

**United States District Court
Northern District of Ohio**

**Modification to Electronic Filing Policies and Procedures Manual Section 14
Effective October 6, 2008**

14. Service of Electronically Filed Documents

By participating in the electronic filing process, the parties consent to the electronic service of all documents pursuant to Fed. R. Civ. P. 5(b)(3) and 5(b)(2)(E), and must make available electronic mail addresses for service. (See instructions in Appendix D.) Upon the filing of a document by a party, an e-mail message will be automatically generated by the electronic filing system and sent via electronic mail to the e-mail addresses of all parties in the case. In addition to receiving e-mail notifications of filing activity, the parties are strongly encouraged to sign on to the electronic filing system at regular intervals to check the docket in their case.

A certificate of service must be included with all documents filed electronically. Such certificate will indicate that service was accomplished pursuant to the Court's electronic filing procedures. The party effectuates service on all parties by filing electronically. Service by electronic mail will constitute service pursuant to Fed. R. Civ. P. 5(b)(2)(~~E~~) and Fed. R. Crim. P. 49(b) and will entitle the party being served to the additional 3 days provided by Fed. R. Civ. P. 6(~~ed~~) and Fed. R. Crim. P. 49(c).

The following is a suggested certificate of service for electronic filing:

Certificate of Service

I hereby certify that on [date], a copy of foregoing [name of document] was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

s/ [Name of Password Registrant]
Name of Password Registrant
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx
[attorney bar number, if applicable]

It is the responsibility of the filing party to ensure that all other parties are properly served. Fed. R. Civ. P. 5(b)(3) notes that service by electronic means is not effective if the party making service learns that the attempted service did not reach the person to

be served. If a party requiring service is not listed on the electronic filing receipt as having been sent an electronic notice of the filing, the filing party must serve that party by other appropriate means.