

SENATE FILE NO. SF0022

Electronic court filings.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to courts; requiring acceptance of
2 electronic filings in courts without an electronic filing
3 system; specifying applicability; specifying procedures;
4 and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 5-7-103 is amended to read:

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10 **5-7-103. Filing, preserving and use of papers;**
11 **microfilming permitted; electronic filing.**

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13 (a) The clerk shall file together and carefully
14 preserve in his office, all papers delivered or submitted
15 to him for that purpose in every action or proceeding. He
16 shall not permit the papers to be taken from his office

1 except to be used at a session of the court or upon legal
2 process, and he shall be liable upon his official bond to
3 the party suffering injury on account of any violation of
4 this ~~section~~subsection. This ~~section~~subsection shall not
5 apply to matters in probate. Upon the order of the judge of
6 the district, the clerk may transmit by express or
7 registered mail to an attorney of the state appearing in
8 the action or proceeding, who resides in a different county
9 or away from the county seat, such original files as are
10 not represented by copies in the clerk's office, and the
11 clerk shall take the attorney's receipt for each paper in
12 each case. Nothing in this section shall limit or prohibit
13 the clerk from microfilming papers in his office, disposing
14 of the originals in accordance with W.S. 9-2-411 and
15 retaining the official microfilm in lieu of the original
16 papers pursuant to W.S. 9-2-413.

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18 (b) The clerk shall accept all papers filed, signed
19 or verified by electronic means including email in
20 accordance with rules to be adopted by the Wyoming supreme
21 court no later than April 30, 2021. The electronically
22 filed document shall be deemed an original and no physical
23 original needs to be filed. Any applicable fee set by

1 statute or rule, shall be mailed or submitted within
2 twenty-four (24) hours of the electronic transmission. A
3 paper filed by electronic means in compliance with this
4 subsection constitutes a written paper for the purpose of
5 any applicable rules. All format requirements contained in
6 any applicable rules shall be followed. The court may
7 reject any paper filed that is not in compliance with this
8 subsection. This subsection shall not apply to any court
9 that has implemented, and has available for use, an
10 electronic filing system.

11

12 **Section 2.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17

(END)