

Order

Michigan Supreme Court
Lansing, Michigan

December 18, 2019

Bridget M. McCormack,
Chief Justice

ADM File No. 2019-37

David F. Viviano,
Chief Justice Pro Tem

Amendment of Administrative
Order No. 2014-23

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

AO No. 2014-23 – E-filing System for the Michigan Supreme Court and the Michigan Court of Appeals

On order of the Court, effective February 1, 2020, all documents filed by or on behalf of attorneys who are licensed to practice law in the State of Michigan or who are admitted to temporarily appear and practice under MCR 8.126(A), must be filed electronically with the Michigan Supreme Court (MSC) and the Michigan Court of Appeals (COA) using the MiFILE system unless excused by court order upon a motion showing good cause. Self-represented litigants may, but are not required to, electronically file their documents with the Court immediately, the Michigan Supreme Court (MSC) and the Michigan Court of Appeals (COA) are authorized to implement an electronic filing and electronic service system.

~~Although the Court of Appeals has had an e filing system available for several years, this new system by ImageSoft, Inc., called TrueFiling, will enable filers to e file documents with either the MSC or COA. The TrueFiling system allows for initiating a new case or e filing a document into an existing case. The system is designed to maximize ease of its use and promote utility for e filers, whether they are attorneys or self represented litigants.~~

~~Under this system, e filing will initially be voluntary for filers in all case types, but the Court anticipates that e filing will eventually become mandatory in both courts. The experience gained from this voluntary program will help determine the future parameters of an expected mandatory program.~~

Although this order sets out the manner in which e-filed documents are submitted to the courts or served on other parties to an action, it does not change the time periods required for taking action under the Michigan Court Rules, except as explicitly provided.

I. Definitions

For purposes of this order:

(A) “Authorized user” means a party, a party’s attorney, or court staff who is registered in the ~~MiFILE~~TrueFiling system (<https://mifile.courts.michigan.gov/www.truefiling.com>) and who has satisfied the requirements imposed by the courts relating

to electronic filing and service procedures. A court may revoke user authorization for good cause as determined by the court, including but not limited to a security breach or failure to comply with system requirements. An authorized user must notify the court and ImageSoft, Inc., of any change in the authorized user's firm name, delivery address, telephone number, fax number, e-mail address, or other required registration information. This notice must occur as soon as practicable but no later than 7 days after the effective date of the change.

(B)-(D) [Unchanged.]

II. Scope

(A) [Unchanged.]

(B) Registered users agree to accept e-service through the MiFILETrueFiling system unless and until the user's registration is terminated. Service on nonregistered users must be accomplished in a manner allowed under the court rules, such as by first-class mail, hand delivery, or e-mail under MCR 2.107(C)(4).

III. Signatures [Unchanged.]

IV. Retention of Documents [Unchanged.]

V. Official Case Record [Unchanged.]

VI. Payment of Filing Fees and Costs

(A) [Unchanged.]

(B) Fees and costs are paid electronically through the MiFILETrueFiling system.

VII. Transmission Failures and System Outages

(A) [Unchanged.]

(1) [Unchanged.]

(2) the transmission failed because of the failure of the MiFILETrueFiling system to process the electronic document or because of the court's computer system's failure to receive the document; and

(3) [Unchanged.]

(B) Scheduled system outages, such as for system maintenance, shall be posted on the court and MiFILETrueFiling websites and will be scheduled before 9:00 a.m. or after midnight on business days whenever feasible.

(C) Notice will be provided on the court and MiFILETrueFiling websites if the MiFILETrueFiling system becomes unavailable for an extended or uncertain period. The notice shall indicate whether filers are responsible for filing the documents conventionally in order to meet the deadlines imposed by statute or court rule.

VIII. Filing Completion

(A) A document filed electronically shall be considered filed with the court when the transmission to the MiFILETrueFiling system is complete and the system reflects a “Filed” status.

(B) [Unchanged.]

(C) Upon completion of an e-filing transmission to the MiFILETrueFiling system, the system shall issue to the filer and to the court a notification that includes the date and time of the transmission.

IX. Time for Filing

Filings may be transmitted to the MiFILETrueFiling system twenty-four hours a day, seven days a week (with the exception of the system’s downtime required for periodic maintenance). However, a document electronically filed or served after 11:59 p.m. Eastern Time, or on a Saturday, Sunday, or court holiday (see MCR 8.110[D][2]) shall be deemed to have been filed or served on the next business day. See MCR 1.108.

X. Format of Documents

The MiFILETrueFiling system accepts the following file types for e-filed documents: Microsoft Word (DOC and DOCX), PDF, text files (TXT), images such as a TIFF, PNG or JPG. The courts strongly prefer that original pleadings be submitted as Word documents, text files, or searchable PDFs. Nonoriginal documents may be scanned into PDF as nonsearchable images.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 18, 2019

Clerk