

## Rule 7.1

### E-Mail filing Pleadings with the Clerk

#### Filing:

Pleadings and other papers may be filed in the Civil, Small Claims, Criminal and Traffic Division of the Court with the Clerk of Courts by email transmission to [municlerk@auglaizecounty.org](mailto:municlerk@auglaizecounty.org).

The following documents will not be accepted for electronic filing:

Original, cognovits promissory notes, written pleas of not guilty by reason of insanity, Wage garnishments, Other Than Wage garnishments, or any pleading for filing that requires a check for witness fee.

#### Original Filing:

- A.) A document filed by email shall be accepted as the effective original.  
  
The person making the emailed filing need not file any source document with the Clerk of Courts but must, however, maintain in their records and have available for production on request by the court the source document filed by email with original or electronic signatures as otherwise required under the applicable rules, together with the source copy of the email cover sheet used for the subject filing.
- B.) The source document filed by email shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.
- C.) If filing on multiple cases, you must submit a separate email for each case.
- D.) If filing multiple pleadings for ONE case, you must submit each pleading in a separate attachment and note the same on the cover sheet.
- E.) The case number must be on the subject line of the email. If a case number has not been assigned, the case type must be on the subject line. Ex: New Civil case for filing

#### Cover Page:

The person filing a document by email shall also provide therewith a cover page containing the following information: (See appendix for sample cover page form)

1. Name of the Court
2. Title of the case
3. Case number (if not a new case filing)
4. Judge assigned
5. Title of the document being filed
6. Date of transmission
7. Transmitters e-mail address
8. Number of pages being submitted
9. If a Judge or case number has not been assigned, state that on the cover page
10. The name, address, telephone number, Supreme Court registration number if applicable and the e-mail address of the person filing the document

11. If applicable, a statement explaining how costs are being submitted

If a filing fee is required, when the emailed pleadings have been received, filed and docketed, the Clerk of Courts will email a copy of the cover sheet listing the total amount due. This amount is due within 10 days. This can be paid by calling the number listed on the cover sheet or online by credit card, or mailing a check.

- A. If a document sent by e-mail to the Clerk of Court without the cover page information listed above, the Clerk may, at the Clerk's discretion;
1. Enter the document in the Case Docket and file the document; or
  2. Deposit the document in a file of failed email documents with a notation of the reason for the failure; in this instance, the document shall not be considered filed with the Clerk of Courts.

The Clerk of Court is not required to send any form of notice to the sending party of a failed email submission.

Signature:

A party who wishes to file a signed source document by email shall either:

1. email a copy of the signed source document; or
2. email a copy of the document without the signature but with the notation "/s/" followed by the name of the signing person where the signature appears in the signed source document. A person who files a signed document by email represents that the physically signed source document is in their possession or control.

Exhibits:

- A.) Each exhibit to an email produced document that cannot be accurately transmitted via email transmission for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the court otherwise orders, the missing exhibit shall be filed with the court, as a separate document, not later than five (5) court days following the filing of the email document. Failure to file the missing exhibits as required by this paragraph may result in the court striking the document and/or exhibit.
- B.) Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the court, title of the case, the case number, name of the judge and the title of the exhibit being filed (e.g. Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiffs Smith's Response to Defendant's Motion to Dismiss), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this court. (See appendix for sample of exhibit cover sheet.)

#### Time of Filing:

- A.) Subject to the provision of these rules, all documents sent by email and accepted by the Clerk shall be considered filed with the Clerk of Courts as of the date and time the Clerk time-stamps the document received, as opposed to the date and time of the email transmission. All emailed pleadings will be accepted for filing with the Auglaize County Clerk of Courts Monday – Friday between 8:00 a.m. and 3:30 p.m. excluding all authorized holidays. Pleadings received during the allowed time will be time stamped and processed. All pleadings received after 3:30 p.m. may be filed the next Court day.
- B.) Email filings may NOT be sent directly to the court for filing but may only be transmitted directly through the email operated by the Clerk of Courts.
- C.) The Clerk of Court may, but need not, acknowledge receipt of an email transmission.
- D.) The risks of transmitting a document by email to the Clerk of Courts shall be borne entirely by the sending party. Anyone using email filing is urged to verify receipt of such filing by the Clerk of Court through whatever technological means are available.
- E.) In the event the courts are closed due to unforeseen circumstances, any filings received via email will be processed on the next day the courts are open and filed on the date the courts reopen, unless ordered otherwise by the court upon motion of the party.

#### Fees and Costs:

The Clerk of Courts shall charge per page for all copies of emailed documents made by the Clerk and charged for at the rate as established in O.R.C. 2303.20(Z). This fee is to be charged as ongoing court costs in the case.

If the applicable filing fees have not been received within 10 days of the filing being accepted by the Clerk of Courts, the Court will be notified and your case will subject to dismissal.

#### Length/ type of Document:

All pleadings shall be submitted as a PDF file that carries the caption of the pleading being filed.

#### Effective Date:

These local rules shall be effective June 2, 2025, and shall govern all proceedings in actions brought after they take effect and also further proceedings in pending actions, except to the extent that, in the opinion of the court, their application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the former procedure applies.

- APPENDIX
- 1. Sample E-mail filing Cover Page
  - 2. Sample Exhibit Cover Page