





TO:

Rule 28 Distribution  
David K Byers  
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## ATTACHMENT<sup>1</sup>

### RULES OF CIVIL PROCEDURE

#### Rule 5.1. Filing Pleadings and Other Documents

(a)-(e) [No change]

**(f) Electronic Signatures and Electronic Notarizations.** The clerk must accept for filing any document that purports to have a signature, including documents that appear to be electronically signed or electronically notarized in accordance with applicable law. If the authenticity or sufficiency of an electronic signature or electronic notarization is disputed, a judicial officer will make a determination under applicable substantive law.

#### Rule 5.2. Form of Documents

(a)-(b) [No change]

**(c) Electronically Filed Documents.**

(1) [No change]

(2) *Formats of Attachments.*

(A)-(B) [No change]

(C) Notarized Documents. A notarized document or a scanned copy of a notarized document may be filed electronically if it contains the notarial officer's signature, a certificate as required by A.R.S. § 41-264, and stamp or seal, if applicable.

(D)-(E) [No change]

(3)-(4) [No change]

\* \* \*

#### Rule 11. Signing Pleadings, Motions, and Other Documents; Representations to the Court; Sanctions; Assisting Filing by Self-Represented Person

**(a) Signature.**

(1) [No change]

(2) *Electronic Filings.* A person may sign ~~an electronically filed document filed through the person's court-authorized electronic filing service provider account~~ by placing ~~the symbol "/s/"~~ on the signature line the person's scanned signature or the person's typed name preceded by "/s/." ~~above the person's name. An electronic signature has the same force and effect as a signature on a document that is not filed electronically.~~

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<sup>1</sup> Additions to the text of a rule are shown by underscoring and deletions are shown by ~~strike-through~~.

~~The court may treat a document that was filed using a person's electronic filing registration information as a filing that was made or authorized by that person.~~

(3) [No change]

(b)-(d) [No change]

## RULES OF CRIMINAL PROCEDURE

### Rule 1.6. Form of Documents

(a)-(b) [No change]

(c) **Electronically Filed Documents.** If a court has an electronic filing portal, a document may be filed electronically.

(1) [No change]

(2) *Formats of Attachments.*

(A)-(B) [No change]

(C) **Notarized Documents.** A notarized document or a scanned copy of a notarized document may be filed electronically if it contains the notarial officer's signature, a certificate as required by A.R.S. § 41-264, and stamp or seal, if applicable.

(D)-(E) [No change]

(3)-(4) [No change]

(5) *Signature.* All electronic filings must be signed. A person may sign an ~~electronic document~~ filed through the person's court-authorized electronic filing service provider account by placing the symbol "/s/" on the signature line the person's scanned signature or the person's typed name preceded by "/s/." above the person's name. An electronic signature is equivalent to an ink signature on paper.

\* \* \*

### Rule 1.7. Filing and Service of Documents

(a)-(c) [No change]

**(d) Electronic Signatures and Electronic Notarizations.** The clerk must accept for filing any document that purports to have a signature, including documents that appear to be electronically signed or electronically notarized in accordance with applicable law. If the authenticity or sufficiency of an electronic signature or electronic notarization is disputed, a judicial officer will make a determination under applicable substantive law.

(v) [No change]

## RULES OF FAMILY LAW PROCEDURE

### Rule 20. Form of Documents

(a)-(b) [No change]

(c) **Electronically Filed Documents.**

(1) [No change]

(2) *Format of Attachments.*

(A)-(B) [No change]

(C) Notarized Documents. A notarized document or a scanned copy of a notarized document may be filed electronically if it contains the notarial officer's signature, a certificate as required by A.R.S. § 41-264, and stamp or seal, if applicable.

(D)-(E) [No change]

(3) [No change]

\* \* \*

### Rule 26. Signing Pleadings, Motions, and Other Documents; Representations to the Court; Sanctions

(a) **Signature.**

(1) [No change]

(2) *Electronic Filings.* A person may sign ~~an electronically filed document~~ filed through that person's court-authorized electronic filing service provider account by placing the symbol "/s/" on the signature line the person's scanned signature or the person's typed name preceded by "/s/." above the person's name. ~~An electronic signature has the same force and effect as a signature on a document that is not filed electronically. The court may treat a document that was filed using a person's electronic filing registration information as a filing that was made or authorized by that person.~~

(3) [No change]

(b)-(c) [No change]

\* \* \*

### Rule 43.1. Filings, Pleadings, and Other Documents

(a)-(h) [No change]

(i) **Electronic Signatures and Electronic Notarizations.** The clerk must accept for filing any document that purports to have a signature, including documents that appear to be electronically signed or electronically notarized in accordance with applicable law. If

the authenticity or sufficiency of an electronic signature or electronic notarization is disputed, a judicial officer will make a determination under applicable substantive law.

## **RULES OF PROCEDURE FOR THE JUVENILE COURT**

### **Rule 105. Form of Filed Documents**

**(a)-(d) [No change]**

**(e) Electronically Filed Documents.**

(1) **[No change]**

(2) *Format of Attachments.*

(A)-(B) **[No change]**

(C) Notarized Documents. A notarized document or a scanned copy of a notarized document may be filed electronically if it contains the notarial officer's signature, a certificate as required by A.R.S. § 41-264, and stamp or seal, if applicable.

(D)-(E) **[No change]**

(3)-(4) **[No change]**

**(f) Signature.**

(1) **[No change]**

(2) *Electronic Filings.* A person may sign ~~an electronically filed document~~ filed through the person's court-authorized electronic filing service provider account by placing ~~the symbol "/s/"~~ on the signature line the person's scanned signature or the person's typed name preceded by "/s/." ~~above the person's name. An electronic signature has the same force and effect as a signature on a document that is not filed electronically. The court may treat a document that was filed using a person's electronic filing registration information as a filing that was made or authorized by that person.~~

(3) **[No change]**

**(g)-(h) [No change]**

**(i) Electronic Signatures and Electronic Notarizations.** The clerk must accept for filing any document that purports to have a signature, including documents that appear to be electronically signed or electronically notarized in accordance with applicable law. If the authenticity or sufficiency of an electronic signature or electronic notarization is disputed, a judicial officer will make a determination under applicable substantive law.

## RULES OF CIVIL APPELLATE PROCEDURE

### Rule 4.2. Electronic Filing

(a)-(e) [No change]

(f) **Signature and Authorization.**

(1) *Signature.* All electronic filings must be signed. A person may sign an ~~electronically filed document~~ filed through the person's court-authorized electronic filing service provider account by placing ~~the symbol "/s/"~~ on the signature line the person's scanned signature or the person's typed name preceded by "/s/." ~~above the person's name.~~ ~~An electronic signature has the same force and effect as an ink signature on paper.~~

(2)-(3) [No change]

(g)-(h) [No change]

## JUSTICE COURT RULES OF CIVIL PROCEDURE

### Rule 109. Signatures on Documents Filed with the Court

**a. Signature.** Every document that is filed with the court, except for exhibits, must be dated and signed by the party's attorney or by the party if the party has no attorney. ~~An electronic document may be signed with an electronic signature.~~ A person may sign a document filed through the person's court-authorized electronic filing service provider account by placing on the signature line the person's scanned signature or the person's typed name preceded by "/s/." When two or more parties jointly file a document, each of these parties must sign it. However, if the document is filed through an electronic medium where only one electronic signature is allowed, all parties who submit the document are responsible for the document under Rule 109(b). Any document filed without being signed and dated may be stricken by the court. [ARCP 11(a)]

**b.-d.** [No change]