presented with the application ~~and the item proposed for restricted access~~, the filer must clearly state who should have access to the ~~case, docket entry, documents, or other~~ materials.

e. If the court grants the application, restricted access will be placed on the ~~material according to~~ materials at the security level specified in the order ~~specifies~~. If a document or exhibit ~~was~~ is electronically presented with the application, it will be filed with the access specified in the order ~~specifies~~.

f. ~~Division XII of this chapter will govern electronic filing of restricted access documents in appeals to the Iowa Supreme Court.~~ Rules governing electronic filing of restricted access

1 documents in appeals to the Iowa Supreme Court are included in  
2 the Iowa Rules of Appellate Procedure.

3 **Comment:**

4 **Rule 16.405(2)(d).** For example: “only attorneys and case parties should  
5 have access to this document.”

6 **Rule 16.405(2)(e).** The court may approve the application and restrict  
7 access to the ~~document, exhibit, or~~ material to a specific level, or the court may  
8 deny the application and either order the material filed ~~at~~ with public access or  
9 ~~not file the order that~~ the material not be filed.

10 **16.405(3)** *Documents or exhibits filed subsequent to order to*  
11 *restrict access.* If the court enters a protective order or an order  
12 directing or permitting the filing of documents or exhibits with  
13 restricted access, the parties must, without further order from the  
14 court, designate any document or exhibit filed under this rule as  
15 “Filed under order to restrict access” on the electronic cover sheet.  
16 All parties to the case must comply with any order restricting  
17 ~~access to protected information.~~ Any document or exhibit ~~referring~~  
18 ~~to or disclosing protected information~~ that is subject to an order  
19 restricting access must also be filed with restricted access.

20 **16.405(4)** *Service of documents or exhibits proposed for*  
21 *restricted access or filed under order restricting access.* EDMS will  
22 not serve documents or exhibits that are proposed for restricted  
23 access or that are filed under an order restricting access. The filer  
24 is responsible for service under rule 16.315.

25 **16.405(5)** *System restricted documents, exhibits, or cases.*  
26 Access to certain categories of documents, exhibits, or cases is  
27 restricted based on statutory or court rule requirements. Within  
28 EDMS, access is restricted automatically without application or an  
29 order of the court. A current list of system restricted documents,



exhibits, and cases is available from the clerk of court and is available on the Iowa Judicial Branch website.

**16.405(6)** *Access to restricted documents and docket entries.*

EDMS restricts access to documents in three ways:

a. Some documents available only to certain parties and the court may be referenced in a docket entry available to the public. In civil cases, most restricted access documents are referenced in a docket entry available to the public, but only certain parties and the court may view the documents themselves.

b. Some documents available only to certain parties and the court may not be referenced in a docket entry available to the public.

c. Some documents available only to the court are not referenced in a docket entry available to the parties or the public.

**Comment:**

**Rule 16.405(6)(a).** Examples of these documents include presentence investigation reports, minutes of testimony, and documents filed under restricted access pursuant to this rule.

**Rule 16.405(6)(c).** Examples of these documents include applications for search warrants and search warrants that have not been executed.

**16.405(7)** *Nonelectronic filings.* All nonelectronic filings with the court must conform to the personal privacy rules that apply to electronic documents.

**Rule 16.406 In camera inspection.** When the court orders in camera inspection of material, such material may be electronically presented to the court. After the court has examined the material and has entered an order concerning the issues raised by the material, if the court does not order ~~ordered~~ order the material to be produced in whole or in part, the court will file the presented

1 material and restrict access to the level of security available to  
2 clerks of court and judges only.

3 **Rule 16.407 Subpoenas.** The clerk of court may  
4 electronically ~~provide~~ make subpoenas available to registered filers  
5 in accordance with the Iowa Rules of Civil Procedure and the Iowa  
6 Rules of Criminal Procedure.

7 **Rule 16.408 Clerk of court certification of documents.**  
8 Certified copies of electronically filed documents may be obtained  
9 from the clerk of court electronically or nonelectronically. The fee  
10 for a certified copy is established in the Iowa Code and the Iowa  
11 Court Rules. The clerk may certify documents by digitized or  
12 electronic signature and seal.

13 **Rule 16.409 Proposed orders.** A proposed order may be  
14 electronically presented with a motion or without a motion. The  
15 proposed order must be submitted in an editable format capable of  
16 being read by Microsoft Word. Acceptable fonts are: Arial, Times  
17 New Roman/Times, Courier New, Tahoma/Geneva, Helvetica,  
18 Calibri, and Cambria. The document must not be password  
19 protected.

20 **Rule 16.410 Court reporter notes.** Court reporters who  
21 have computer-aided transcription capability must electronically  
22 file court reporter notes.

**Rule 16.411 Original documents.**

**16.411(1) Generally.**

a. When the law requires the filing of an original document, such as a will, codicil, mortgage document, note payable, birth certificate, foreign judgment, or other certified or verified document, the filer must scan the original document and electronically file the scanned document.

b. ~~For~~ The filer must retain the original document for a period of no less than two years or until the conclusion of the case, conclusion of the appeal, ~~or~~ conclusion of the estate, ~~whichever is later, the filer must retain the original document or as required by~~ other applicable law.

c. The filer must immediately deliver the original document to the court upon request of the court or ~~request of the other a~~ party for inspection and nonelectronic preservation.

d. When the document is an original will, codicil, or a document having physical characteristics that must be present for the document to be valid or enforceable, the filer may, after filing ~~it~~ the document electronically, submit it to the clerk of court for nonelectronic preservation.

**16.411(2) Exceptions for authorized governmental agencies.**

A governmental agency with statutory authority to destroy an original document after making an unaltered image or electronic reproduction of the original document, must retain and, upon request of the court or other party, immediately deliver an unaltered image or electronic reproduction of the original

1 document to the court or other party for inspection and  
2 reproduction, if necessary.

3 **Rule 16.412 Exhibits.**

4 **16.412(1)** *Maintenance of hearing and trial exhibits.*

5 ~~a. Except as provided in subsections (b), (c), and (d) of this~~  
6 ~~rule exhibits~~ Exhibits offered at a hearing or a trial must be  
7 maintained electronically for purposes of the record, except as  
8 provided in subsections (b), (c), and (d) of this rule.

9 b. Exhibits offered at a hearing or a trial that cannot  
10 reasonably be maintained electronically may be maintained  
11 nonelectronically for purposes of the record.

12 c. When the number of exhibits offered at a hearing or a trial  
13 is voluminous, the court may allow the exhibits to be filed on a  
14 media storage device such as a CD, or DVD, and the CD or DVD or  
15 flash drive, which will be maintained as part of the record.

16 d. When an exhibit offered at a hearing or a trial can be  
17 maintained electronically but exceeds the required size limit as  
18 posted in the electronic filing section of the Iowa Judicial Branch  
19 website, the offering party must submit the exhibit to the court on  
20 a media storage device such as a CD, or DVD, or flash drive,  
21 which ~~and the CD or DVD~~ will be maintained as part of the record  
22 consistent with these rules. All files submitted on the storage  
23 device must conform to the format requirements of these rules,  
24 including rules 16.310 and 16.412(7).

25 ~~e. Except as provided in rule 16.601(3), prior~~ Prior to offering  
26 an exhibit, the submitting party must redact the exhibit pursuant

1 to division VI of these rules (Personal Privacy Protection), except as  
2 provided in rule 16.601(3) (exhibits).

3 **Comment:**

4 **Rule 16.412(1).** EDMS is designed to store or maintain in an electronic  
5 form as many exhibits as possible. Rule 16.412 does not specify when exhibits  
6 should be converted to electronic form and decisions on when to do so will need  
7 to be made on a case-by-case basis. Examples of exhibits that may not be  
8 reasonably maintained electronically include physical exhibits, large or original  
9 photographs, and blueprints.

10 **16.412(2)** *Electronic submission of proposed exhibits.*

11 *a.* A party may submit proposed exhibits to the court prior to  
12 the hearing or trial in which the party intends to offer the proposed  
13 exhibits for admission into evidence. Upon submission through  
14 EDMS, each proposed exhibit will receive a file stamp. ~~Only Case~~  
15 ~~attorneys and self-represented persons who are parties to the case~~  
16 parties will have access to proposed exhibits. Exhibits offered or  
17 admitted into evidence are subject to the public access and  
18 personal privacy rules of divisions V and VI of this chapter.

19 *b.* Each proposed exhibit must be submitted as a separate  
20 docket event. The filer must insert a description into the  
21 “Additional Text” field. An exhibit that exceeds the required size  
22 limit as posted in the electronic filing section of the Iowa Judicial  
23 Branch website must be separated into parts of an acceptable size,  
24 and each part must be filed as a separate attachment under the  
25 same docket event. When an exhibit is filed in multiple parts, the  
26 filer must insert a description for each part into the “Additional  
27 Text” field.

28 *c.* At the conclusion of the trial or hearing, the court, except  
29 in juvenile court proceedings, will enter an exhibit maintenance  
30 order that states which proposed exhibits were offered or admitted

1 into evidence. If no party files an objection to the exhibit  
2 maintenance order within 10 business days, ~~the proposed exhibits~~  
3 ~~that are not listed in the order may be deleted from EDMS the~~  
4 ~~clerk of court thereafter may delete proposed exhibits that are not~~  
5 ~~listed in the order.~~

6 **Comment:**

7 **Rule 16.412(2).** Access to proposed exhibits filed before trial is  
8 restricted to self-represented case parties, attorneys indexed ~~on~~ to the case, and  
9 the court. The court may ask attorneys who have filed proposed exhibits to  
10 bring paper copies to trial for the court and jury. If an exhibit in a public case  
11 contains protected information, the party offering it, or the party filing it as  
12 proposed, must redact the protected information before the exhibit becomes  
13 public. Rule 16.601(3) allows the submitting party 14 days to redact the exhibit  
14 before it becomes public. Admitted exhibits that a party has not identified as  
15 containing protected information become public. Exhibits in juvenile cases,  
16 ~~which never become public,~~ are an the exception; they never become public.  
17 Exhibits submitted in paper in all proceedings, including ~~cases~~ proceedings  
18 listed in ~~rules~~ rules 16.412(3) and 16.412(6), may remain in paper unless the  
19 ~~case-matter~~ is appealed, at which time the clerk of court will scan the exhibits.  
20 Examples of descriptions in the “Additional Text” field for proposed exhibits  
21 include “Exhibit 1—Contract” or “Exhibit A—Letter from Jane Doe.” Examples  
22 of “Additional Text” field descriptions for exhibits filed in multiple parts include  
23 “Exhibit 1.1—Contract (Part 1)” or “Exhibit 1.2—Contract (Part 2).”

24 **16.412(3)** *Exhibits offered at a hearing or a trial that were*  
25 *not submitted as proposed exhibits.* When offered or admitted at  
26 hearing or trial, an exhibit that can reasonably be maintained  
27 electronically, ~~and~~ but that was not previously submitted as a  
28 proposed exhibit, will remain nonelectronic unless the court orders  
29 otherwise. Upon an appeal in the case, the clerk of court will  
30 electronically file the exhibit ~~for the convenience of the court on~~  
31 ~~appeal.~~

32 **16.412(4)** ~~*Exhibits maintained nonelectronically*~~ *Index of*  
33 *nonelectronic exhibits.* When a party offers one or more exhibits  
34 that will be maintained nonelectronically under rule 16.412(1)(b),  
35 (c), or (d), the party must electronically file an index of the exhibits.

1 The index should list and briefly describe the nonelectronic  
2 exhibits.

3 **16.412(5)** *Exhibits to pleadings.* Under rule 16.311(1),  
4 evidentiary material that is submitted with or attached to a motion  
5 or other pleading must be filed as an attachment and should not  
6 be submitted as a proposed exhibit.

7 **16.412(6)** *Submission of proposed exhibits in small claim,*  
8 *simple misdemeanor, traffic, and municipal infraction cases.*  
9 Proposed exhibits may be, but are not required to be, submitted  
10 electronically in small claim, simple misdemeanor, traffic, and  
11 municipal infraction cases. The submitting party must redact  
12 proposed exhibits, whether electronic or nonelectronic, pursuant to  
13 division VI of this chapter prior to submitting the proposed  
14 exhibits. Upon initiation of an appeal in the case types included in  
15 this rule, the clerk of court, ~~when possible~~, will convert exhibits  
16 admitted in nonelectronic form to an electronic form when  
17 possible.

18 **16.412(7)** *Submission of video and audio exhibits.*

19 *a. Video exhibits.* Video exhibits must be submitted in the  
20 following format: .avi, .flv, .mpeg, .mp4, .wms, or .mov. Or, the  
21 video exhibit must be submitted with a player application that  
22 allows the exhibit to be viewed. Video exhibits cannot be  
23 electronically filed but may be submitted to the court on a media  
24 storage device such as a CD<sub>2</sub>, or DVD, or flash drive. The media  
25 storage device must contain only the exhibit or exhibits and any  
26 required player application and no other files or applications.

1 Upon initiation of an appeal the clerk of court will provide any  
2 video exhibits to the appellate court.

3 *b. Audio exhibits.* Audio exhibits must be submitted in the  
4 following format: .wav, .mp3, or .wma. Or, the audio exhibit must  
5 be submitted with a player application that allows the exhibit to be  
6 heard. Audio exhibits cannot be electronically filed but may be  
7 submitted to the court on a media storage device such as a CD, or  
8 DVD, or flash drive. The media storage device must contain only  
9 the exhibit or exhibits and any required player application and no  
10 other files or applications. Upon initiation of an appeal, the clerk  
11 of court will provide any audio exhibits to the appellate court.

12 *c. Video and audio exhibits in an appeal to district court.*  
13 Transcribed portions of a video or audio exhibit may be included in  
14 documents filed in an appeal to the district court, provided the  
15 transcribed material was properly admitted in the underlying court  
16 case. The parties must not embed or include actual audio or video  
17 in any documents filed in an appeal to the district court.

18 **16.412(8)** *Disposition of scanned exhibits.* Exhibits for  
19 which the clerk of court is responsible for scanning will be  
20 disposed of according to the requirements of the Iowa Rules of Civil  
21 Procedure and Iowa Rules of Criminal Procedure.

22 **Rules 16.413 to 16.500** Reserved.



**Division V**  
Public Access

**Rule 16.501 General rule.** All filings in the Iowa court system are public unless system restricted or filed with restricted access. Electronic filing does not affect public access to a court file ~~files~~. Access to court files is determined by the nature of the information in the file and the person's role in or relationship to the case.

**Comment:**

**Rule 16.501.** Electronic filing does not affect which documents or court files the public may access or which documents or files are deemed confidential. Any member of the general public may view a nonconfidential file or document from public access terminals located at the courthouse in which the case is pending. ~~Attorneys, parties to a case, self-represented litigants, and abstractors may remotely access some court documents.~~

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

**16.502(1) Registered filers.**

*a. Attorneys licensed to practice law in Iowa.* Registered attorneys licensed to practice law in Iowa ~~will~~ have remote access to all public documents in public court files except in juvenile delinquency cases prior to the child being adjudicated delinquent. Registered attorneys who are licensed to practice law in Iowa ~~will~~ have limited access to birth dates and names of children, normally considered protected information under rule 16.602, in public court files. Access to the birth dates and names of children in cases in which an attorney has not entered an appearance, is limited to confirmation of the information the attorney supplies regarding the birth date or child's name in a particular case.

1           b. ~~Attorney~~Attorneys admitted pro hac vice. ~~An~~  
2 ~~attorney~~Registered attorneys admitted pro hac vice, ~~see Iowa Ct.~~  
3 ~~Rule 31.14, has~~have remote access only to the documents filed in  
4 the cases in which the ~~attorney has been~~attorneys are admitted  
5 pro hac vice.

6           c. *Self-represented litigants and parties to a case.* Registered  
7 ~~Self~~self-represented litigants and parties to a case who have  
8 ~~registered and~~ obtained a login and password have remote access  
9 only to documents filed in the cases in which they are a party.

10           **16.502(2)** *Abstractors.* ~~An abstractor will~~Abstractors have  
11 remote access to all public documents in public court files. See  
12 rule 16.304(1)(d). Abstractors have limited access in public court  
13 files to birth dates and names of children, normally considered  
14 protected information under rule 16.602. Access to birth dates  
15 and names of children is limited to confirmation of information the  
16 abstractor supplies regarding the birth date or child's name in a  
17 particular case.

18           **16.502(3)** *Specialized nonparty filers.* Specialized nonparty  
19 filers, see rule 16.304(1)(b), may file documents in cases in which  
20 they are not a party ~~and will~~but do not have remote access to  
21 electronic court files.

22           **16.502(4)** *Members of the general public.*

23           a. ~~Electronic~~Members of the public may view electronic  
24 documents in public cases ~~may be viewed~~ at public access  
25 terminals in the county courthouse in which the case is pending.

26           b. To view electronic documents in public cases on appeal to  
27 the Iowa Supreme Court, members of the general public may use a

1 public access terminal located in the Judicial Branch Building in  
2 Des Moines, Iowa, or a public access terminal located in the county  
3 in which the underlying case originated.

4 **Rule 16.503 Public access terminals.** The Iowa Judicial Branch  
5 will maintain at least one public access terminal in each county  
6 courthouse and in the Judicial Branch Building.

7 **Rule 16.504 Bulk distribution.** The Iowa Judicial Branch may  
8 fulfill requests for copies or reproductions of public electronic  
9 documents or records filed in more than a single electronic case if  
10 fulfilling such requests will not impair or interrupt the regular  
11 operation and efficiency of EDMS and ~~are in compliance~~complies  
12 with administrative directives or approvals from the state court  
13 ~~administration~~administrator.

14 **Comment:**

15 **Rule 16.504.** Such state court ~~administration~~administrator directives or  
16 approvals may take into consideration the system, staffing, and equipment  
17 capacity of EDMS.

18 **Rules 16.505 to 16.600** Reserved.

**Division VI**  
Personal Privacy Protection

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

**16.601(1) Responsibility of filer generally.**

a. It is the responsibility of the filer to ensure that protected information is omitted or redacted from documents before the documents are filed. This responsibility ~~applies~~exists even ~~though~~when the filer did not create the document.

b. 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 or restrict access to documents containing protected information.

c. A filer waives the protections of the rules in division VI as to the filer's own information by filing it without redaction.

**16.601(2) Transcripts.**

a. When a transcript is filed that contains protected information, the court reporter must also file a notice of transcript redaction along with a redacted version of the transcript in accordance with administrative directives from the state court administrator ~~establishes~~. ~~The redacted transcript will not contain information that is included in the list of protected information in rule 16.602.~~

b. The parties to the action are responsible for ensuring the appropriate information in the transcript is redacted. After the court reporter has filed a notice of transcript redaction, each party

1 must, within 21 days from the date of the filing of the notice of  
2 transcript redaction, review the designated material and, if  
3 necessary, request additional designation of protected information  
4 or note where information was improperly redacted. To stipulate  
5 to additional redactions or corrected redactions, the parties must  
6 file the Stipulation Re: Transcript Redaction form found in the  
7 electronic filing section of the Iowa Judicial Branch website.

8 c. The court will resolve any disagreement on the  
9 designation of protected information.

10 d. The redacted transcript will not be available to the public  
11 until all requests for additional designation or claims of improper  
12 redaction are resolved.

13 e. ~~Failure to respond~~ A party's failure to file a response  
14 within 21 days from the date the notice of transcript redaction is  
15 filed is deemed ~~an~~ the party's agreement that the transcript is  
16 properly redacted.

17 **16.601(3) Exhibits.**

18 a. *Electronically submitted exhibits.* If protected information  
19 must be included in an exhibit pursuant to rules 16.603(2) and  
20 16.603(4), the submitting party must redact the proposed exhibit.

21 b. *Nonelectronic exhibits offered at hearing or trial.* If  
22 protected information is included in a nonelectronic exhibit that  
23 was offered at a hearing or trial, the offering party must inform the  
24 court of the inclusion of protected information and request that the  
25 exhibit be treated as a confidential document. Within 14 days of  
26 offering the nonelectronic exhibit identified as containing protected

1 information, the offering party must electronically file a redacted  
2 copy of the exhibit that will be available to the public.

3 **Comment:**

4 **Rule 16.601.** The redaction rules in division VI apply to all documents  
5 filed electronically as well as to filings submitted to the court in paper on  
6 electronic cases, such as exhibits that are offered in paper at a hearing or trial  
7 or filings an excused filer submits in paper for the clerk of court to scan. The  
8 personal privacy protection rules, 16.601 through 16.609, assist in protecting  
9 certain identifying information from widespread dissemination and possible  
10 misuse. To provide greater protection, parties should not put this information in  
11 documents filed with the court unless it is ~~material to the case~~required by law or  
12 material to the proceedings. If the information is ~~material or required by law~~  
13 material to the proceedings, parties should carefully follow the redaction rules in  
14 division VI. Disclosure of protected information in orders and other court-  
15 generated documents that require enforcement or action by someone outside the  
16 court falls under rule 16.603(4).

17 **Rule 16.602 Protected information.** Protected information  
18 includes the following:

- 19 1. Social security numbers.
- 20 2. Financial account numbers.
- 21 3. Dates of birth.
- 22 4. Names of minor children.
- 23 5. Individual taxpayer identification numbers.
- 24 6. Personal identification numbers.
- 25 7. Other unique identifying numbers.
- 26 8. Confidential information ~~the Iowa Code lists as~~  
27 ~~protected~~ as defined in rule 16.201.

28 **Rule 16.603 Omission and redaction requirements.**

29 **16.603(1)** *Protected information that is not required by law or*  
30 ~~*is not material to the proceedings.*~~ A filer may omit protected  
31 information from documents filed with the court when the

1 information is not required by law or is not material to the  
2 proceedings.

3 **16.603(2)** *Protected information that is required by law or is*  
4 *material to the proceedings.* When protected information is  
5 required by law to be included or is material to the  
6 ~~case~~proceedings, a filer may record the protected information on a  
7 separate protected information form. See rule 16.606. The filer  
8 must ensure the protected information is redacted from any other  
9 document before filing the document with the court. See rule  
10 16.605 (manner in which to redact protected information).

11 **16.603(3)** *Restricted access documents.* Parties are not  
12 required to redact protected information from documents that are  
13 confidential by statute, rule, or court order; ~~however, redaction is.~~  
14 Redaction is required, however, however, for materials that are  
15 initially confidential but which later become public, such as  
16 documents in dissolution proceedings.

17 **16.603(4)** *Disclosure allowed.* A filer may disclose protected  
18 information only when that information is an essential or required  
19 part of the document or the court file. Disclosure of protected  
20 information must be as narrow as ~~possible~~reasonably practicable.

21 a. All orders and other court-generated documents  
22 containing protected information that require enforcement or  
23 action by someone outside the court fall under rule 16.603(4).

1           b. Judicial officers may include protected information in a  
2 nonpublic court order to obtain required enforcement or action  
3 with a redacted public version of that order.

4           **Comment:**

5           **Rule 16.603(4)(a).** Such documents include, but are not limited to, the  
6 following: writs of execution that require a full financial account number;  
7 juvenile transportation orders and placement orders containing a child's full  
8 name and identifying information; letters of appointment with full names of  
9 minors in guardianship and conservatorship cases; qualified domestic relation  
10 orders; protective orders and other orders containing full names of juveniles;  
11 and applications, orders, and resulting arrest warrants, juvenile summons, and  
12 writs of mittimus containing a defendant's full name, date of birth, and social  
13 security number.

14           **16.603(5)** *Full disclosure of the names of minor children.*

15           The name of a minor child may be case information that is an  
16 essential or material part of the court record. See rule 16.801(2)(a)  
17 (regarding use of the full name of minors in juvenile delinquency  
18 cases).

19           **Comment:**

20           **Rule 16.603(5).** Examples of when the name of a minor child is  
21 essential to the court record include: the name of a minor child who is the ward  
22 in a guardianship or conservatorship case or who is the subject of a civil name  
23 change petition; or the name of a minor child who is a criminal defendant,  
24 defendant on a traffic citation or municipal infraction; ~~or the name of a minor~~  
25 ~~child who is a~~ defendant in a domestic abuse or elder abuse case or other such  
26 case.

27           **16.603(6)** *Redaction on cases after disposition.* A party  
28 must apply to the court to file a redaction of a document in a case  
29 in which judgment is final. The application must state the reasons  
30 for and manner of redaction. When the court has approved the  
31 application, the filer must electronically file the redaction.



**Rule 16.604 Information that may be redacted.** A filer may redact the following information from documents available to the public unless the information is required by law or is material to the proceedings:

1. Driver's license numbers.
2. Information concerning medical treatment or diagnosis.
3. Employment history.
4. Personal financial information.
5. Proprietary or trade secret information.
6. Information concerning a person's cooperation with the government.
7. Information concerning crime victims.
8. Sensitive security information.
9. Home addresses.

**Rule 16.605 Manner in which to redact protected information.**

**16.605(1)** *Documents created for filing with the court.* When protected information that is required by law or is material to the ~~ease~~proceedings must be included in a document that a filer is creating specifically for filing with the court, when reasonably practicable only a portion of the protected information should be used.

**Comment:**

**Rule 16.605(1).** Examples of portions of protected information include: if a Social Security number must be included in a document, only the last digit of that number is used; if financial account numbers are relevant, only incomplete numbers are recited in the document; if a person's date of birth is necessary, only the year is used; if a minor child's name must be mentioned, only the child's initials are used.

1           **16.605(2)** *Original documents that are required to be filed*  
2           *with the court.* When original documents that are required by law  
3           or are material to the ~~case~~proceedings contain protected  
4           information as specified in rule 16.602, the filer must redact that  
5           information. The filer must make a copy of the document,  
6           masking the protected information on the copy, and then scan and  
7           file the copy, selecting “Redaction” as the document type on the  
8           electronic cover sheet. The filer must then relate the redaction to  
9           the original document. EDMS will file the original as restricted  
10          access and the redacted copy as the public version of the  
11          document.

12           **Rule 16.606 Protected information form.**

13           **16.606(1)** *Protected information form required.* When a filer  
14           is required to include protected information in a filed document,  
15           the filer may file a protected information form. The ~~form can be~~  
16           ~~found in the~~ electronic filing section of the Iowa Judicial Branch  
17           website provides the form. The protected information form must  
18           contain the protected information in its entirety as well as the  
19           redacted version of the information used in the filed document. All  
20           references in the case to the redacted information included in the  
21           protected information form will be construed to refer to the  
22           corresponding complete protected information. The protected  
23           information form is ~~held confidential~~not available to the public but  
24           is available to case parties.

25           **16.606(2)** *Supplementing protected information form.* When  
26           new information is needed to supplement the record or if

1 information already contained in the protected information form  
2 needs to be updated or corrected, the parties must file an updated  
3 protected information form including all previously disclosed  
4 protected information plus any additions, changes, or corrections.

5 **Rule 16.607 Orders and other court-generated documents.** All  
6 orders and other court-generated documents will follow the  
7 omission and redaction requirements in rule 16.603. Orders and  
8 other court-generated documents will use the redacted version of  
9 the protected information found in the protected information form  
10 the parties file. See rule 16.606. Orders and other court-  
11 generated documents containing protected information that require  
12 enforcement or action by someone outside the court are governed  
13 by rule 16.603(4).

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

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

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

**Rule 16.609 Sanctions.** If a filer incorrectly files documents containing unredacted protected information, the court, upon its own motion or upon the motion of any party, may impose sanctions. A sanction imposed under this rule must be limited to that which will deter repetition of the conduct or comparable conduct by others. The sanction may include nonmonetary directives or an order to pay a penalty into court. If a party is required to file a motion to address a violation of division VI personal privacy rules, the court may award to the moving party reasonable attorney's fees and other expenses directly resulting from the violation.

**Rules 16.610 to 16.700** Reserved.

**Division VII**  
Criminal Cases

**Rule 16.701 Criminal cases generally.**

**16.701(1)** *EDMS in criminal cases.* All criminal cases will be opened using ~~the electronic document management system~~ EDMS.  
~~All filings in criminal cases will be made electronically.~~

**16.701(2)** *Applicability of other chapter 16 rules to criminal cases.* The rules in divisions I through VI of the Iowa Rules of Electronic Procedure, including rules on the protection of personal privacy, apply in criminal cases except as stated in this division.

1           **16.701(3)** *Self-Represented criminal defendants.* A self-  
2 represented criminal defendant is not required to, but may choose,  
3 to register for electronic filing. If a person excused from electronic  
4 filing chooses to register, the person waives the exception and is  
5 governed by these rules in the same manner as any registered filer.  
6 A person who subsequently desires to be excused must apply for  
7 and receive an exception pursuant to these rules.

8           **Rule 16.702 Warrants and other similar applications.** When  
9 made during regular court hours, applications for search warrants,  
10 applications for arrest warrants, and other similar applications  
11 ~~may, when possible,~~ be electronically presented to the court.  
12 Applications made when the courthouse is closed may be  
13 electronically presented to the court ~~on a computer tablet or~~  
14 ~~similar electronic device capable of allowing the court to modify the~~  
15 ~~documents and capable of accepting a judge or magistrate's~~  
16 ~~signature~~in the same manner as proposed orders are presented  
17 pursuant to rule 16.409. If the applicant or the court does not  
18 have immediate access to such technology, the application must be  
19 presented to the court in paper form and later scanned into EDMS.

20           **Rule 16.703 Documents initiating criminal cases.**

21           **16.703(1)** *Trial informations and indictments.*  
22           a. *Trial informations.* Trial informations must be  
23 electronically presented to the court for approval. If the court  
24 approves the trial information, the information is electronically  
25 ~~date and time file~~ stamped and filed. If the court refuses to

1 approve ~~a the~~ trial information, ~~the information is electronically~~  
2 ~~returned to the~~ prosecuting attorney is electronically notified.

3 *b. Indictments.* ~~An indictment~~Indictments containing a  
4 nonelectronic signature of a foreperson of a grand jury must be  
5 scanned before ~~it is being~~ electronically filed in EDMS.

6 **16.703(2)** *Complaints, traffic tickets, and similar citations.*

7 Complaints, traffic tickets, or similar citations containing the  
8 electronic signature of an arresting officer or other person must be  
9 transmitted to EDMS in such a manner as to legibly reproduce an  
10 unaltered image of the required signature or display a realistic  
11 image of the signature.

12 **Rule 16.704 Signature of criminal defendants.** When a  
13 criminal defendant's signature is required on a document, the  
14 signature may be placed on the document ~~according to this rule~~in  
15 the following ways.

16 **16.704(1)** *Nonelectronic signature.* A criminal defendant  
17 may sign a document nonelectronically, and the document must  
18 be scanned for electronic filing.

19 **16.704(2)** *Computer tablet signature.* A criminal defendant  
20 may electronically sign a document using a computer tablet or  
21 similar technology.

22 **16.704(3)** *Login and password.* A criminal defendant who is  
23 a registered filer may sign the document using the defendant's  
24 login and password accompanied by a digitized or electronic  
25 signature. See rule 16.705 (documents requiring oaths,  
26 affirmations, or verifications).

1       **Rule 16.705 Documents requiring oaths, affirmations, or**  
2       **verifications.** Any document requiring a signature to be made  
3       under oath or affirmation or with verification may be signed either  
4       nonelectronically and scanned into EDMS or may be signed with a  
5       digitized signature.

6               **Comment:**

7               **Rule 16.705.** Uniform citations and complaints are examples of  
8       documents under rule 16.705.

9       **Rule 16.706 Copies of documents for self-represented**  
10       **defendants.** The court will provide self-represented criminal  
11       defendants who have not registered for electronic filing paper  
12       copies of all documents submitted to the court or filed by the  
13       court.

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

18       **Rules 16.708 to 16.800** Reserved.

**Division VIII**  
Juvenile Cases

**Rule 16.801 Juvenile cases generally.**

**16.801(1)** ~~Use of EDMS in juvenile cases.~~ All juvenile cases, with the exception of waivers of parental notification, will be opened using EDMS.

**16.801(2)** *Applicability of other chapter 16 rules to juvenile cases.* The rules in divisions I through VI of ~~this chapter~~ the Iowa Rules of Electronic Filing Procedure, the Iowa Rules of Electronic Filing, including rules on the protection of personal privacy, apply in all juvenile cases except as stated in this division.

*a. Exception to protected information rule 16.602 for the name of a minor child.* The name of a minor child who is the subject of a ~~delinquency~~ petition or complaint alleging delinquency will not be ~~fully~~ disclosed and is ~~not~~ considered protected information unless exempted under Iowa Code section 232.147.

*b. Exception for nonregistered self-represented parents, guardians, or legal custodians.* Nonregistered self-represented parents, guardians, or legal custodians of a minor child in a juvenile case are excused from registration and electronic filing.

*c. Exception to exhibit maintenance order.* The juvenile court may, use but is not required to use, the exhibit maintenance order in juvenile proceedings.

**Rule 16.802 Emergency applications.** When made during regular court hours, applications for emergency orders may, ~~when~~



1 | possible, be electronically presented to the court. Applications  
2 | made when the courthouse is closed may be electronically  
3 | presented to the court ~~on a computer tablet or similar electronic~~  
4 | ~~device capable of allowing the court to modify the documents and~~  
5 | ~~capable of accepting a judge's signature~~ in the same manner as  
6 | proposed orders are presented pursuant to rule 16.409. If the  
7 | applicant or the court does not have immediate access to such  
8 | technology, the application may be presented to the court in paper  
9 | form and later scanned into EDMS.

10 | **Comment:**

11 | **Rule 16.802.** Examples of emergency applications include applications  
12 | for placement in shelter care, placement in detention, requests for emergency  
13 | medical care, and removal from parental custody.

14 | **Rule 16.803 Signatures.** When the signature of a parent,  
15 | guardian, custodian, child as defined in the Iowa Code, or adult  
16 | within the jurisdiction of the juvenile court is required on a  
17 | document, the signature may be placed on the document in one of  
18 | the following ways:

19 | **16.803(1) Nonelectronic signature.** The person may sign a  
20 | document nonelectronically and the document must be scanned  
21 | for electronic filing.

22 | **16.803(2) Computer tablet signature.** The person may  
23 | electronically sign a document using a computer tablet or similar  
24 | technology.

25 | **16.803(3) Login and password.** If the person is a registered  
26 | filer, the person may sign the document using the person's login  
27 | and password, accompanied by a digitized or electronic signature.

1 See rule 16.804 (documents requiring oaths, affirmations, or  
2 verifications).

3 **Rule 16.804 Documents requiring oaths, affirmations, or**  
4 **verifications.** Any document requiring a signature to be made  
5 under oath or affirmation or with verification may be signed either  
6 nonelectronically and scanned into the electronic document  
7 management system or may be signed with a digitized signature.

8 **Rules 16.805 to 16.900** Reserved.~~**Divisions IX through XII**~~  
9 Reserved

10 ~~**Note: Iowa rules pertaining to electronic filing in the appellate**~~  
11 ~~**courts will be contained in division XII of this chapter. The**~~  
12 ~~**rules in division XII are undergoing modification and will be**~~  
13 ~~**finalized at a later date.**~~