

CLERK'S CERTIFICATE  
STATE OF GEORGIA, BALDWIN COUNTY

I, Rosemary Fordham Phillips, Clerk of the Superior Court in and for said state and county, the same being a court of record and I being the sole custodian of all records pertaining to said court, certify that the attached three pages contain a full, true and correct copy of the Standing Order Regarding Electronic Filing and Service in Civil Cases dated October 23, 2014 as the same fully appears from the original record now on file in said office.

Witness my official signature and the seal of said court hereto affixed in the City of Milledgeville, Georgia on the 27<sup>th</sup> day of October, 2014.

*Rosemary Fordham Phillips*  
Clerk Superior Court  
Baldwin County, Georgia



IN THE SUPERIOR COURTS OF THE OCMULGEE JUDICIAL CIRCUIT OF GEORGIA  
STATE OF GEORGIA

IN RE: \_\_\_\_\_ :  
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ELECTRONIC FILING AND SERVICE : STANDING ORDER No. \_\_\_\_\_  
STANDING ORDER :  
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**STANDING ORDER REGARDING  
ELECTRONIC FILING AND SERVICE IN CIVIL CASES**

Pursuant to this Court’s Authority under Rule 1.2(E) of the Uniform Superior Court Rules of Georgia and in conformity with the “Minimum Standards for Electronic Filing” adopted by the Judicial Council to facilitate the uniform development and implementation of civil eFiling in all classes of court throughout the judiciary,

**IT IS HEREBY ORDERED THAT CIVIL ELECTRONIC FILING BE MADE AVAILABLE IN THE SUPERIOR COURTS OF THE OCMULGEE JUDICIAL CIRCUIT AND THAT THE FOLLOWING RULES BE ENACTED:**

**1.1 Effective Date**

This Standing Order shall become effective on October 23, 2014 and remain in effect until further order.

**1.2 Designation of Electronic Filing Case Types**

- a) This Court hereby authorizes all civil cases in the Superior Courts of the Ocmulgee Judicial Circuit with the exception of Adoptions and Family Violence Act Petitions as types of cases for which electronic filing is permissible.
- b) From time to time, this Court may authorize, by written Standing Order, additional types of cases to be processed via electronic filing.
- c) Any notice of appeal and post judgment enforcement proceeding documents may be electronically filed and served in accordance with Supreme Court Rules.

**1.3 Definitions**

- a) *Conventional Manner of Filing.* The filing of paper documents with the Clerk.
- b) *Electronic Filing or E-Filing.* Electronic filing is the electronic transmission of documents to and from the court for the purposes of creating a court record in an authorized format.
- c) *Electronic Filing Service Provider.* An electronic filing service provider (EFSP) is an entity or system authorized to transmit and retrieve court filings electronically.
- d) *Electronic Service or E-Service.* Electronic service is the electronic notice registered filers in a case receive of a document’s filing and their ability to access the document electronically.
- e) *Public Access Terminal.* A public access terminal is a computer provided to the general public for the purpose of providing free electronic filing and/or viewing of court documents.

FILED IN OFFICE THIS  
24<sup>th</sup> DAY OF October 20 14  
Rosemary J. P. Williams  
CLERK OF SUPERIOR COURT  
BALDWIN COUNTY, GEORGIA

- f) *Registered User.* A registered user is a party, attorney, or public or other authorized user, including judges, clerks and other court personnel, who has established an access account with an authorized EFSP to file, receive service of, or retrieve documents electronically.

#### **1.4 Registered Users**

- a) The Clerk of the Court shall accept and approve filings electronically submitted through an authorized EFSP by Registered Users.
- b) The Clerk of the Court shall allow the filing of a document or pleading using the Conventional Manner of Filing. At no time shall a filer be excluded from the ability to file a valid pleading with the Clerk of Court. The Clerk shall convert any document filed in the conventional manner into an electronic version of that document and shall accept that document as part of the respective case.
- c) Electronic Filing is expressly prohibited for documents that according to law must be filed under seal or presented to a court in camera, or for documents to which access is otherwise restricted by law or court order.
- d) The Clerk of the Court shall provide a no cost alternative to remote Electronic Filing by making available at no charge at the courthouse during regular business hours a public access terminal for free Electronic Filing via the EFSP, by continuing to accept paper filings, or both.
- e) The Clerk of Court shall ensure that electronic court documents are publicly accessible upon filing for viewing at no charge via a Public Access Terminal available at the courthouse during regular business hours.

#### **1.5 Electronic Signatures**

- a) An electronically filed document is deemed to be signed by the Registered User submitting the document as well as by any other person who has authorized signature by the filer.
- b) By electronically filing the document, the filer verifies that the signatures are authentic.

#### **1.6 Time of Filing**

- a) An electronic document is presumed filed upon its receipt by the EFSP, which provider must automatically confirm the fact, date and time of receipt to the filer. Absent evidence of such confirmation, there is no presumption of filing.

#### **1.7 Electronic Service of Documents**

- a) An electronically filed document is deemed served upon filing to all parties and counsel who have waived any other form of service by registering with the electronic filing system to receive electronic service in the case and who receive notice via the system of the document's filing.

#### **1.8 System or User Filing Errors**

- a) If Electronic Filing or Electronic Service is prevented or delayed because of a failure of the EFSP, the court will enter appropriate relief such as the allowance of filings nunc pro tunc or the provision of extensions to respond.

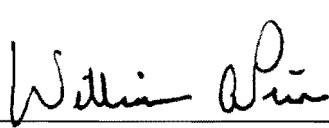
**1.9 Force and Effect**

- a) Electronically filed court records have the same force and effect and are subject to the same right of public access as are documents filed in the conventional manner.

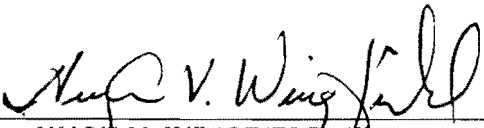
**1.10 Sensitive Information**


- a) In accord with OCGA § 9-11-7.1 and in order to promote public electronic access to case files while also protecting sensitive information, pleadings and other papers filed with a court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the court shall include only:
  - 1. The last four digits of a social security number;
  - 2. The last four digits of a taxpayer identification number;
  - 3. The last four digits of a financial account number; and
  - 4. The year of an individual's birth.
- b) The responsibility for omitting or redacting these personal identifiers rests solely with counsel and the parties. The clerk will not review filings for compliance with this rule. Counsel and the parties are cautioned that failure to redact these personal identifiers constitutes a contempt of court and may subject them to sanctions or other disciplinary proceedings as appropriate.
- c) A party having a legitimate need for the above information may obtain it through the ordinary course of discovery without further order of the court.
- d) This rule in no way creates a private right of action against a court, a clerk, counsel or any other individual or entity that may have erroneously included identifying information in a filed document that is made available electronically or otherwise.
- e) This rule in no way amends or modifies Uniform Superior Court Rule 21, Limitation of Access to Court Files.

SO ORDERED, this 23<sup>rd</sup> day of October, 20 14.

  
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WILLIAM A. PRIOR, JR.  
CHIEF JUDGE, SUPERIOR COURT

  
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HULANE E. GEORGE  
JUDGE, SUPERIOR COURT

  
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HUGH V. WINGFIELD,  
JUDGE, SUPERIOR COURT

  
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E. TRENTON BROWN, III  
JUDGE, SUPERIOR COURT