

FOREST COUNTY POTAWATOMI TRIBAL COURT

In re the Adoption of Rule 32 – Filing documents by email

ORDER

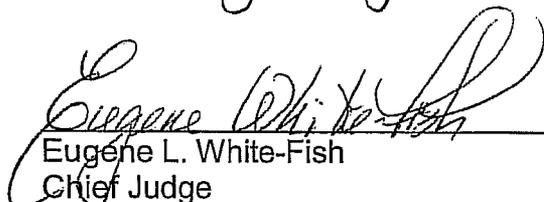
Pursuant to its power under Sec. 1.04 of the Tribal Court Code the Court hereby adopts Court Rule 32 as follows:

Filing documents with the Court by electronic mail

- 1) If done in compliance with this rule, parties to an action may file documents with the Clerk Court via electronic mail.
- 2) The following circumstances and conditions must be met in order for an e-mail filing to be valid:
 - a. The party filing the document has a good faith belief that the other party has a valid email address at which s/he will receive the e-mail filing.
 - b. The party filing the document copies the other parties to the action via email. If a recipient party requests a paper copy, the filing party must provide one within a reasonable amount of time.
 - c. Email filing may not be used for those pleadings or documents where a filing fee is required. Any such filing made by email where a filing fee is required shall not be valid.
 - d. Any other regular rule or procedure applied to paper filing will apply to e-mail filing, except as provided herein.
- 3) The tribal court, judge or clerk is not responsible for:
 - a. Errors or failures in transmission that result in missing or illegible documents or documents not being timely filed.

- b. Periods when the tribal court e-mail is not functioning for any reason.
 - c. Papers filed by e-mail are considered filed when transmitted, except that papers filed by e-mail completed after regular business hours of the Clerk of Court's office, are considered filed the next business day.
- 4) No e-mail shall be sent directly to any judge.
- 5) E-mail filing may sent directly to the Clerk of Courts at:
latrishaq@fcpotawatomi.com

Enacted this 13 day of January, 2009



Eugene L. White-Fish
Chief Judge
Forest County Potawatomi Tribal Court