

Local Criminal Rule 49-1 – Filing of Documents

(a) Electronic Filing. Electronic filing of documents is generally required pursuant to Fed. R. Crim. P. 49(b)(3)(A).

(b) Documents Exempt from Electronic Filing. Any document that is exempt from electronic filing must be filed with the clerk and served on other parties in the case as required by Fed. R. Crim. P. 49(a)(4) and Fed. R. Crim. P. 49(b) as they relate to the service of non-electronic documents. Original documents consisting of more than one page must be fastened by paperclip or binder clip and may not be stapled. Copies for service on other parties must be stapled in the top left corner. Only the following documents are exempt from the electronic filing requirements of Fed. R. Crim. P. 49(b)(3):

(1) any case initiating document resulting in the assignment of a criminal or magistrate case number and/or any charging instrument, initiating or superseding, and accompanying documents;

(2) documents requiring the oath or affirmation of a law enforcement officer in the presence of a judge or magistrate;

(3) documents filed in open court;

(4) documents filed by *pro se* defendants;

(5) exhibits in a format that does not readily permit electronic filing (such as videos and large maps and charts);

(6) documents that are illegible when scanned into PDF format;

(7) documents filed in cases not maintained on the ECF system; and

(8) any other documents that the court or these rules specifically allow to be filed directly with the clerk.

(c) Documents Requiring Hand Signatures. Waivers, plea agreements and other documents that require a defendant's signature or the signature of a person other than an attorney of record must be signed by hand and scanned into PDF format for electronic filing, pursuant to Local Rule 5-7(b).

Note: Amended December 1, 2018, for consistency with amendments to Fed. R. Crim. P. 49, which become effective on December 1, 2018. Amended Fed. R. Crim. P. 49 addresses what papers must be

served, service through the court's electronic-filing system and by other electronic means, and when certificates of service are required. The amended Rule largely parallels the amendments to the Civil Rules on each of these subjects.