

## EXHIBIT E

### [NEVADA ELECTRONIC FILING AND CONVERSION RULES

#### 1. General Provisions

Rule 1. Title. These rules may be known and cited as the Nevada Electronic Filing and Conversion Rules, or may be abbreviated NEFCR.

#### Rule 2. Definitions of words and terms.

—— (a) Case management system. An electronic database maintained by the court or clerk to track information used to manage the court's caseload, such as case numbers, party names, attorneys for parties, titles of all documents filed in a case, and all scheduled events in a case.

—— (b) Conversion. The process of changing court records from one medium to another or from one format to another, including, but not limited to, the following:

———— (1) Changing paper records to electronic records;

———— (2) Changing microfilm to electronic records;

———— (3) Changing electronic records to microfilmed records; or

———— (4) Changing paper records to microfilmed records.

—— (c) Document management system. An electronic database containing documents in electronic form and structured to allow access to documents based on index fields such as case number, filing date, type of document, etc.

—— (d) Electronic case. An "electronic case" is one in which the documents are electronically stored and maintained by the court, whether the documents were electronically filed or converted to an electronic format. The court's electronic version of the document is deemed to be the original.

—— (e) Electronic document. An "electronic document" includes the electronic form of pleadings, notices, motions, orders, paper exhibits, briefs, judgments, writs of execution, and other papers.

—— (f) Electronic filing. "Electronic filing" is the electronic transmission to or from a court or clerk of a document in electronic form as defined by the accepting

court; it does not include submission via e-mail, fax, computer disks, or other electronic means.

— ~~(g) **Electronic filing service provider.** An “electronic filing service provider” is a person or entity that receives an electronic document from a party for re-transmission to the court for filing. In submission of such filings, the electronic filing service provider does so on behalf of the electronic filer and not as an agent of the court.~~

— ~~(h) **Electronic filing system.** “Electronic filing system” is a system implemented or approved by a court for filing and service of pleadings, motions, and other documents via the Internet.~~

— ~~(i) **Electronic service.** “Electronic service” is the electronic transmission of a document to a party, attorney, or representative under these rules. Electronic service does not include service of process or a summons to gain jurisdiction over persons or property.~~

— ~~(j) **Public access terminal.** A computer terminal provided by the court or clerk for viewing publicly accessible electronic court records. The public access terminal must be available during the court’s normal business hours.~~

— ~~(k) **Registered user.** A person authorized by the court or by an authorized electronic filing service provider to access a court’s electronic filing system via the Internet.~~

### **Rule 3. Purpose, scope, and application of rules.**

— ~~(a) **Purpose and scope.** These rules establish statewide policies and procedures governing the electronic filing and conversion processes in all the courts in Nevada. These rules cover the practice and procedure in all actions in the district, justice, and municipal courts of this state where no local rule covering the same subject has been approved by the supreme court. A court may adopt local rules detailing the specific procedures for electronic filing or conversion processes to be followed in that court, provided that the rules are not inconsistent with these rules.~~

~~—— (b) **Application of rules.** These rules must be construed liberally to secure the proper and efficient administration of the business and affairs of the court and to promote and facilitate the administration of justice by the court.~~

~~**Rule 4. Implementation of electronic filing or conversion process.**~~

~~—— (a) **Establishment of electronic filing system.** A district, justice or municipal court may establish a system for the electronic submission of documents provided that the system developed meets the minimum requirements set forth in these rules.~~

~~—— (b) **Mandatory electronic processes.** A court may mandate use of electronic filing processes in all cases or a particular type of case only if: (1) the court provides a free electronic filing process or a mechanism for waiving electronic fees in appropriate circumstances; (2) the court allows for the exceptions needed to ensure access to justice for indigent, disabled, or self-represented litigants; (3) the court provides adequate advanced notice of the mandatory participation requirement; and (4) the court provides training for filers in the use of the process. In addition, a judge may require participation in the electronic filing system in appropriate cases.~~

~~—— (c) **Voluntary electronic processes.** A court must ensure that all documents filed by electronic means or converted to electronic format are maintained in electronic form. In voluntary electronic processes, the court must prospectively, retroactively, or both, convert filed paper documents and store and maintain them electronically.~~

~~—— (d) **Quality control procedures.** A court must institute a combination of automated and human quality control procedures sufficient to ensure the accuracy and reliability of their electronic records system.~~

~~—— (e) **Integration with case management and document management systems.** Electronic documents should be accessed through a court's case management information system. A court's case management information system must provide an application programming interface capable of accommodating any~~

~~electronic filing or conversion application that complies with these rules and should also provide automated workflow support. As used in this subsection, “automated workflow support” refers to a configurable set of rules and actions to route documents through a user-defined business process.~~

~~—— (f) **Archiving electronic documents.** A court must maintain forward migration processes in order to:~~

~~—— (1) Assure future access to electronic court documents so that the documents can be understood and used; and~~

~~—— (2) Ensure that the content, context, and format of electronic documents will not be altered as a result of the migration.~~

~~Verification techniques should be used to confirm record integrity after the migration, and a test restoration of data should be performed to verify the success of the migration and to ensure that the records are still accessible. Electronic records should be checked at regular time intervals pursuant to specific policies and procedures established by the court administrator or designee.~~

~~**Rule 5. Electronic filing system requirements.** Any system for the electronic submission or conversion of documents adopted by a district, justice or municipal court must conform to the following minimum requirements:~~

~~—— (a) **Technical requirements.** A court must comply with any Administrative Office of the Courts (AOC) technical standards for electronic filing processes. The electronic filing system must support text searches wherever practicable.~~

~~—— (b) **Electronic viewing.** Electronic filing processes adopted by a court must presume that all users will view documents on their computer screens. Paper copies are to be available on demand, but their production will be exceptional, not routine.~~

~~—— (c) **Document format.** Electronic documents must be submitted in or converted to a nonproprietary format that is determined by the court and that can be rendered with high fidelity to originals and easily accessible by the public. When~~

~~possible, the documents should be searchable and tagged. Software to read and capture electronic documents in required formats must be available free for viewing at the courthouse and available free or at a reasonable cost for remote access and printing.~~

~~—— (d) **Self-contained documents.** Each filed document must be self-contained, with links only to other documents submitted simultaneously or already in the court record.~~

~~—— (e) **Data accompanying submitted documents.** Filers submitting documents for electronic filing must transmit data identifying the document submitted, the filing party, and sufficient other information for the entry in the court's docket or register of actions. In the case of a document initiating a new case, sufficient other information must be included to create a new case in the court's case management information system. This data may be specified with particularity by the court receiving the document.~~

~~—— (f) **Identity of the sender.** A court or an authorized e-filing service provider must use some means to identify persons interacting with its electronic filing system.~~

~~—— (g) **Integrity of transmitted and filed documents and data.** A court must maintain the integrity of transmitted documents and data, and documents and data contained in official court files, by complying with current Federal Information Processing Standard 180.2 or its successor. Nothing in this rule prohibits a court or clerk from correcting docketing information errors in documents submitted, provided that a record of such changes is maintained, including the date and time of the change and the person making the change.~~

~~—— (h) **Electronic acceptance of payments.** A court may establish a means to accept payments of fees, fines, surcharges, and other financial obligations electronically, including the processing of applications to waive fees. Any such system developed must include auditing controls consistent with generally accepted~~

~~accounting principles and comply with any AOC technical standards that may be adopted.~~

~~—— (i) **Surcharges for electronic filing.** Mandatory electronic filing processes should be publicly funded to eliminate the need to impose surcharges for filing of or access to electronic documents. A court may, however, impose such surcharges or use a private vendor that imposes surcharges when sufficient public funding is not available. Such surcharges must be limited to recouping the marginal costs of supporting electronic filing processes if collected by the court or to a reasonable level if imposed by a private vendor. Collection of surcharges by a private vendor must be audited annually to ensure that the fee charged is reasonable and is properly assessed. The court must also require, at a minimum, a biennial periodic performance audit assessing the vendor's system for adequate service to the court, the public, and the bar, including the accuracy and authenticity of data produced, stored or transmitted by the vendor, the reliability of the hardware and software used by the vendor, the integrity and security of the vendor's system, the timeliness of access to documents and other data produced, stored, or transmitted by the vendor, and the vendor's compliance with Nevada law requiring the safeguarding of personal information. The audit may be performed by internal staff or by external experts.~~

~~—— (j) **Court control over court documents.**~~

~~—— (1) The original court record of electronic documents must be stored on hardware owned and controlled by the court system or other governmental entity providing information technology services to the court.~~

~~—— (2) Whenever copies of a court's electronic documents reside on hardware owned or controlled by an entity other than the court, the court must ensure by contract or other agreement that ownership of, and the exercise of dominion and control over, the documents remains with the court or clerk of the court.~~

~~—— (3) All inquiries for court documents and information must be made~~

~~against the current, complete, accurate court record.~~

~~———— (4) Court documents stored by an outside vendor or entity cannot be accessed or distributed absent written permission of the court.~~

~~———— (k) **Special needs of users.** In developing and implementing electronic filing, a court must consider the needs of indigent, self-represented, non-English-speaking, or illiterate persons and the challenges facing persons lacking access to or skills in the use of computers.~~

~~———— (l) **Limiting access to specified documents and data.** A court's electronic filing system must contain the capability to restrict access to specific documents and data in accordance with statutes, rules, and court orders.~~

~~———— (m) **System security.** A court's electronic filing and records management system must include robust security features to ensure the integrity, accuracy, and availability of the information contained in them. They should include, at a minimum, document redundancy; authentication and authorization features; contingency and disaster recovery; system audit logs; secured system transmissions; privilege levels restricting the ability of users to create, modify, delete, print, or read documents and data; means to verify that a document purporting to be a court record is in fact identical to the official court record; and reliable and secure archival storage of electronic records in inactive or closed cases. System documentation should include the production and maintenance of written policies and procedures, on-going testing and documentation as to the reliability of hardware and software, establishing controls for accuracy and timeliness of input and output, and creation and maintenance of comprehensive system documentation.~~

## ~~2. Filing and Service of Documents~~

### ~~Rule 6. Official court record.~~

~~———— (a) **Electronic documents.** For documents that have been electronically filed or converted, the electronic version of the document constitutes the official court record, and electronically filed documents have the same force and effect as~~

documents filed by traditional means.

~~—— (b) **Form of record.** The court clerk may maintain the official court record of a case in electronic format or in a combination of electronic and traditional formats consistent with Rules 4(b), (c), and (f) above. Documents submitted by traditional means may be converted to electronic format and made part of the electronic record. Once converted, the electronic form of the documents are the official court record. If exhibits are submitted, the clerk may maintain the exhibits by traditional means or by electronic means where appropriate.~~

~~—— (e) **Retention of original documents after conversion.** When conversion of a court record is undertaken with sufficient quality control measures taken to ensure an accurate and reliable reproduction of the original, the court may, but is not required to, retain the original version of the record for historical reasons or as a preservation copy to protect against harm, injury, decay, or destruction of the converted record.~~

~~—— (d) **Exceptions to document destruction.** The following documents may not be destroyed by the court after conversion to electronic format, unless otherwise permitted by statute, court rule, or court order:~~

~~—— (1) Original wills;~~

~~—— (2) Original deeds;~~

~~—— (3) Original contracts;~~

~~—— (4) Court exhibits (see NRS 3.305, NRS 3.307, and the Protocol for Storage, Retention, and Destruction of Evidence); and~~

~~—— (5) Any document or item designated in writing by a judge to be inappropriate for destruction because the document or item has evidentiary, historic, or other intrinsic value.~~

**Rule 7. Documents that may be filed electronically.**

~~—— (a) **General.** A court may permit electronic filing or conversion of a document in any action or proceeding unless these rules or other legal authority~~



~~expressly prohibit electronic filing or conversion.~~

~~—— (b) **Exhibits and real objects.** Exhibits or documents which otherwise may not be comprehensibly viewed in or converted to an electronic format must be filed, stored, and served conventionally.~~

~~—— (e) **Court documents.** The court may electronically file, convert, or issue any notice, order, minute order, judgment, or other document prepared by the court.~~

**Rule 8. Time of filing, confirmation, rejection, and endorsement.**

~~—— (a) **Filed upon transmission.** Subject to acceptance by the court clerk, any document electronically submitted for filing shall be considered filed with the court when the transmission to the court's electronic filing system or an authorized electronic filing service provider is completed. Upon receipt of the transmitted document, the electronic filing system or electronic filing service provider must automatically confirm to the electronic filer that the transmission of the document was completed and the date and time of the document's receipt. Absent confirmation of receipt, there is no presumption that the court received and filed the document. The electronic filer is responsible for verifying that the court received and filed the document transmitted.~~

~~—— (b) **Review by clerk.** The court clerk may review the document to determine whether it conforms with applicable filing requirements. If the clerk rejects the document for filing because it does not comply with applicable filing requirements or because the required filing fee has not been paid, the court must promptly send notice to the electronic filer. The notice must set forth the reasons the document was rejected for filing. Notification that the clerk has accepted the document for filing is not required.~~

~~—— (e) **Endorsement.** Electronic documents accepted for filing must be endorsed. The court's endorsement of a document electronically filed must contain the following: "Electronically Filed/Date and Time/Name of Clerk." This endorsement has the same force and effect as a manually affixed endorsement stamp~~

of the clerk of the court.

~~—— (d) **Time of filing.** Any document electronically submitted for filing by 11:59 p.m. at the court's local time shall be deemed to be filed on that date, so long as it is accepted by the clerk upon review.~~

~~—— (e) **Availability of electronic filing process.** The court's electronic filing system must allow the electronic submission of documents during the court's regular business hours and should allow the electronic submission of documents 24 hours per day, 7 days per week, except when the system is down for scheduled maintenance.~~

### ~~**Rule 9. Electronic service.**~~

~~—— (a) **Applicability.** Electronic service of documents is limited to those documents permitted to be served by mail, express mail, overnight delivery, or facsimile transmission. A complaint, petition or other document that must be served with a summons, and a summons or a subpoena cannot be served electronically.~~

~~—— (b) **Service on registered users.** When a document is electronically filed, the court or authorized electronic filing service provider must provide notice to all registered users on the case that a document has been filed and is available on the electronic service system document repository. The notice must be sent by e-mail to the addresses furnished by the registered users under Rule 13(c). This notice shall be considered as valid and effective service of the document on the registered users and shall have the same legal effect as service of a paper document. A court is not required to make a document available until after the clerk has reviewed and endorsed the document.~~

~~—— (c) **Consent to electronic service.** Other than service of a summons or subpoena, users who register with the electronic filing system are deemed to consent to receive service electronically. A party may also agree to accept electronic service by filing and serving a notice. The notice must include the electronic notification address(es) at which the party agrees to accept service.~~

~~—— (d) **Service on nonregistered recipients.** The party filing a document must serve nonregistered recipients by traditional means such as mail, express mail, overnight delivery, or facsimile transmission and provide proof of such service to the court.~~

~~—— (e) **Service list.** The parties must provide the clerk with a service list indicating the parties to be served. The clerk shall maintain the service list, indicating which parties are to be served electronically and which parties are to be served in the traditional manner.~~

~~—— (f) **Time of service; time to respond.** Electronic service is complete at the time of transmission of the notice required by subsection (b) of this rule. For the purpose of computing time to respond to documents received via electronic service, 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 the next opening of the court for business.~~

~~**Rule 10. Payment of filing fees.**~~

~~—— (a) **Filing fees.** The court clerk is not required to accept electronic documents that require a fee. If the clerk does accept electronic documents that require a fee, the court may permit the use of credit cards, debit cards, electronic fund transfers, or debit accounts for the payment of filing fees associated with electronic filing. A court may also authorize other methods of payment consistent with any AOC guidelines that may be adopted.~~

~~—— (b) **Waiver of fees.** Anyone entitled to waiver of nonelectronic filing fees will not be charged electronic filing fees. The court or clerk shall establish an application and waiver process consistent with the application and waiver process used with respect to nonelectronic filing and filing fees.~~

~~**Rule 11. Signatures and authenticity of documents.**~~

~~—— (a) **Deemed signed.** Every document electronically filed or served shall be deemed to be signed by the registered user submitting the document. Each document must bear that person's name, mailing address, e-mail address, telephone number,~~

~~law firm name, and bar number where applicable. Where a statute or court rule requires a signature at a particular location on a form, the person's typewritten name shall be inserted. Otherwise, a facsimile, typographical, or digital signature is not required.~~

~~—— (b) **Documents under penalty of perjury or requiring signature of notary public.**~~

~~—— (1) Documents required by law to include a signature under penalty of perjury, or the signature of a notary public, may be submitted electronically, provided that the declarant or notary public has signed a printed form of the document. The printed document bearing the original signatures must be scanned and electronically submitted for filing in a format that accurately reproduces the original signatures and contents of the document.~~

~~—— (2) By electronically filing the document, the electronic filer attests that the documents and signatures are authentic.~~

~~—— (c) **Documents requiring signatures of opposing parties.**~~

~~—— (1) When a document to be filed electronically, such as a stipulation, requires the signatures of opposing parties, the party filing the document must first obtain the signatures of all parties on a printed form of the document.~~

~~—— (2) The printed document bearing the original signatures must be scanned and electronically submitted for filing in a format that accurately reproduces the original signatures and contents of the document.~~

~~—— (3) By electronically filing the document, the electronic filer attests that the documents and signatures are authentic.~~

~~—— (d) **Signature of judicial officer or clerk.** Electronically issued court documents requiring a court official's signature may be signed electronically. A court using electronic signatures on court documents must adopt policies and procedures to safeguard such signatures and comply with any AOC guidelines for electronic signatures that may be adopted.~~

~~—— (e) **Rules applicable to electronic filers.** An electronic filer must retain the original version of a document, attachment, or exhibit that was filed electronically, and this retention must continue for a period of 7 years after termination of the representation of the party on whose behalf the document was filed. During the period that the electronic filer retains the original of a document, attachment, or exhibit, the court may require the electronic filer to produce the original of the document, attachment, or exhibit that was filed electronically.~~

~~**Rule 12. Format of documents.** An electronic document shall, to the extent practicable, be formatted in accordance with the applicable rules governing formatting of paper pleadings and other documents, including page limits. Electronic documents must be self-contained and must not contain hyperlinks to external papers or websites. Hyperlinks to papers filed in the case are permitted.~~

~~**Rule 13. Registration requirements.**~~

~~—— (a) **Registration mandatory.** All users of a court's electronic filing system must register in order to access the electronic filing system over the Internet. A court must permit the following users to register: (1) licensed Nevada attorneys; (2) non-Nevada attorneys permitted to practice in Nevada under Supreme Court Rule 42; and (3) litigants appearing in proper person in a particular case in which the court has mandated electronic filing. A court must permit users who are not authorized to access the court's electronic filing system over the Internet to access electronically filed or converted documents via a public access terminal located in the courthouse.~~

~~—— (b) **Registration requirements.** A court must establish registration requirements for all authorized users and must limit the registration of users to individuals, not law firms, agencies, corporations, or other groups. The court must assign to the user a confidential, secure log-in sequence. The log-in sequence must be used only by the user to whom it is assigned and by such agents and employees as the user may authorize. No user shall knowingly permit his or her log-in sequence to be used by anyone other than his or her authorized agents and employees.~~

~~—— (e) **Electronic mail address required.** Registered users must furnish one or more electronic mail addresses that the court and any authorized electronic service provider will use to send notice of receipt and confirmation of filing. It is the user's responsibility to ensure that the court has the correct electronic mail address.~~

~~—— (d) **Misuse or abuse of the electronic filing system.** Any user who attempts to harm the court's electronic filing system in any manner or attempts to alter documents or information stored on the system has committed misuse of the system. Any unauthorized use of the system is abuse. Misuse or abuse may result in loss of a user's registration or be subject to any other penalty that may be imposed by the court.~~

**Rule 14. Access to electronic documents; confidential information.**

~~—— (a) **Electronic access.** Except as provided in these rules, a court must provide registered users in a case with access to electronic documents to the same extent it provides access to paper documents. Electronic access to such documents is required for registered users who are parties or attorneys on a case. A court may provide electronic access to registered users who are not parties or attorneys on a case.~~

~~—— (b) **Confidential records.** The confidentiality of electronic records is the same as for paper records. A court's electronic filing system must permit access to confidential information only to the extent provided by law. No person in possession of a confidential electronic record shall release the information to any other person unless provided by law.~~

~~—— (c) **Identification of confidential documents.** The filing party must identify documents made confidential by statute, court rule, or court order. The electronic filing system shall make the document available only to registered users and only as provided by law.~~

~~—— (d) **Protection of personal information.** A document containing personal information as defined by NRS 603A.040 shall be so designated by the party filing~~

~~the document. If a paper is designated as containing personal information, only registered users for the case may access the paper electronically. The document will remain available for public inspection at the courthouse unless otherwise sealed by the court or held confidential by law. The clerk is not required to review each paper for personal information or for the redaction of personal information.~~

~~—— (e) **Temporary sealing of documents.** For information not made confidential by statute, court rule, or court order, users may electronically submit documents under temporary seal pending court approval of the user's motion to seal.~~

~~**Rule 15. System errors, conversion errors, or user filing errors.**~~

~~—— (a) **Failure of electronic filing or service.** When electronic filing or conversion does not occur due to technical problems, the court clerk may correct the problem. Technical problems include:~~

~~———— (1) An error in the transmission of the document to the electronic filing system or served party that was unknown to the sending party;~~

~~———— (2) A failure to process the electronic document when received by the electronic filing system;~~

~~———— (3) Erroneous exclusion of a party from the service list; or~~

~~———— (4) A technical problem experienced by the filer with the electronic filing system; or~~

~~———— (5) A technical problem experienced by a court employee with respect to the processing of a converted document.~~

~~—— (b) **Time of filing of delayed transmission.** Unless the technical failure prevents timely filing or affects jurisdiction, the court must deem a filing received on the day when the filer can satisfactorily demonstrate that he or she attempted to file or serve the document. The time for response is calculated from the time the document is correctly transmitted. When the technical failure prevents timely filing or affects jurisdiction, the issue shall come before the court upon notice and opportunity to be heard. The court may upon satisfactory proof enter an order~~

~~permitting the document to be filed as of the date and time it was first attempted to be sent electronically.~~

~~**Rule 16. Electronic filing providers.**~~

~~—— (a) **Right to contract.** A court may contract with one or more electronic service providers to furnish and maintain an electronic filing system for the court. A public bid process should be used to award such contracts.~~

~~—— (b) **Transmission to contracted provider.** If a court contracts with an electronic filing service provider, it may require electronic filers to transmit the documents to the provider. If, however, there is a single provider or in-house system, the provider or system must accept filings from other electronic service providers to the extent it is compatible with them.~~

~~—— (c) **Provisions of contract.** A court's contract with an electronic filing service provider may allow the provider to charge electronic filers a reasonable fee in addition to the court's filing fee. If such a fee is allowed, the contract must also provide for audits of the vendor as provided in Rule 5(i). The contract may also allow the electronic filing service provider to make other reasonable requirements for use of the electronic filing system. Any contract between a court and an electronic filing service provider must acknowledge that the court is the owner of the contents of the filing system and has the exclusive right to control its use. The vendor must expressly agree in writing to safeguard any personal information in accordance with Nevada law.~~

~~—— (d) **Transmission of filing to court.** An electronic filing service provider must promptly transmit any electronic filing, with the applicable filing fees, to the court.~~

~~**Rule 17. Third-party providers of conversion services.**~~

~~—— (a) **Right to contract.** A court may contract with one or more third-party providers of conversion services in order to convert documents to an electronic format, provided that the conversion of a court record will be undertaken with~~



~~sufficient quality control measures to ensure an accurate and reliable reproduction of the original. A public bid process should be used to award such contracts.~~

~~—— (b) **Provisions of contract.** Any contract between a court and a third-party provider of conversion services must acknowledge that the court is the owner of the original and converted documents and retains the exclusive right to control their use. The vendor must expressly agree in writing to safeguard any personal information in accordance with Nevada law.~~

~~**Rule 18. Ability of a party to challenge accuracy or authenticity.** These rules shall not be construed to prevent a party from challenging the accuracy or authenticity of a converted or electronically filed document, or the signatures appearing therein, as otherwise allowed or required by law.]~~

## NEVADA ELECTRONIC FILING AND CONVERSION RULES

### I. General Provisions

#### Rule 1. Citation

The Nevada Electronic Filing and Conversion Rules may be cited as NEFCR.

#### Rule 2. Definitions of Words and Terms

(a) **AOC.** “AOC” means the Administrative Office of the Courts.

(b) **Case Management System.** A “case management system” is an electronic database that is maintained by the court or clerk and used to track information related to the court’s caseload, such as case numbers, party names, attorneys for parties, titles of all documents filed in a case, and all scheduled events in a case.

(c) **Clerk.** “Clerk” means the clerk of a court that has implemented an electronic filing system, a conversion system, or both.

(d) **Conversion.** “Conversion” is the process of changing court records from one medium to another or from one format to another, including, but not limited to, the following:

- (1) Changing paper records to electronic records;
- (2) Changing microfilm to electronic records;
- (3) Changing electronic records to microfilmed records; or
- (4) Changing paper records to microfilmed records.

(e) **Document Management System.** A “document management system” is an electronic database containing documents in electronic form and structured to allow access to documents based on index fields such as case number, filing date, type of document, etc.

(f) **Electronic Case.** An “electronic case” is one in which the documents are electronically stored and maintained by the court or clerk, whether the documents were electronically filed or converted to an electronic format. The electronic document in the official court record is deemed to be the original.

(g) **Electronic Document.** An “electronic document” includes the electronic form of pleadings, notices, motions, orders, paper exhibits, briefs, judgments, writs of execution, and other papers. Unless the context requires otherwise, the term “document” in these rules refers to an electronic document.

(h) **Electronic Filing Service Provider.** An “electronic filing service provider” or “service provider” is a person or entity authorized under these rules to furnish and maintain an EFS or to receive an electronic document from a person for submission to an EFS. When submitting documents, a service provider does so on behalf of the filer and not as an agent of the court.

(i) **Electronic Filing System.** An “electronic filing system” or “EFS” is a system implemented or approved by a court for electronic submission, filing, and service of documents. The term includes an EFS operated by a service provider.

(j) **Electronic Service.** “Electronic service” is the service of a document through an EFS under Rule 9.

(k) **Filing.** “Filing” is the clerk’s placement of an electronic document into the official court record after submission of the document to an EFS and the clerk’s

acceptance of the document under these rules.

(l) **Filer.** A “filer” is a person who submits a document to an EFS for electronic filing or service or both.

(m) **Public Access Terminal.** A “public access terminal” is a computer terminal provided by the court or clerk for viewing publicly accessible electronic documents in the official court record. The public access terminal must be available during the court’s normal business hours.

(n) **Registered User.** A “registered user” or “user” is a person authorized by the court or a service provider to utilize an EFS.

(o) **Serve by Traditional Means.** “Serve by traditional means” is the service of a document by any means authorized under JCRC 5, NRCP 5, or NRAP 25, as applicable, other than electronic service through an EFS.

(p) **Submission.** “Submission” is the electronic transmission of a document by a filer to an EFS by an authorized electronic means; it does not include transmission via e-mail, fax, computer disks, or other unauthorized electronic means.

### **Rule 3. Purpose, Scope, and Application of Rules**

(a) **Purpose and Scope.** These rules establish statewide policies and procedures governing any EFS and conversion systems in all the courts in Nevada. A court may adopt local rules detailing the specific procedures for an EFS or conversion system to be used in that court, provided that the local rules are not inconsistent with these rules.

(b) **Application of Rules.** These rules must be construed liberally to secure the proper and efficient administration of the business and affairs of the court and to promote and facilitate the administration of justice by the court.

### **Rule 4. Implementation of an EFS, a Conversion System, or Both**

(a) **Establishment of an EFS.** A court may establish an EFS that meets the minimum requirements set forth in these rules. A court may allow voluntary use

of an EFS or impose mandatory use of an EFS.

(b) **Mandatory Electronic Filing.** A court may mandate use of an EFS in all cases or a particular type of case only if: (1) the court provides free access to and use of the EFS or a mechanism for waiving fees in appropriate circumstances; (2) the court allows for the exceptions needed to ensure access to justice for indigent, disabled, or self-represented litigants; (3) the court provides adequate advanced notice of the mandatory participation requirement; and (4) the court provides training for filers in the use of the process. In addition, a judge may require participation in an EFS in appropriate cases.

(c) **Conversion of Paper Documents.** A court that establishes an EFS may prospectively, retroactively, or both, convert filed paper documents and store and maintain them electronically.

(d) **Quality Control Procedures.** A court must institute a combination of automated and human quality control procedures sufficient to ensure the accuracy and reliability of their electronic records systems, including any EFS and case or document management system.

(e) **Integration Between Case Management and Document Management Systems.** Electronic documents should be accessible through a court's case management system. The case management system must provide an application programming interface capable of accommodating any EFS or conversion application that complies with these rules and should also provide automated workflow support. As used in this subsection, "automated workflow support" refers to a configurable set of rules and actions to route documents through a user-defined business process.

(f) **Archiving Electronic Documents.**

(1) A court must maintain forward migration processes in order to:

(A) assure future access to electronic documents so that the documents can be understood and used; and

(B) ensure that the content, context, and format of the documents will not be altered as a result of the migration.

(2) Verification techniques should be used to confirm record integrity after the migration, and a test restoration of data should be performed to verify the success of the migration and to ensure that the records are still accessible. Electronic records should be checked at regular intervals in accordance with policies and procedures established by the court administrator or designee.

**Rule 5. EFS and Conversion System Requirements**

Any EFS or conversion system must conform to the following minimum requirements:

(a) Technical Requirements. A court must comply with any AOC technical standards concerning an EFS or conversion system that may be adopted. An EFS must support text searches wherever possible.

(b) Electronic Viewing. An EFS must presume that all users will view documents on their computer screens. Paper copies are to be available on demand, but their production will be exceptional, not routine.

**(c) Document Format; Software.**

(1) Electronic documents must be submitted in or converted to a nonproprietary format determined by the court that:

(A) can be rendered with high fidelity to originals;

(B) is easily accessible by the public; and

(C) is searchable and tagged when possible.

(2) The software necessary to read and capture electronic documents in the required formats must be available for free use and viewing at the courthouse and available free or at a reasonable cost for remote access and printing.

**(d) Data Accompanying Submitted Documents.**

(1) Filers submitting documents for filing must include data needed to identify:

(A) the document submitted;  
(B) the filing party; and  
(C) sufficient additional data necessary for filing the document in the court's docket or register of actions.

(2) If a document initiates a new case, sufficient additional data must be included to create a new case in the case management system.

(3) This data may be specified with particularity by the court receiving the document.

(e) Identity of Users. A court or service provider must use some means to identify persons using an EFS.

(f) Integrity of Submitted and Filed Documents and Data. A court must maintain the integrity of submitted documents and data, and documents and data contained in official court records, by complying with current Federal Information Processing Standard 180-4 or its successor. Nothing in this rule prohibits a court or clerk from correcting docketing information errors, provided that a record of each change is maintained, including the date and time of the change and the person making the change.

(g) Electronic Acceptance of Payments. A court may establish a means to accept payments of fees, fines, surcharges, and other financial obligations electronically, including the processing of applications to waive fees. Any such system developed must include auditing controls consistent with generally accepted accounting principles and comply with any AOC technical standards that may be adopted.

(h) Surcharges. Mandatory use of an EFS should be publicly funded to eliminate the need to impose surcharges for filing of or access to electronic documents. A court may, however, impose such surcharges or use a service provider that imposes surcharges when sufficient public funding is not available. Such surcharges must be limited to recouping the marginal costs of supporting an EFS, if

collected by the court, or to a reasonable amount, if collected by a service provider. Collection of surcharges by a service provider must be audited annually to ensure that the fee charged is reasonable and is properly assessed. The court must also require, at a minimum, a biennial periodic performance audit to assess the service provider's system regarding adequate service to the court, attorneys, and the public, including the accuracy and authenticity of data produced, stored or transmitted by the service provider, the reliability of the hardware and software used by the service provider, the integrity and security of the service provider's system, the timeliness of access to documents and other data produced, stored, or transmitted by the service provider, and the service provider's compliance with Nevada law requiring the safeguarding of personal information. The audit may be performed by internal staff or by external experts.

(i) **Court Control over Court Documents.**

(1) The official court record of electronic documents must be stored on hardware owned and controlled by the court system or other governmental entity providing information technology services to the court.

(2) Copies of a court's electronic documents may reside on hardware owned or controlled by an entity other than the court, if the court ensures, by contract or other agreement, that ownership of, and the exercise of dominion and control over, the documents remains with the court or clerk.

(3) All inquiries for court documents and information must be made against the current, complete, accurate official court record.

(4) Court documents stored by an outside entity cannot be accessed or distributed absent written permission of the court.

(j) **Special Needs of Certain Users.** In developing and implementing an EFS, a court must consider the needs of indigent, self-represented, non-English-speaking, or illiterate persons and the challenges facing persons lacking access to or skills in the use of computers.

(k) Limiting Access to Specified Documents and Data. Any EFS and case and document management systems must contain the capability to restrict access to specific documents and data in accordance with the applicable statutes, rules, and court orders.

(l) System Security. Any EFS and case and document management systems must include adequate security features to ensure the integrity, accuracy, and availability of the information contained in those systems.

(1) The security features should include, at a minimum:

(A) document redundancy;

(B) authentication and authorization features;

(C) contingency and disaster recovery;

(D) system audit logs;

(E) secured system transmissions;

(F) privilege levels restricting the ability of users to create, modify, delete, print, or read documents and data;

(G) means to verify that a document purporting to be a court record is in fact identical to the official court record; and

(H) reliable and secure archival storage of electronic records in inactive or closed cases.

(2) System documentation should include:

(A) the production and maintenance of written policies and procedures;

(B) on-going testing and documentation as to the reliability of hardware and software;

(C) establishing controls for accuracy and timeliness of input and output; and

(D) creation and maintenance of comprehensive system documentation.



## II. Filing and Service of Documents

### Rule 6. Official Court Record

(a) Electronic Documents. For documents that have been electronically filed or converted, the electronic documents are the official court record, and electronic documents have the same force and effect as documents filed by traditional means.

(b) Form of Record. The clerk may maintain the official court record of a case in electronic format or in a combination of electronic and traditional formats consistent with Rule 4. Documents submitted by traditional means may be converted to electronic format and made part of the electronic record. Once a document is electronically filed or converted, the electronic document is the official court record and the court must maintain the document in electronic form. If exhibits are submitted, the clerk may maintain the exhibits by traditional means or by electronic means where appropriate.

(c) Retention of Original Documents After Conversion. When conversion of a court record is undertaken with sufficient quality control measures to ensure an accurate and reliable reproduction of the original, the court may, but is not required to, retain the original version of the record for historical reasons or as a preservation copy to protect against harm, injury, decay, or destruction of the converted record.

(d) Exceptions to Document Destruction. The following documents may not be destroyed by the court after conversion to electronic format, unless otherwise permitted by statute, court rule, or court order:

(1) Original wills;

(2) Original deeds;

(3) Original contracts;

(4) Court exhibits (see NRS 3.305, NRS 3.307, and the Protocol for Storage, Retention, and Destruction of Evidence); and

(5) Any document or item designated in writing by a judge to be inappropriate for destruction because the document or item has evidentiary, historic, or other intrinsic value.

**Rule 7. Electronic Filing of Documents; Exceptions**

(a) In General. A court may permit documents to be electronically submitted and filed through an EFS or converted in any action or proceeding unless these rules or other legal authority expressly prohibit such filing or conversion.

(b) Exhibits and Real Objects. Exhibits or documents which cannot be viewed comprehensibly in, or converted to, an electronic format must be filed, stored, and served by traditional means.

(c) Court Documents. The court may electronically file, convert, or issue any notice, order, minute order, judgment, or other document prepared or approved by the court.

**Rule 8. Submission of Documents to an EFS, Time of Filing, Confirmation, Review, Acceptance, Rejection, and Endorsement**

**(a) Filed upon Submission.**

(1) In General. Subject to acceptance by the clerk and except as provided in these rules, any document electronically submitted to an EFS for filing is considered filed on the date of submission.

(2) Notice to the Electronic Filer. Upon receipt of the submitted document, the EFS must automatically confirm to the filer that the submission of the document was completed and the date and time of the document's receipt. Absent confirmation of receipt, there is no presumption that the EFS received the document. The filer is responsible for verifying that the EFS received the document submitted.

**(b) Review by the Clerk.**

(1) In General. The clerk may review the document to determine whether it conforms with applicable filing requirements.

(2) Acceptance; Notice. If the clerk accepts and files the document,

the EFS must send notice to the filer and to all registered users on the case informing them that the document was filed and providing them access to the filed document.

(3) **Rejection; Notice.** If the clerk rejects the document for filing because it does not conform with applicable filing requirements or because the required filing fee has not been paid, the EFS must send notice to the filer and to all registered users on the case informing them that the document was rejected. The notice to the filer must set forth the reasons that the document was rejected.

(c) **Endorsement.** Electronic documents accepted for filing must be endorsed. The clerk's endorsement of an electronic document must contain the following: "Electronically Filed/Date and Time/Name of Clerk." This endorsement has the same force and effect as a manually affixed endorsement stamp of the clerk.

(d) **Time of Filing.**

(1) **Accepted Submissions.**

(A) Any document electronically submitted by 11:59 p.m. at the court's local time is deemed to be filed on that date, so long as it is accepted by the clerk upon review.

(B) For any questions of timeliness, the date and time registered by the EFS when the document was electronically submitted is determinative.

(C) The date and time registered by the EFS when the document was electronically submitted serves as the filing date and time for purposes of meeting any statute of limitations or other filing deadlines, even if the document is placed into a queue for processing and accepted and filed by the clerk at a later date.

(2) **Rejected Submissions.**

(A) If a document submitted electronically is rejected by the clerk, the parties may not respond to the rejected document. The filer may correct the deficiencies and resubmit the document for filing.

(B) A filer resubmitting a document must re-serve the document—either under Rule 9(b) or other means of service—and attach a new proof of service

reflecting the new service date and methods. The time to respond to a resubmitted document is calculated from the date stated in the proof of service attached to the resubmitted document.

(C) If the filer resubmits the document within two days of the rejection, the resubmitted document relates back to the date and time of the original submission, and questions of timeliness of the resubmitted document must be determined by reference to the date and time that the original document was submitted.

(D) If the filer resubmits the document at a later date, questions of timeliness are determined by reference to the date and time that the document was resubmitted. The filer, however, may file a motion seeking to use the date and time of the original submission, which the court may grant upon a showing of good cause.

(e) **Availability of an EFS.** An EFS must allow submission of documents during the court's regular business hours and should allow submission of documents 24 hours per day, 7 days per week, except when the system is down for scheduled maintenance.

## **Rule 9. Electronic Service Through an EFS**

(a) **Documents Subject to Service; Exceptions.** Service of documents through an EFS under these rules is limited to those documents permitted to be served electronically under JCRCP 5, NRCP 5, or NRAP 25, as applicable. A complaint, petition or other document that must be served with a summons and the summons, or a subpoena, under JCRCP 4 or 45, NRCP 4 or 45, or any statute, cannot be served through an EFS.

(b) **Service on Registered Users.** When a document is electronically submitted, an EFS must, at the same time that notice is sent to the filer under Rule 8(a)(2), send notice to all registered users on the case that a document has been submitted and is available on the document repository. The notice must be sent by

e-mail to the addresses furnished by the registered users under Rule 13(c). This notice is valid and effective service of the document on the registered users and has the same legal effect as service of a paper document. Nothing in this rule alleviates the obligation of a party to provide proof of service. A court is not required to make a document available on the docket until after the clerk has reviewed, endorsed, and filed the document.

(c) **Consent to Electronic Service Through the EFS.** Registered users of an EFS are deemed to consent to receive electronic service through the EFS. A party who wishes to receive electronic service through the EFS, but who is not represented by a registered user, may:

(1) if the party or its attorney is authorized to register with the EFS, register with the EFS; or

(2) if the party or its attorney is not authorized to register with the EFS, file and serve a notice that includes one or more e-mail addresses at which the party agrees to accept electronic service through the EFS.

(d) **Service on Parties not Receiving Electronic Service Through the EFS.** If a party is not receiving electronic service through the EFS, the filer must serve each submitted document and the clerk's notice of acceptance and filing or notice of rejection of the document on the party by traditional means.

(e) **Service List.** The parties must provide the clerk with a service list indicating the parties to be served on a case. The clerk must maintain the service list, indicating which parties are to receive electronic service through the EFS and which parties are to be served by traditional means.

(f) **Time of Service; Time to Respond.** Electronic service is complete when the EFS sends the notice required by Rule 9(b). The time to respond to a document served through the EFS is computed under JCRCP 6, NRCP 6, or NRAP 26, as applicable, from the date of service stated in the proof of service, which must be the date on which the document was submitted to the EFS. An additional 3 days

must not be added to the time to respond.

### **Rule 10. Payment and Waiver of Filing Fees**

(a) In General. The clerk may, but is not required to, accept documents that require a fee through an EFS or by other electronic means.

(b) Methods of Payment. If the clerk accepts documents that require a fee, the court may permit the use of credit cards, debit cards, electronic fund transfers, or debit accounts for the payment of filing fees associated with electronic filing. A court may also authorize other methods of payment consistent with any AOC guidelines that may be adopted.

(c) Waiver of Filing Fees. Anyone entitled to waiver of non-electronic filing fees will not be charged fees when using an EFS. The court or clerk must establish an application and waiver process consistent with the application and waiver process used with respect to non-electronic filing and filing fees.

### **Rule 11. Signatures and Authenticity of Documents**

(a) Deemed Signed. Every document electronically submitted or served is deemed to be signed by the registered user submitting the document. Each document must bear that person's name, mailing address, e-mail address, telephone number, law firm name, and bar number where applicable. If a statute or court rule requires a signature at a particular location on a form, the person's typewritten name must be inserted. Otherwise, a facsimile, typographical, or digital signature is not required.

(b) Documents Signed under Penalty of Perjury or Requiring Signature of Notary Public.

(1) Documents required by law to include a signature under penalty of perjury, or the signature of a notary public, may be submitted electronically, provided that the declarant or notary public has signed a printed form of the document. The printed document bearing the original signatures must be scanned and submitted for filing in a format that accurately reproduces the original

signatures and contents of the document.

(2) By submitting the document, the filer attests that the documents and signatures are authentic.

**(c) Documents Requiring Signatures of Opposing Parties.**

(1) When a document to be filed electronically, such as a stipulation, requires the signatures of opposing parties, the party submitting the document must first obtain the signatures of all parties on a printed form of the document.

(2) The printed document bearing the original signatures must be scanned and submitted in a format that accurately reproduces the original signatures and contents of the document.

(3) By submitting the document, the filer attests that the documents and signatures are authentic.

(d) Signature of a Judicial Officer or the Clerk. Electronically issued court documents requiring a court official's signature may be signed electronically. A court using electronic signatures on court documents must adopt policies and procedures to safeguard such signatures and comply with any AOC guidelines for electronic signatures that may be adopted.

**(e) Retention of Original Documents by Electronic Filers.**

(1) A filer must retain the original version of any document, attachment, or exhibit that was submitted electronically for a period of 7 years from the earlier of:

(A) any notice of entry of the withdrawal from representation of the party on whose behalf the document was filed;

(B) any other termination of representation of the party on whose behalf the document was filed; or

(C) final resolution of the case, including any appeals.

(2) During the period that the filer retains the original of a document, attachment, or exhibit, the court may require the filer to produce the original

document, attachment, or exhibit that was submitted electronically.

## **Rule 12. Format of Documents**

(a) In General. Electronic documents must, to the extent practicable, be formatted in accordance with the applicable rules governing formatting of paper pleadings and other documents, including page limits.

(b) Self-Contained Documents. Electronic documents must be self-contained.

(c) Use of Hyperlinks. Electronic documents may contain hyperlinks to other portions of the same document and to a location on the Internet that contains a source document for a citation.

(1) Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document. The submitting party is responsible for the availability and functionality of any hyperlink and should consider to what databases or electronic information services the court and the other parties may have access before including hyperlinks in a document.

(2) Neither a hyperlink nor any site to which it refers will be considered part of the official court record. Hyperlinks are simply convenient mechanisms for accessing material cited in a filed document. If a party wishes to make any hyperlinked material part of the official court record, the party must attach the material as an exhibit.

(3) The court neither endorses nor accepts responsibility for any product, organization, or content at any hyperlinked site, or at any site to which that site may be linked.

## **Rule 13. Registration requirements for Users of an EFS; Penalties for Misconduct**

(a) Registration Mandatory. All users of an EFS must register in order to access the EFS. A court must permit the following users to register: (1) licensed Nevada attorneys; (2) non-Nevada attorneys permitted to practice in Nevada under



Supreme Court Rule 42; and (3) litigants appearing in proper person in any case in which the court has mandated electronic filing. A court must permit persons who are not registered users to access electronic documents via a public access terminal located in the courthouse.

(b) **Registration Requirements.** A court must establish registration requirements for all registered users of an EFS. Registered users must be individuals and may not be law firms, agencies, corporations, or other groups. The court must assign to each user a confidential, secure log-in sequence. The log-in sequence must be used only by the user to whom it is assigned and by such agents and employees as the user may authorize. No user may knowingly permit his or her log-in sequence to be used by anyone other than his or her authorized agents and employees.

(c) **Electronic Mail Address Required.** Registered users must provide one or more e-mail addresses to which an EFS will send notices regarding submission, service, filing, and rejection. It is the user's responsibility to ensure that the EFS has the correct e-mail address.

(d) **Misuse or Abuse of the EFS.** Any user who attempts to damage or interfere with the EFS in any manner or attempts to alter documents or information stored on the system has committed misuse. Any unauthorized use of the system is abuse. Misuse or abuse may result in loss of a user's registration or reference of the user to the Office of the Bar Counsel for the Nevada State Bar and will subject the user to any other penalty that may be imposed by the court.

#### **Rule 14. Access to Documents; Confidential Information**

(a) **Electronic Access.** Except as provided in these rules, a court must provide registered users who are parties or attorneys on a case with access to electronic documents in the case to the same extent it provides access to paper documents. A court may provide electronic access to other registered users who are not parties or attorneys on that case.

(b) **Confidential Records.** The confidentiality of electronic records is the

same as for paper records. An EFS must permit access to confidential information only to the extent provided by law. No person in possession of a confidential electronic record may release the information to any other person unless provided by law.

(c) **Identification of Confidential Documents.** The filer must identify documents made confidential by statute, court rule, or court order. The EFS must make that document available only as provided by law.

(d) **Protection of Personal Information.**

(1) Personal information is defined by NRS 603A.040.

(2) In general, under NRS 239B.030 and the Nevada Rules for Sealing and Redacting Court Records (SRCR), any document submitted to an EFS must not contain any personal information or, if it does, the personal information must be redacted.

(3) If a filer must submit an unredacted document containing personal information to an EFS, the filer may submit documents under temporary seal pending court approval of the filer's motion to seal if the EFS permits such documents to be submitted electronically. The filer must also comply with the SRCR and any local rules regarding sealing documents. An EFS may permit registered users on a case to access and view a sealed document electronically, unless otherwise ordered by the court.

(4) A court may sanction a filer for disclosing personal information in violation of NRS 239B.030 or the SRCR.

(5) The clerk is not required to review each paper for personal information or for the redaction of personal information.

(e) **Other Confidential Information; Temporary Sealing of Documents.** A filer may seek to have other information or documents sealed under the SRCR by submitting documents under temporary seal pending court approval of the user's motion to seal, if an EFS permits such documents to be submitted electronically.

**Rule 15. Technical Problems**

(a) Correction of Technical Problems. When submission, filing, service, conversion, or any other EFS function does not occur due to technical problems, the clerk may correct the problem. Technical problems include:

(1) an error in the submission of the document to the EFS or in electronic service on another party that was unknown to the party submitting the document;

(2) a failure to process the document when received by the EFS;

(3) erroneous exclusion of a party from the service list;

(4) a technical problem experienced by the filer with the EFS; or

(5) a technical problem experienced by a court employee with respect to the processing of a document.

(b) Determination of Time of Filing and Time to Respond After Technical Problems.

(1) Unless the technical problem prevents timely submission or filing or affects jurisdiction, the court must deem a document received on the date when the filer can satisfactorily demonstrate that he or she attempted to submit the document to the EFS.

(2) When the technical problem prevents timely submission or filing or affects jurisdiction, the filer may file a motion seeking to use the date and time on which the filer initially attempted to submit the document to the EFS. The court may, upon satisfactory proof, enter an order permitting the document to be filed as of the date and time of the first attempt to submit it to the EFS.

(3) When a technical problem occurs, the time to respond to a document served through the EFS is calculated from the date on which the document is correctly served under Rule 9(b). The court may extend the time to respond to prevent any prejudice that may result from a technical problem.

**Rule 16. Electronic Filing Service Providers**

(a) Right to Contract. A court may contract with one or more electronic filing service providers to furnish and maintain an EFS. A public bid process should

be used to award such contracts.

(b) Submission of Documents to Service Providers. If a court contracts with a service provider, it may require filers to submit documents to the service provider. If, however, there is a single service provider or an in-house system, the service provider or system must accept documents from other service providers to the extent that it is compatible with them.

(c) Provisions of Contract. A court's contract with a service provider may allow the service provider to charge filers a reasonable fee in addition to the court's filing fee. If such a fee is allowed, the contract must also provide for audits of the service provider as provided in Rule 5(h). The contract may also allow the service provider to make other reasonable requirements for use of the EFS. Any contract between a court and a service provider must acknowledge that the court is the owner of the contents of the EFS and has the exclusive right to control its use. The service provider must expressly agree in writing to safeguard any personal information in accordance with Nevada law.

(d) Transmission of Submitted Documents and Filing Fees to the Court. A service provider must promptly transmit any submitted documents, with the applicable filing fees, to the court.

### Rule 17. Third-Party Providers of Conversion Services

(a) Right to Contract. A court may contract with one or more third-party providers for conversion services in order to convert documents to an electronic format, provided that the conversion of a court record will be undertaken with sufficient quality control measures to ensure an accurate and reliable reproduction of the original. A public bid process should be used to award such contracts.

(b) Provisions of Contract. Any contract between a court and a third-party provider for conversion services must acknowledge that the court is the owner of the original and converted documents and retains the exclusive right to control their use. A third-party provider must expressly agree in writing to safeguard any personal

information in accordance with Nevada law.

**Rule 18. Ability of a Party to Challenge Accuracy or Authenticity**

These rules may not be construed to prevent a party from challenging the accuracy or authenticity of a converted or electronically filed document, or the signatures appearing therein, as otherwise allowed or required by law.