



## **Lafourche Parish Clerk of Court**

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### **Electronic Filing Procedures: Pleadings, Documents, & Exhibits in Civil Proceedings**

## **(A) Welcome**

Welcome to the online services of the Lafourche Parish Clerk of Court. By using this site, you agree to the terms herein governing our online system, electronic filing and electronic recording.

## **(B) Definitions**

- (1) Case Management System (“CMS”): The system used by the Clerk of Court for maintaining conventionally and electronically filed documents.
- (2) Conventional Filing: The filing of paper documents pursuant to Louisiana law
- (3) Docket Number: Number assigned to each case by the Clerk of Court
- (4) Document: Any pleading or other document which is filed with the Clerk of Court
- (5) Electronic Filing: Electronic uploading or transmitting of a document from the Registered User’s computer to the Clerk Online System. Electronic filing includes filing a court record with accompanying data elements necessary to establish an index of records for new cases and associate the filing with an existing case
- (6) Electronic Filing Cost: Cost charged to Registered Users for the electronic filing by a third-party vendor.
- (7) Electronic Recording: Electronic uploading or transmitting of a document from the Registered User’s computer to the Clerk Online System. Electronic recording includes filing a document with the accompanying data elements necessary to establish an index in the mortgage or conveyance records.
- (8) Filing Confirmation: The notice that is electronically mailed to the Registered User by the Clerk’s Electronic Filing System displaying the submission number, the date and time of the electronic filing of the document, and whether the Clerk of Court has accepted or rejected the electronically filed document. The filing confirmation shall constitute proof of the electronic filing of a document.
- (9) Registered User: Attorney, government agencies, and/or pro se litigants with a registered account in the Clerk Electronic Filing System.
- (10) Subscription Cost: Cost charged for access to view online records
- (11) Submission Number: The number electronically mailed to the Registered User by the Clerk’s Data/Document Exchange immediately upon electronic receipt of the uploaded document from the Registered User’s computer.

## **(C) Scope**

The Lafourche Parish Clerk of Court agrees to provide the Registered User with access to the Clerk Online System in accordance with the provisions of this document. By use of this online system, the Registered User agrees to be subject to the terms and conditions of this agreement.

The online system is available twenty-four (24) hours per day, seven (7) days per week, except when the system is down due to periodic maintenance and causes beyond the control of the Clerk, including but not limited to power failures, acts of God, natural disasters, malfunction, and/or failure of equipment, program, or system.

The Registered User agrees that the electronic data, copies thereof, and information accessed pursuant to this agreement will be obtained solely for the Registered User's use in the ordinary course of business and that Registered User will not engage in the business of reselling data. Registered User shall not sell, mortgage, encumber, donate, give, assign, transmit, or transfer the electronic data or copies of any data obtained pursuant to this Agreement without the express written consent of the Clerk of Court.

The Registered User is responsible for any charges or filings made on his or her account. Should Registered User take a subscription to view the Clerk's online records, any subscription cost is non-refundable.

The Clerk of Court is responsible for technical support for the filing system during normal business hours. However, the failure of any technical support provided by or on behalf of the Clerk of Court to remedy any technical difficulty will not be taken into account regarding timeliness of the electronic filing of a document.

## **(D) Terms and Conditions**

As a Registered User, you hereby certify that you are and will continue to comply with all applicable Louisiana laws and Uniform Rules of District Court, including but not limited to the following:

- (1) Username and password are to be kept secure and never be disclosed to any unauthorized user.
- (2) You will, as a Registered User, take responsibility for those persons having access to your username and password.
- (3) Antivirus software must be installed and set to run automatically on all computers used to access the Clerk Online System.

As a condition of use, you hereby agree to release and hold harmless the Clerk of Court, employees and agents of any liability for any and all damages resulting from a breach of security relating to passwords, financial data, access information, and any and all electronic transactions which may occur through use of any service or electronic system provided by the Clerk of Court.

The Clerk of Court reserves the right to terminate the Registered User's access without notice.

## **(E) Electronic Filing**

Any document which may be filed by conventional filing may be electronically filed and have the same effect in accordance with Louisiana law, except as provided by Louisiana Law or herein. Adoption cases may not be e-filed. Electronic filings will be accepted by the Clerk of Court in a pending matter regardless of the form of filing of previous or subsequent documents in a case.

If a document is electronically filed, the electronic document constitutes the official original court record of the said document. The Registered User is bound by the document as filed. If the Registered User submits the document electronically, the user does not have to submit the paper version of the filing to the Clerk of Court, unless the law or offer of proof requires an original document to be submitted, such as an original will or promissory note. Those documents must be filed by conventional filing with the Clerk of Court.

Submission of any pleading, document, or exhibit filing constitutes a certification by the filer that the submission complies with all applicable laws relating to the form applicable to documents filed in civil proceedings. For example, where the law requires documents to be signed in ink, certified or notarized, the filer further certifies that all pleadings, documents and exhibits in the submission are unaltered copies of the original documents.

If a Registered User discovers an error in an electronic filing, the Registered User should report the error to the Clerk of Court by telephone at (985) 447-4841.

### **Document Format**

An electronically filed document shall comply with all Louisiana law and the Louisiana Rules for Louisiana District Court 9.6 governing form of pleadings, including but not limited to page size, font type, margin width, and font size.

PDF Filings Only – Documents may not contain package PDF's. PDF's should not be embedded inside another PDF. Documents may not contain any embedded fonts. Each document must be a single PDF.

PDF files should not be password protected. This will cause your submission to be rejected.

PDF filenames must:

- (a) Contain only alphanumeric characters which are part of the Latin1 General Character Set;
- (b) Include no special characters; and

(c) Be fifty (50) characters or less

A Registered User may upload multiple documents in a single electronic filing.

Filings must be no more than 100 pages per submission or 35 megabytes.

Prior to being filed electronically, a scanned document must have a resolution of 300 DPI. Preferably, scanned documents should be made searchable using OCR technology.

A Registered User must refrain from including, or must partially redact where inclusion is necessary, any personal data identifiers from all documents electronically filed, including exhibits, unless otherwise ordered by the Court.

An electronically filed document must not contain a virus, malware, encryption, public key infrastructure, password, or any type of rights management when uploaded. Any electronically filed document must not contain any multimedia video, audio, or programming.

The Clerk of Court may reject an electronically filed document for nonconformance with this Rule or any other Louisiana law or Uniform Rules of District Court.

## **(F) Registration Required**

Registration is required for use of the Clerk Online System. Registered Users must provide a username and password. Additionally, a Registered User should provide their name and/or agency or firm name, address, email address, and phone number.

Registered Users are responsible for all documents filed and any fees or costs incurred in doing so, whether or not the Registered User performs the physical act of filing such documents.

Registration as a Registered User constitutes consent to an electronically mailed notice of receipt of documents from the Clerk of Court.

The Clerk of Court reserves the right to revoke a Registered User's privileges without cause.

## **(G) Signatures**

La. R.S. 9:2602 (8) "Electronic signature" means an electronic record, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

/s/ is acceptable.

Any electronic signature shall have the same legal effect as any signature on a conventional document.

## **(H) Payment for e-Filing**

Registered Users are required to pay for an Electronic Filing Cost for the submission of the electronic document for filing. Additionally, the Registered User is required to pre-authorize the estimated charges for the actual filing of documents with the Clerk's and an advanced deposit amount. Registered Users are responsible for any credit card transaction fee associated with the e-Filing.

## **(I) Timeliness**

Documents may be electronically filed at any time and shall be deemed filed with the Clerk of Court at the date and time of the electronic filing. However, documents electronically filed after 4:30 p.m. will be processed by the Clerk of Court beginning at 8:30 a.m. Central Standard Time on the next business day.

Following the electronic filing of a document, the Clerk Online System will provide the Registered User with a Submission Number by electronic mail, documenting that the electronic filing has been received by the Clerk Online System. Once processed by the Clerk of Court, the Clerk Online System will provide the Registered User the date and time, whether the Clerk has accepted or rejected the electronically filed document. Filers should retain each submission until confirmation is received via email. A Registered User whose electronic filing is untimely due to technical failure may seek relief from the District Court.

## **(J) Rejected Electronic Filings**

If an electronically filed document has been rejected by the Clerk of Court, the Registered User will receive notification of the rejection along with a written reason as to why the electronically filed document was rejected.

## **(K) Retention and Storage**

All Clerks of Court shall comply with all Louisiana laws, particularly La. R.S. 44:36 regarding preservation of records.

The Clerk of Court has an offsite or cloud backup system. The Clerk of Court shall not be required to duplicate an electronic record or pleading solely for the purpose of having a paper copy available.