


IN THE SUPERIOR COURT OF HALL COUNTY  
STATE OF GEORGIA

FILED  
HALL CO., GA  
2022 SEP 23 PM 3:00  
CHARLES BAKER, CLERK  
SUPERIOR-STATE COURT  
BY 

In re: )  
 )  
RULES FOR ELECTRONIC FILING ) ADMINISTRATIVE ORDER:  
IN CIVIL MATTERS )  
 )  
 )

STANDING ORDER MANDATING AND GOVERNING  
ELECTRONIC FILING IN ALL CIVIL CASES  
September 2022

In accordance with O.C.G.A. § 15-6-11, the Judicial Council of Georgia's *Statewide Minimum Standards for Electronic Filing*, and *Uniform Superior Court Rules* (USCR), the Superior Court of Hall County hereby adopts the following policies and procedures for electronic filing. Where this Order is, now or in the future, silent or in conflict with any operative law, including the USCR, the Judicial Council's Standards or the Georgia Code, this Order shall be superseded and shall be construed as intended to give full force and effect to the law.

-1-

**Mandatory E-Filing**

Effective October 1, 2022, all documents in all civil cases must be electronically filed and electronically served pursuant to this Order unless such documents or persons are otherwise exempted pursuant to the provisions below. This includes pleadings, motions, rules nisi, leaves of absence, discovery filings, proposed orders, etc. Only PDF documents may be e-filed, and all filings must include an active email address in the signature block.

-2-

**Electronic Filing Service Provider**

Any entity or system duly authorized by the Clerk of Court to electronically transmit and retrieve court filings is legally deemed an electronic filing service provider (EFSP). The Clerk may authorize one or multiple EFSPs. Currently, the Clerk has authorized PeachCourt from GreenCourt Legal Technologies, LLC, accessible at [www.peachcourt.com](http://www.peachcourt.com).

-3-

**Clerk of Court Review**

Following submission of a document through an EFSP, the Clerk of Court shall timely review the proposed filing. If the Clerk rejects the filing, because it does not conform to the rules of the court or for any other reason, the Clerk shall comply with the requirements of USCR 36.16(I) and retain a record of such action.

-4-

**Time of Filing**

Pursuant to USCR 36.16(D), any document filed electronically shall be considered filed at the time it is received by the EFSP, not the time when it is accepted by the Clerk. For the purpose of computing time to respond to e-filed documents, any document served on a

day or at a time when the Court is not open for business shall be deemed served at the time of day the Court is next open.

-5-

#### **Public Access Terminals (PATs)**

The Clerk shall provide, during all normal business hours, public access to one or more computers specifically for the purpose of electronic filing and electronic access to the court record. These PATs are available in the lobby of the Clerk's office and include the use of a scanner. Parties may file at these terminals at any time, without assistance, during open business hours. There is never a service charge or additional fee for filing or serving at a PAT. Clerk staff may provide technical assistance only, and are not permitted under any circumstance to offer legal advice to litigants filing. Furthermore, the Clerk is authorized to adopt an appointment system for providing such assistance so that the use of staff is efficiently managed.

-6-

#### **Exempted Filers**

Electronic filing shall not be required for individuals who are incarcerated without legal representation, or for self-represented litigants who certify that they do not have an email address. If a non-incarcerated, self-represented litigant does not have an email address, and, therefore, cannot register for an EFSP account, he or she must make such a certification in his or her initial filing. Upon such certification, the Clerk shall accept a paper filing into the case. Furthermore, upon such certification, the implied consent to e-service shall be deemed refused and all parties to the litigation shall be required to serve the litigant via conventional methods. Certification shall be made by filing a *Certificate of No Email Address* as attached to this Order.

-7-

#### **Exempted Documents**

Certain documents are prohibited by statute and rule from being e-filed. These include, but are not limited to, any documents being filed under seal (adoptions) or presented to the court in camera, as well as pauper's affidavits, ex parte motions, bond validations, and family violence orders. Other tangible objects that cannot be readily converted to PDF format (i.e., videotapes, audio recordings, etc.) should also be filed by presenting them at the Clerk's window.

-8-

#### **Implied Consent to E-Service**

Any user registered with an authorized EFSP is deemed, pursuant to USCR 36.16(E), to have consented to receive legal service by electronic means. This implied consent applies to all members of the State Bar, as well as self-represented litigants who have not certified that they are without an email address. E-service does not include initial service of process or summons, which are necessary to gain jurisdiction over persons or property; original complaints and petitions must be served by conventional means in accordance with the Georgia Civil Practice Act.

-9-

### Courtesy Copies to the Court

*Litigants should not rely on the Clerk's office to provide copies of any filing to the judge's office.* Instead, litigants should ensure that either the EFSP provides such a courtesy copy, or they should provide such a copy directly to the judge's staff (whether by sending a paper copy or via email).

-10-

### Proposed Orders

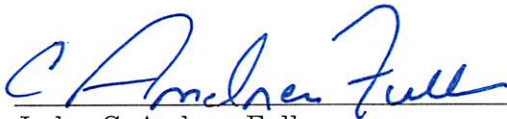
Proposed orders may be submitted to the court through PeachCourt but must be filed separately from any motion and clearly categorized as being "proposed." *In order for the court to consider the proposed document, the filing party must select the appropriate checkbox notifying the office of the judge.* The court may also, at any time, request that a proposed order be provided in Word format so as to enable editing. Orders of the court—including those prepared by an attorney—are e-filed and e-served, by the court, upon execution. In the event that the court is unable to e-file, for any reason, then the party presenting the proposed order will be notified and shall be responsible for filing and service.

-11-

### Temporary Exception for Cases Not Originally E-Filed

Because of the limitations of Hall County's current Case Management System (aka CJIS), PeachCourt is not able to accept or transmit filings into any case not originally filed through PeachCourt. Therefore, the Clerk shall temporarily continue to accept paper filings – as an exception to this Order – for any case not appearing in PeachCourt until such time as a new case management system is implemented. This will include all cases originating prior to 2019, as well as cases involving a self-represented litigant prior to this order's effective date.

SO ORDERED this 23 day of SEPTEMBER, 2022.



Judge C. Andrew Fuller



Judge Bonnie Chessher Oliver



Judge Jason J. Deal



Judge Clint G. Bearden



Chief Judge Kathlene F. Gosselin

**IN THE SUPERIOR COURT OF HALL COUNTY  
STATE OF GEORGIA**

Petitioner,	)	
	)	
v.	)	Civil Action No.
	)	
	)	
Respondent.	)	

**CERTIFICATE OF NO EMAIL ADDRESS**

Comes now \_\_\_\_\_, in the above styled case, and  
declares that each of the four items below is true and correct, under penalty of law:

1. That I do not have an email address and therefore cannot register for a PeachCourt account;
2. That I require service of all orders, notices, pleadings, and other filings by mail;
3. That my mailing address is

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;

4. I understand that if I move, it is my obligation to notify the Court of my new mailing address.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature