

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 682

Short Title: File Court Papers by Fax.

(Public)

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Sponsors: Senator Johnson of Wake.

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Referred to: Judiciary III.

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March 29, 1989

A BILL TO BE ENTITLED

AN ACT TO PERMIT COURT PAPERS TO BE FILED BY FACSIMILE MACHINE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1A-1, Rule 5(e) reads as rewritten:

"(e) Filing with the court defined. – The filing of pleadings and other papers with the court as required by these rules shall be made by filing them with the clerk of the court, except that the judge may permit the papers to be filed with him, in which event he shall note thereon the filing date and forthwith transmit them to the office of the clerk. Where the clerk of court's office has for its use a telefacsimile machine, filing with the clerk may be made by transmission of the pleadings and other papers to the telefacsimile machine in the clerk's office if the papers filed by transmission to the telefacsimile machine are also mailed to the clerk of court within 10 days after the date of transmission to the telefacsimile machine. In order for papers filed by transmission on a telefacsimile machine to be considered timely, the papers must be received on the telefacsimile machine in the clerk's office within the time limits for filing prescribed by these rules."

Sec. 2. This act shall become effective October 1, 1989, and shall apply to pleadings and papers filed on or after that date.