

Rule 3 Authorization; Exceptions; Registration.

- (a) Authorization. The Clerk may accept for filing any electronic document that complies with the court rules, including this rule.
- (b) Exceptions. The clerk will not accept the following documents:
 - (1) the information or any affidavit in a criminal matter;
 - (2) any document that requires a filing fee; and
 - (3) a document to be filed under seal.
- (c) Registration.
 - (1) Only attorneys admitted to practice before the FSM Supreme Court may file electronic documents in accordance with these procedures. All other petitioners, including pro se parties, must file paper documents with the court.
 - (2) Attorneys must register with the Chief Clerk before submitting electronic documents by completing the ECF Registration Form.
 - (3) Registered attorneys must not allow their ECF registration to be used by any other person except for his or her authorized agents, under direct supervision, such as a secretary, or paralegal, or office manager.
 - (4) Registered attorneys must notify the Chief Clerk within five (5) days of any changes to the information in the ECF Registration Form, including firm name, mailing address, phone number, or email address.
 - (5) An attorney's ECF registration may be revoked for failure to comply with any ECF requirements, by the Chief Clerk. Attorneys who have had their registration revoked must file all court documents by paper until such time as their registration is reinstated.

Rule 4 Time of Filing; Backdating; Completed Filing; Confirmation; Rejection.

- (a) Time of filing. An electronic document is deemed filed when it is received by the Clerk's designated computer, not when transmitted or sent.
- (b) Backdating. The Court is always open for filing. An electronic document received after business hours on a Saturday, Sunday, or legal holiday, will be processed the next working day, however, all filings are backdated to the time of the receipt as indicated in the email on the Clerk's computer.

- (c) Completed Filing. Except as provided in (6)(c) for large files, the Clerk will print a hard copy of the document, date stamp the document, and file the document, at which point the filing will be deemed complete.
- (d) Confirmation. The Clerk will issue a confirmation email to the filer indicating that the ECF has been received and will include the official date and time of the filing. A failure to receive a confirmation email means that the ECF has not been received or accepted by the court.
- (e) Rejection. The clerk may reject a document that fails to comply with this rule or any other court rule. The Clerk, however, must immediately notify the filer of the rejection and the reason or reasons for the rejection.

Rule 5 Signatures; Effect of Signature.

- (a) Scanned Signatures. Every ECF shall be deemed to have been signed by the attorney or declarant and must bear either a scanned facsimile of the signature or a typographical signature of such person, including attorney's name, address, telephone number, and email address as listed in the ECF Registration Form.
- (b) Text Signatures. An electronic document that requires a signature, and not under penalty of perjury, may be signed in the following manner:

s/ Lepen Sigrah
Attorney for Plaintiff
ABC Law Firm
P.O. Box 3456
Kolonia, Pohnpei, FM 96941
Telephone: (691) 320-0000
Fax: (691) 320-9999
Email: Lepen.Sigrah@lawfirm.com

- (f) Multiple Signatures. If the original document requires multiple signatures, the filer must scan and electronically file the entire document, including the completed signature page or pages.
- (g) Effect of Signature. An electronic document filed in accordance with this rule binds the signer and function as the signer's signature for any purpose, including Civil Procedure Rule 11. An electronic document is deemed the equivalent of an original signed document if the filer has complied with this rule, and the clerk has printed a hard copy under (4)(d) or received a hard copy of a large filing under (6)(c).

Rule 6 Form and Content; File Types; Size Limitations.

(a) Form and Content. The email must include the following:

(1) Address Line. The email must be addressed to the Clerk of the FSM Supreme Court in the state where the case is pending.

- Chuuk: ecfchk@fsm-supremecourt.org
- Kosrae: ecfkos@fsm-supremecourt.org
- Pohnpei: ecfpni@fsm-supremecourt.org
- Yap: ecfyap@fsm-supremecourt.org
- Appeals: ecfappeal@fsm-supremecourt.org

(2) Subject Line. The subject line of the email should contain, in the following order, the letters “ECF” (Electronic Court Filing), the docket number enclosed in square brackets, the short title of the matter, followed by a colon, and the subject matter (e.g., Answer) For Example:

ECF 2010-3003 FSM v. Sheng Fung [Plaintiff’s Motion for
Summary Judgment]

(3) Signature Line. The signature line of the email itself should conform with the examples in subdivisions (5)(a) and (b).

(4) Attachments. In-body content will not be accepted as court documents. All content to be filed must be attached in the email.

(5) Multiple Attachments. Multiple attachments will not be accepted. The filing must be submitted as a single document and not broken or split into several components regardless of the number of exhibits, photos, or addendums contained within.

(b) File Types. The Clerk will accept Portable Document Format files (*.pdf). The Clerk will not accept any other file types unless directed to do so by court order.

(c) File Size Limitations; Page Limitations; Curing; Inconsistencies.

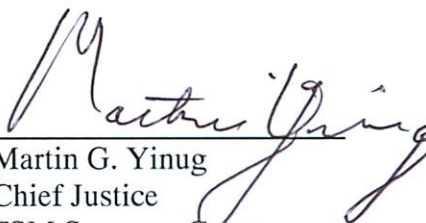
(1) File Size Limitations. No ECF can be greater than 2.0 megabyte (MB) in size.

(2) Page Limitations. No ECF documents can be greater than 25 pages in length including all attachments and exhibits.

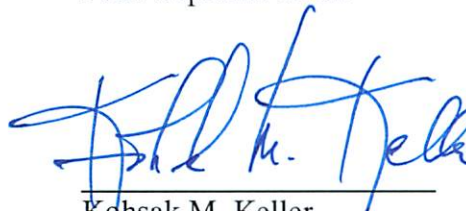
(3) Curing. Oversize; Appellate Filings.

- (i) Oversize. If an ECF document exceeds 2.0 MB in size or 25 pages in length, the filer must send hard copies of the documents, and if sent by mail, must be postmarked within one week of the email. The documents will be deemed filed as of the time of the email under subdivision (4)(a); however, if the court has not received the hard copies within twenty-five (25) days of the email, the filing may be deemed void.
 - (ii) Appellate filings. Pursuant to the Rules of Appellate Procedure, the filer should send hard copies of the correctly covered documents as required by FSM App. R. 32, and if sent by mail, and cured according to this rule, the documents will be deemed filed as of the time of the email under subdivision (4)(a);
- (4) Inconsistencies. If an ECF document exceeds either limitation described in subdivision (6)(c) the hard copy, when received, will be compared with the electronic copy. Inconsistencies may be deemed evidence of misrepresentation subjecting the attorney to discipline under the Model Rules of Professional Conduct.

SO ORDERED the 1st day of August, 2014.


Martin G. Yinug
Chief Justice
FSM Supreme Court

ENTERED this 1st day of August, 2014.


Kohsak M. Keller
Chief Clerk of Courts



**THE SUPREME COURT
FEDERATED STATES OF MICRONESIA**

Electronic Court Filing Registration Form

The completed ECF Registration Form is required by all attorneys before filing electronic documents with the FSM Supreme Court. Only attorneys who have been granted permission to practice before the FSM Supreme Court may register. Attorneys may submit this form to the Chief Clerk of Court in person, or by email, however, the form must contain your hand written signature.

INFORMATION

First/Middle/Last Name _____

Mailing Address _____

Phone Number _____

Email Address _____

CONSENT

I have read, understand, and agree to be bound by General Court Order 2014-04. Accordingly, I agree to correctly maintain the above listed information and notify the FSM Supreme Court within 5 days of any changes. I further agree, to keep my ECF registration email confidential and not to allow it to be used by any other person except authorized agents under direct supervision.

By affixing my signature below, I hereby authorize the FSM Supreme Court to reference this signature to any document filed with the court in order to satisfy any of the requirements of the FSM rules of procedure and acknowledge that all electronic filings are subject to ethical requirements in the same manner as any typed or hand written documents.

I hereby authorize the Chief Clerk of Court to register me to use the electronic court filing system with the FSM Supreme Court and acknowledge that this is a privilege that may be removed for failure to correctly comply with the ECF procedures.

ATTORNEY SIGNATURE

DATE

AUTHORIZATION (To be filed in by the Chief Clerk of Court)

APPROVED DATE _____

[STAMP/SEAL]

Chief Clerk of the FSM Supreme Court