

QUESTIONS AND ANSWERS E-FAST

January 23, 2015 Edition

1. **What software is necessary to e-file with the Court?**
Ability to create or convert document files to a .pdf file.
You can use the EFAST system with one of the following Internet browsers: Internet Explorer 6 and up; latest version of Opera, Safari, Firefox or Chrome.

In order to receive EFAST communications, Counsel should set his or her computer system spam filters and blockers to permit communications from the Court to be received.
2. **Who may e-file?**
Members of the State Bar of Georgia will be able to e-file as well as attorneys appearing by courtesy (Pro Hac Vice).
3. **Must I file documents with the Court electronically? Yes.**
First, you must register and obtain a password. All documents filed must be filed electronically. For example, the following must be filed electronically; all briefs, motions (to include Motions for Reconsideration and Emergency Motions), Applications for Interlocutory and Discretionary Appeals, Notices of Intent to Petition for Certiorari, and Notice of Filing a Petition for Writ of Certiorari.
4. **What are the requirements to register?**

Be an attorney.
Be a member in good standing of the Georgia State Bar (or admitted Pro Hac Vice).
Be admitted to practice in the Court of Appeals of Georgia.
Have a status of good standing with the Court of Appeals of Georgia.
5. **How do you access EFAST?**
Enter <http://efast.gaappeals.us> on your internet browser.
6. **When is the system available to accept my e-filings?**
The Court will attempt to have the system available 24 hours a day, but there will be instances when maintenance or system modifications will be necessary that impact authorized users or an emergency situation may make the system unavailable. The Court will attempt to provide notice of any expected interruption in service on the Court's web page. If the web page is unavailable, the filer should contact the clerk's office for instructions at 404-656-3450.

7. **What type of documents are required to be e-filed?**

Attorneys admitted to practice in the Court of Appeals are required to file all documents electronically with the Court pursuant to Rule 46. All documents filed must be filed electronically. For example, the following must be filed electronically; all briefs, motions (to include Motions for Reconsideration and Emergency Motions), Applications for Interlocutory and Discretionary Appeals, Notices of Intent to Petition for Certiorari, and Notice of Filing a Petition for Writ of Certiorari. When you select a file category and then click the arrow at the filing type field you will see a list of the pleadings under that filing category that you can e-file.

8. **In what format must documents be for submission for filing?**

Documents must be submitted in a searchable portable document format (.pdf) only. These files should not contain embedded files, scripts, tracking tags or executable files. To save a document in Microsoft Word 2007 to a pdf file, click **File, Save As**, then on the next screen at the block labeled choose the file type as PDF (*.pdf) and for the Optimize block, choose Standard, then click **Save**. For WordPerfect 10, click **Save, Publish to PDF**, then on the next screen choose the pdf style. **pdf for editing**, then click **OK**. If you have a different version of Microsoft Word or WordPerfect you may be able to download free software to convert your file such as from dopdf.com or you should consult with your office information technology staff.

Please note: You must comply with all the rules of the Court as to the format of your documents except as modified by the electronic system terms of use or the e-filing instructions.

9. **What credit cards will be accepted for payment of a filing fee?**

VISA, MasterCard, American Express and Discover.

10. **Is there a fee for using EFAST?**

A \$10.00 fee will be added to the filing fee for processing the credit card payment.

11. **How do I pay the filing fee with EFAST?**

When you submit an Appellant's Brief and if you have not paid the filing fee nor submitted a pauper's affidavit, you will be prompted to pay the filing fee by credit card. Your Appellant's Brief will not be considered officially filed in the Court until your filing fee is paid or a proper pauper's affidavit has been filed.

12. **Must all e-filed documents be signed by counsel?**

All e-filings must include a conformed signature of the counsel filing the document. Conformed signature means that counsel's name is typed, preceded by "/s/" and underlined.

Counsel's typed name must also appear below the underline. If there are signatures of other attorneys on the document, use of the filing attorney's login and password and the conformed signatures of the others will be presumed to mean that the filing attorney has the agreement of the other signatories to what is filed.

13. **Who is responsible for serving a copy of the e-filing on the opposing counsel?**
Although the Court will provide notice to counsel of record of an e-filing, counsel filing a document is still responsible for official service of his or her document on the opposing counsel or pro se party.
14. **If I am not counsel currently listed on the case, how do I submit a brief in the case?**
You will need to use the SEARCH CASES option to locate the case and Click the Submit Filing button on that case screen.
15. **What do I do if I have trouble e-filing my document?**
Most screens on the e-filing system permit you to request assistance by sending an email message to the clerk's office. Click the **Request Assistance** button on the screen, supply your contact information, the case number and the message about your problem before submitting your message. You will usually be contacted that business day or the next business day. If you need immediate assistance, you can telephone 404-656-3450 during office hours.
16. **At what point is a document considered filed after it has been submitted for filing in the EFAST system?**
Any document submitted to this system will be deemed filed on the date and time received by the Court's e-filing system if the document meets all other requirements for filing under the relevant rules of the Court. For purposes of meeting deadlines, documents that are filed are not considered received until the document is in proper format and in compliance with all Court rules.

Counsel will be sent an initial email that a document has been submitted. After the Court's review, a second email will be sent confirming the acceptance of the document for docketing or rejecting the document. This email will contain proof of the date and time a document is **filed** with the Court.

If after review the Court rejects a document submitted to the e-filing system, the counsel submitting the document will be sent an email with the rejected document attached which explains the reason for rejection. Counsel may then correct and resubmit the filing.
17. **Do I need to provide the Court a paper copy as well as e-file my document?**
You do not need to provide the Court a paper copy of the e-filed document.
18. **Can I view documents efiled and orders and opinions of the Court in sealed cases?**
Counsel of record in a case are able to view documents filed in sealed cases and orders

and opinions issued by this Court by clicking the view link on the email sent to you and providing your login number and password. You may also go to the COA EFAST website, select **View My Cases and Filings** and click on the case style to see all the case details. For each filing and order or opinion, you will then have an option to click View to see the document itself.

19. **Will the Court issue orders on my e-filed motions electronically?**

Yes, registered attorneys will receive orders from the EFAST system. The Court will no longer send paper copies of the orders to registered attorneys. The Court recommends that attorneys have their paralegals in the cc address in the EFAST system. Also, it is critical that all attorney information in the EFAST system be up to date. Attorneys are responsible for updating their data - particularly, their e-mail address.

20. **Will the Court issue opinions electronically?**

Yes, the Court will issue opinions electronically to registered e-filers. The Court will no longer send paper copies of the opinions to registered attorneys.

21. **How can I provide comments to the Court about the EFAST system?**

The Court welcomes all comments for improving the EFAST system. Please use the Contact Clerk Option on the system or telephone the Clerk at 404-656-3450.

Revised January 23, 2015.