

I.A.R. 20.1 Filing and Service of Documents by Facsimile Machine

Idaho Appellate Rule 20.1. Filing and Service of Documents by Facsimile Machine.

(a) Filing With Court. An application for stay of execution of a criminal or civil judgment or a petition for review, but not the supporting memorandum or brief, may be filed with the Supreme Court by a facsimile machine process. Any other document may be filed with the Supreme Court by a facsimile machine process when there is an emergency and when orally approved by the office of the clerk of the court in advance of filing. The clerk shall file stamp the facsimile copy as an original and the signature on the copy shall constitute the required signature under Rule 11.1. When a brief or memorandum is thereafter filed in support of a document filed by the facsimile process, each copy of the brief or memorandum shall have attached to it a copy of the motion, application or petition which was filed by the facsimile process. Filings may be made with the Supreme Court only during normal working hours. Provided, documents over ten (10) pages in length cannot be filed by the facsimile machine process.

(b) Service of Documents. Service of a document which has been filed with the Supreme Court by facsimile process may be made upon an attorney by transmitting a copy to the office of the attorney by a facsimile machine process. Provided, this rule shall not require a facsimile machine to be maintained in the office of an attorney.

(Adopted November 15, 1989, effective January 1, 1990.)

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