

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

2 (a) Filing. Papers required or permitted to be filed by these rules shall be filed with the clerk of  
3 the appropriate court. Filing may be accomplished by mail addressed to the clerk. Except as  
4 provided in subpart (f), filing is not considered timely unless the papers are received by the clerk  
5 within the time fixed for filing, except that briefs shall be deemed filed on the date of the  
6 postmark if first class mail is utilized. If a motion requests relief which may be granted by a  
7 single justice or judge, the justice or judge may accept the motion, note the date of filing, and  
8 transmit it to the clerk.

9 (b) Service of all papers required. Copies of all papers filed with the appellate court shall, at or  
10 before the time of filing, be served on all other parties to the appeal or review. Service on a party  
11 represented by counsel shall be made on counsel of record, or, if the party is not represented by  
12 counsel, upon the party at the last known address. A copy of any paper required by these rules to  
13 be served on a party shall be filed with the court and accompanied by proof of service.

14 (c) Manner of service. Service may be personal or by mail. Personal service includes delivery of  
15 the copy to a clerk or other responsible person at the office of counsel. Service by mail is  
16 complete on mailing.

17 (d) Proof of service. Papers presented for filing shall contain an acknowledgment of service by  
18 the person served or a certificate of service in the form of a statement of the date and manner of  
19 service, the names of the persons served, and the addresses at which they were served. The  
20 certificate of service may appear on or be affixed to the papers filed. If counsel of record is  
21 served, the certificate of service shall designate the name of the party represented by that  
22 counsel.

23 (e) Signature. All papers filed in the appellate court shall be signed by counsel of record or by a  
24 party who is not represented by counsel.

25 (f) Filing by inmate.

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

28 (f)(2) Papers filed by an inmate ~~confined in an institution~~ are timely filed if they are  
29 deposited in the institution's internal mail system on or before the last day for filing. Timely  
30 filing may be shown by a contemporaneously filed notarized statement or written declaration  
31 setting forth the date of deposit and stating that first-class postage has been, or is being, prepaid.

32 or that the inmate has complied with any applicable requirements for legal mail set by the  
33 institution. Response time will be calculated from the date the papers are received by the court.  
34 ~~Timely filing may be shown by a notarized statement or written declaration setting forth the date~~  
35 ~~of deposit and stating that first class postage has been prepaid.~~

36 (g) Filings containing other than public information and records. If a filing, including an  
37 addendum, contains non-public information, the filer must also file a version with all such  
38 information removed. Non-public information means information classified as private,  
39 controlled, protected, safeguarded, sealed, juvenile court legal, or juvenile court social, or any  
40 other information to which the right of public access is restricted by statute, rule, order, or case  
41 law.