

Rule 79-I. Copies and Custody of Filed Papers

(a) CERTIFIED COPIES.

(1) *In Person Filings.* When a paper is received and filed, the clerk must stamp the date of filing on the face of the paper next to the title of the cause and must also stamp the date of filing separately on any exhibit. If a person filing a paper requests a certification of such filing, a copy of the paper provided by the person must be marked to show the time and date of the filing and initialed by the person with whom the paper was filed. Such certified copy is prima facie evidence in any proceeding that the original of the paper was filed as shown by the certification.

(2) *Electronic Filings.* Any filings made electronically, as permitted by these rules or by administrative order, is considered date stamped as specified by rule or administrative order.

(b) CUSTODY OF DOCUMENTS. The clerk or his or her designee is the custodian of all papers filed in all civil cases. No original paper, document, or record in any case may be removed from its place of filing or custody, except under the following conditions:

(1) Except with approval of the court, no paper, document, or record may be taken from the courthouse by any person other than the custodian of the paper, document, or record, who must retain possession of it and must return it to its place of filing immediately upon completion of the purpose for which it was removed.

(2) When required for use before a division of the court or a person to whom the case has been referred for consideration, or when ordered by a judge of the court, the custodian, the custodian's designee, any attorney or party to the case, or any person designated by a judge may be permitted to remove such paper, document, or record for the use required or ordered.

(3) In any case where the paper, document or record is removed by any person other than the custodian, or the custodian's designee, a receipt must be given to the custodian and the paper, document, or record, must be returned to its place of filing or custody immediately upon completion of the purposes for which it was removed.

COMMENT TO 2017 AMENDMENTS

Stylistic changes were made to this rule to conform with the 2007 amendments to the Federal Rules of Civil Procedure.