

1 **Rule 21. Filing and service.**

2 (a) **Filing.** A paper may be filed by email, by mail, or in person. Papers required or permitted to
3 be filed by these rules ~~shall~~must be filed with the appellate clerk ~~of the appropriate court.~~ ~~Filing~~
4 ~~may be accomplished by mail addressed to the clerk.~~ If emailed, a paper must be in a searchable
5 PDF format of no more than 25 megabytes. Papers filed by email in the Supreme Court must be
6 sent to supremecourt@utcourts.gov. Papers filed by email in the Court of Appeals must be sent
7 to courtofappeals@utcourts.gov. Except as provided in ~~subpart~~paragraph (fg):

8 (a)(1) Papers other than briefs are timely:

9 (a)(1)(A) if received by email to the appropriate court by 11:59 p.m. of the due
10 date; or

11 (a)(1)(B) if received by mail or hand delivery to the Appellate Clerks' Office
12 before 5 p.m. of the due date.

13 (a)(2) Briefs are timely:

14 (a)(2)(A) if received by email to the appropriate court by 11:59 p.m. of the due
15 date;

16 (a)(2)(B) if postmarked by the due date; or

17 (a)(2)(C) if received by hand delivery to the Appellate Clerks' Office before 5
18 p.m. of the due date.

19 ~~filing is not considered timely unless the papers are received by the clerk within the time fixed~~
20 ~~for filing, except that briefs shall be deemed filed on the date of the postmark if first class mail is~~
21 ~~utilized. If a motion requests relief which may be granted by a single justice or judge, the justice~~
22 ~~or judge may accept the motion, note the date of filing, and transmit it to the clerk.~~

23 (b) **Filing Fees.** If a statute or rule establishes a fee for the filing, the party must pay the fee to
24 the appellate clerk no more than 7 days after the filing, or the filing may be stricken.

25 (c) **Service of all papers required.** Copies of all papers filed with the appellate court ~~shall~~must,
26 at or before the time of filing, be served on all other parties to the appeal or review. Service on a
27 party represented by counsel ~~shall~~must be made on counsel of record, or, if the party is not
28 represented by counsel, upon the party at the last known address or email address provided to the

29 | [appellate court](#). A copy of any paper required by these rules to be served on a party ~~shall~~[must](#) be
30 | filed with the court and accompanied by proof of service.

31 | ~~(d)~~ **Manner of service.** Service may be personal ~~or~~, by mail, [or by email](#). Personal service
32 | includes delivery of the copy to a clerk or other responsible person at the office of counsel.
33 | Service by mail [or email](#) is complete on mailing [or emailing](#).

34 | ~~(d)~~ **Proof of service.** Papers presented for filing ~~shall~~[must](#) contain an acknowledgment of
35 | service by the person served or a certificate of service in the form of a statement of the date and
36 | manner of service, the names of the persons served, and the addresses at which they were served.
37 | The certificate of service may appear on or be affixed to the papers filed. If counsel of record is
38 | served, the certificate of service ~~shall~~[must](#) designate the name of the party represented by that
39 | counsel.

40 | ~~(e)~~ **Signature.** All papers filed in the appellate court ~~shall~~[must](#) be signed by counsel of record or
41 | by a party who is not represented by counsel. [For papers filed by email, the papers may be](#)
42 | [electronically signed as follows: /s/ name of unrepresented party or name of counsel of record.](#)

43 | ~~(f)~~ **Filing by inmate.**

44 | ~~(f)~~(1) For purposes of this paragraph ~~(f)~~, an inmate is a person confined to an
45 | institution or committed to a place of legal confinement.

46 | ~~(f)~~(2) Papers filed by an inmate are timely filed if they are deposited in the institution's
47 | internal mail system on or before the ~~last day for filing~~[due date](#). Timely filing may be
48 | shown by a contemporaneously filed notarized statement or written declaration setting
49 | forth the date of deposit and stating that first-class postage has been, or is being, prepaid,
50 | or that the inmate has complied with any applicable requirements for legal mail set by the
51 | institution. Response time will be calculated from the date the papers are received by the
52 | court.

53 | ~~(g)~~ **Filings containing other than public information and records.** If a filing, including an
54 | addendum, contains non-public information, the filer must also file a version with all such
55 | information removed. Non-public information means information classified as private,
56 | controlled, protected, safeguarded, sealed, juvenile court legal, or juvenile court social, or any

57 other information to which the right of public access is restricted by statute, rule, order, or case
58 law.