

STOCKBRIDGE-MUNSEE TRIBAL COURT
NOTICE OF ELECTRONIC FILING SYSTEM AND RULES GOVERNING
ELECTRONIC FILING

The Stockbridge-Munsee Tribal Court enacts revised rules establishing an electronic filing (e-filing) system and setting forth rules of procedure thereof. The revised rules are effective June 15, 2020 and replace the rules enacted on April 24, 2020. The revised rules will remain effective indefinitely, or until amended by further order of the Court.

Civil Procedure

Rules of E-Filing

1. **Purpose**
 - (a) The Rules for electronic filing are hereby established and set forth for the purpose of providing parties electronic/remote access to the Stockbridge-Munsee Tribal Court system.

2. **Authority**
 - (a) Under Stockbridge-Munsee Tribal Law, Chapter 5 Sec. 1.12 – Rule Making Power, “[t]he Tribal Court System may from time to time prescribe Rules of Procedure for the conduct of Tribal Court System business.” This rule making power provides the Chief Judge with vested authority to implement Rules of Procedure for the Court.

3. **User Agreement**
 - (a) By submitting filing(s) electronically, the signor of such documents (i.e., legal representative or unrepresented party) impliedly consents to abide by the rules of procedures provided herein, and recognizes that unless explicitly stated otherwise, all other rules of civil procedure and rules of practice before the Court remain effective.

4. **E-Filing Domain**
 - (a) All electronic filings shall be sent to Court.efile@mohican-nsn.gov, and must contain the Name of filing party, signature of the party, and date of submission.

5. **Time and Effect of Electronic Filing**
 - (a) The filing system is a mechanism of the Stockbridge-Munsee Tribal Court for the purposes of submitting electronic filings.
 - (b) When a document is submitted, the electronic filing shall be transmitted to the Tribal Court Clerk through the designated e-filing address. The Tribal Court Clerk shall issue

confirmation that submission of the electronic filing has been received by sending an official confirmation form and assigning a case number to the delivering party.

- (c) In order for the filing to be accepted it must meet all electronic filing requirements.
- (d) If the document is accepted for filing, it shall be considered filed with the Court on the day of receipt and at the time provided by the electronic time-stamp within the Court's system.
- (e) The Court Clerk will file-stamp and process the filing as normally practiced.
- (f) The Court will accept electronic filings received on that business day between the hours of 8:00 A.M. – 4:29 P.M. (Central Standard Time) in accord with regular business hours. A filing must be complete and meet the legal requirements of such document; incomplete or partial filings will not be accepted. If a document is electronically filed after 4:29 P.M. it will be considered filed on the following business day.
- (g) Parties that are unable to access the electronic filing system may send documents to the Court using general mail.

6. Filing Fee

- (a) The initial filing fees required under Chapter 1, Sec. 1.15 shall be paid through the Court's electronic payment system found on the Tribal Court website. Payment and proof of payment due before the Court will process any filing. If a party fails to pay the applicable filing fee, the matter will be deemed *not filed* and no further action taken.
- (b) Alternatively, a party filing an initiating document may submit payment to the Stockbridge-Munsee Tribal Finance Department. The payment must be submitted in the form of money order or cashier's check for the full amount due. The transmittal slip (receipt) of payment must be submitted to the Court via general mail, in-person delivery, or preferably by use of the electronic filing system. The transmittal slip must identify the filing party's name, amount paid, and date of payment.

7. Notice, Service, and Process of Service

- (a) The general rules of notice, service, and process of service under Stockbridge-Munsee Tribal Law remain controlling. However, service by mail, or by email if the parties involved have an official user email on record, or by substitute service are recommended if the Tribe is under currently under emergency order or restrictions regarding circumstances such as the COVID-10 pandemic.

8. Format for Electronic Filings

- (a) All documents, unless being submitted as evidence, must be provided in electronic format and typed into word processing software using common business font (e.g., Times New Roman, Times, Calibri, Arial).
- (b) The document must be converted into Pdf format and sent as an attachment. If the filing requires multiple attachments, all attachments shall be sent in one email unless restricted by document size.

9. Hearing Process During Emergency Orders

- (a) All hearings during taking place during an active emergency order shall be conducted telephonically or by video conferencing. The call-in number and access codes will be provided by the Court Clerk upon scheduling of the hearing and received by the parties in the hearing notice.

Rules for Electronic Filing and accompanying Rules of Procedure are hereby entered into effect this 15th day of June 2020.

BY THE COURT

A handwritten signature in cursive script, appearing to read "T. Miller", is written over a horizontal line.

Chief Judge Travis J. Miller

Stockbridge-Munsee Tribal Court