UNITED STATES DISTRICT COURT
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

ADMINISTRATIVE POLICY STATEMENT ON PUBLIC USE OF FACSIMILE MACHINES

Revised August 1, 1994

Facsimile machines belonging to the Judiciary are located in the district court clerk's office in each of the four North Dakota locations where court is held and in the bankruptcy clerk's office in Fargo, North Dakota. The equipment serves all judicial officers and the staffs of the district and bankruptcy court clerks.

The primary purpose of the facsimile equipment is to serve the administrative needs of the court. Rule 5(e) of the Federal Rules of Civil Procedures grants courts authority through local rule to allow the filing of documents by facsimile. No such rule exists in either the district court or the bankruptcy court in this district, however any judicial officer may grant a motion to allow filing of any document by facsimile.

Any materials transmitted to a clerk's office by facsimile will be received and dated and placed on the correspondence side of the case file. Materials transmitted by facsimile will not be docketed unless a clerk is ordered to do so by a judicial officer. In any event, the originals of any official documents must be delivered to a clerk even though a judicial officer may have ordered the filing of such documents transmitted by facsimile. The original documents will be filed and docketed as of the date received in the clerk's office.

This administrative policy may not be construed as a statement that a document transmitted by facsimile to either clerk's office will be reviewed by a judicial officer or will be considered as a timely filed document.

In any instance where a clerk receives unsolicited materials or sends requested materials via facsimile, a standard fee of $.50 per page will be charged. Cover pages and billing statements shall be included with the charges. Checks shall be made payable to the respective clerk of court.

This policy supersedes any previous administrative policy and becomes effective on August 1, 1994.

Date: August 1, 1994

Edward J. Klecker, Clerk
U.S. District Court

Date: August 1, 1994

Ellen A. Johanson, Clerk
U.S. Bankruptcy Court