

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
18-SO-5

FILED

NOV 27 2018

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY DEP CLK

IN RE:)
ELECTRONIC SERVICE)
OF DOCUMENTS FILED BY)
UNREPRESENTED LITIGANTS)

STANDING ORDER

Effective December 1, 2018, Federal Rule of Civil Procedure 5 and Federal Rule of Criminal Procedure 49 provide that service of a paper may be made by sending it to a registered user by filing with the court's electronic-filing system, and if a paper is served in this manner, no certificate of service is required.

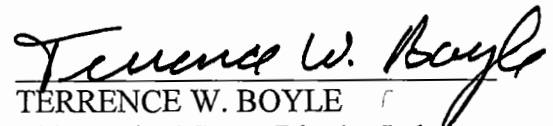
Unrepresented litigants, however, are not permitted to file documents electronically in this Court, unless otherwise ordered by the presiding judge. Instead, unrepresented litigants submit all filings to the clerk's office in paper by delivering the original documents to the clerk's office during regular business hours or by mail. The clerk's office scans and uploads the documents into the Court's Case Management/Electronic Case Filing ("CM/ECF") system, which generates a Notice of Electronic Filing ("NEF") that is served on registered users of CM/ECF in the case. As a result, registered users are often served twice with documents filed by an unrepresented litigant in a case: (1) by NEF via CM/ECF and (2) by mail or personal delivery from the unrepresented litigant. The Court finds that this dual service is inefficient and potentially confusing for litigants.

Accordingly, the Court hereby orders, effective December 1, 2018, that:

- (1) unless otherwise required by law, a document submitted for filing by an unrepresented litigant shall be deemed filed on the date it is received by the clerk;

- (2) where the clerk scans and electronically files documents on behalf of a unrepresented litigant, the NEF constitutes service on registered users of record in the case pursuant to Fed. R. Civ. P. 5(b)(2)(E) and Fed. R. Crim. P. 49(a)(3)(A), and therefore additional service by other means is not required;
- (3) the deadline to respond to any document electronically filed by the clerk's office on behalf of an unrepresented litigant will be calculated from the date of the NEF; and
- (4) all litigants still must serve any non-registered users in the case pursuant to Fed. R. Civ. P. 5(b) or Fed. R. Crim. P. 49(a) and file a certificate of service as required by Fed. R. Civ. P. 5(d)(1)(B) and Fed. R. Crim. P. 49(b)(1).

SO ORDERED. This the 27 day of November, 2018.


TERRENCE W. BOYLE
Chief United States District Judge