# MASSACHUSETTS APPEALS COURT

## *Administrative Order 20-5*

### Appeals Court Authorization of the Preparation and Submission of Filings via the Suffolk University Law School's Legal Innovation and Technology Lab

**I. Introduction.** This administrative order allows filers in Appeals Court cases to use templates and forms provided by the Suffolk University Law School's Legal Innovation and Technology Lab ("LIT Lab"). The Appeals Court and the LIT Lab produced the forms and templates to assist filers in creating documents for filing.

**II. Creation of Forms, Templates, and Filings.**

1. In General. The LIT Lab will make various templates and forms available on its website: https://courtformsonline.org. Filers may use the templates and forms to enter the required information and create motions and filings in portable document format (PDF) for submission to the Appeals Court. The LIT Lab does not charge a fee for the use of any form or template.

2. Use Optional. Filers may, but are not required to, use the LIT Lab website to prepare the motions or filings.

3. Availability. The Appeals Court does not guarantee that any particular form or template will be available. Except as explicitly set forth herein, filers using the LIT Lab website must follow all other court rules and abide by all legal requirements, including filing deadlines, regardless of availability of forms or templates on the LIT Lab website.

4. Responsibility for Content of Filings. The forms and templates are designed and provided only to assist in creating and filing documents. It remains the filer's responsibility to include all necessary information and to establish all legal requirements in support of the relief that the filer is seeking.

5. Use of Digital Signatures. For all forms or filings that require an attorney's or a party's signature, the use of the digital signature function on the LIT Lab website shall have the same force and effect of an electronic signature or wet ink signature.

6. Privacy. The LIT Lab will protect the confidentiality of all information.

**III. Filing and Service of LIT Lab-Created Documents.** Except as herein provided, all applicable court rules and administrative orders apply to documents created through the LIT Lab website, including court rules and orders concerning filing, service, and payment of fees:

1. Filing.

A. Any document subject to mandatory electronic filing pursuant to Appeals Court Rule 13.0 must be electronically filed at eFileMA.com even if it was created through the LIT Lab website. Most documents filed by attorneys must be filed electronically. For all other documents, including those filed by a self-represented party,

the filer may submit the filing to the Appeals Court either via eFileMA.com or by email through the LIT Lab website. Self-represented parties are encouraged, but not required, to eFile via eFileMA.com.

B. Documents created through the LIT Lab website may be submitted via the email function on the LIT Lab website except when payment of a court fee is due with the filing and the filer is not submitting a motion to waive the fee and supporting affidavit of indigency. If a fee is due, see below, Part 2(B).

C. Pursuant to Appeals Court Administrative Order 20-4, any filer who seeks to email a document other than through the LIT Lab website must include a request for permission that identifies exigent circumstances that require filing by email.

2. Filing Fees.

A. For any filing for which a court fee is due, including the filing of a petition, original motion, or appeal, see G.L. c. 262, § 4, the party may submit a motion to waive the entry fee supported by an affidavit of indigency, accompanied by the filing, through the LIT Lab website.

B. For any filing for which a court fee is due, including the filing of a petition, original motion, or appeal, see G.L. c. 262, § 4, and the party is not filing a motion to waive the court fee on indigency grounds, the document created through the LIT Lab website must be downloaded and filed through the Court's electronic filing system (eFileMA.com) with payment, or printed and delivered, with payment, to the court. During the COVID-19 pandemic, to limit the number of persons in any courthouse and to facilitate case processing, all self-represented persons are encouraged to use the LIT Lab website instead of filing any paper submissions filed by postage mail or in person.

C. The Appeals Court will not docket a filing until the payment of the fee is completed or an affidavit of indigency and motion to waive the fee is filed.

3. Service. The filer is responsible for serving copies of all filings on the attorneys for the other parties and on any self-represented party. Service cannot be accomplished through the LIT Lab website. Service of documents filed via the LIT Lab shall be made pursuant to Mass. R.A.P. 13 (c). Service of documents filed via eFileMA.com shall be made pursuant to M.A.C. Rule 13.0 (i) (1).

4. Electronic notice. Use of the LIT Lab website to file by email is deemed consent to email registration and service of electronic notices from the Appeals Court by email. The court will not mail paper notices to the party. Pursuant to Appeals Court Rule 13.0 (j) (2), all attorneys will receive electronic notices in lieu of paper. Any self-represented party who has not filed through the LIT Lab website may register to receive electronic notices in lieu of paper by completing the appropriate form available at https://www.mass.gov/doc/e-notification-consent/download.

By the Court, Mark V. Green, Chief Justice

/s/ Joseph F. Stanton
Clerk

Entered: November 20, 2020.