

On April 13, 2022, the Nebraska Supreme Court adopted the following rule amendments to Neb. Ct. R. § 6-601 et seq. and Appendix 1:

CHAPTER 6: TRIAL COURTS

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Article 6: Fax Filing.

§ 6-601. Definitions; interim use by non-attorney users; sunset.

(A) “Fax” means to transmit and reproduce a facsimile of an original document by electronic means.

(B) ~~Until January 1, 2022, when mandatory E-filing begins,~~ Until May 1, 2024, unless advanced or extended by the Nebraska Supreme Court, every court in the State of Nebraska shall accept for filing by a non-attorney a fax transmission of any pleading, motion, or other document, except for briefs in the appellate courts, subject to prepayment of statutory filing fees. A party who is represented by a Nebraska attorney cannot utilize fax filing, and the party shall file all documents through the attorney as provided by Neb. Ct. R. § 2-201 et seq.

(C) ~~After December 31, 2021, Prohibition by Nebraska attorneys; limited exception. The use of fax machines by Nebraska attorneys for filing any document in any Nebraska court is prohibited except as allowed in the Nebraska Workers’ Compensation Court rules and the provisions of the rules in this article shall only apply as allowed by § 2-213(C) governing extended system unavailability.~~

(C) ~~Beginning January 1, 2022, trial and appellate courts shall not be required to maintain facsimile machines as set forth in this rule. After this date, local courts may continue to maintain a fax machine but shall not accept for filing any pleading, motions, or other document related to a pending matter except as authorized by § 2-213, and shall not use it to serve orders or warrants, unless specifically authorized by the issuing judge.~~

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§ 6-604. Cover sheet.

A fax transmission for filing shall be preceded by an attached uniform cover sheet approved by the Supreme Court of Nebraska and found as Appendix 1. The fax cover

sheet shall contain the sender's full name, address, telephone number, and fax number; and, ~~if the sender is a lawyer, the lawyer's identification number assigned by the Nebraska State Bar Association.~~ The cover sheet shall specify the number of pages in the transmission. The sender's information supplied on the fax cover sheet shall be typed or clearly printed.

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§ 6-612. Orders and warrants.

~~Until January 1, 2022, and thereafter~~ Only as specifically authorized by the issuing judge, fax transmission may be used for the issuance of orders or warrants, including, but not limited to:

- (A) an arrest or search warrant;
- (B) release or detention of a defendant in custody for a criminal proceeding;
- (C) an order or warrant for placing a juvenile in custody or for release or detention of a person subject to the Nebraska Juvenile Code;
- (D) a temporary restraining order or protection order; and
- (E) an order in a domestic relations case.

For all procedural and statutory purposes, a faxed document shall have the same force and effect as the original document issued by a court.

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§ 6-614. Consent to service.

A lawyer who is willing to accept service of papers by fax by a non-attorney shall so indicate by including his or her fax machine telephone number, designated as a "fax number," as part of the lawyer's name, address, and telephone number on a document filed in an action. ~~A lawyer who files a paper by fax consents to service of papers on him or her by fax in that proceeding.~~

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**FAX COVER SHEET
FOR USE IN NEBRASKA COURTS
USE ONLY FOR DOCUMENTS TO BE FILED IN THE COURT FILE**

FILINGS: Filings by electronic transmission of a facsimile are governed by Neb. Ct. R. §§ 6-601 through 6-615. PAGE LIMIT: No single transmission shall exceed ten (10) pages without special permission from the clerk who will receive the transmission. The FAX COVER SHEET is not counted in the limit on pages for transmission.

TYPE OR PRINT INFORMATION

1. SENDER'S NAME AND ADDRESS: _____

N.S.B.A. No. _____

2. SENDER'S TELEPHONE NUMBER: _____

SENDER'S FAXNUMBER: _____

3. RECEIVING COURT: _____

COURT'S FAXNUMBER: _____

4. CASE CAPTION: _____

vs.

5. CASE NUMBER: _____

6. DOCUMENT TRANSMITTED:

A. ~~Nature~~ Type of Document: _____

B. Number of Pages in Document: _____

C. Total Pages Transmitted (Excluding Cover Sheet): _____

(Signature of sender)

NOTE: FAX FILINGS ARE PROHIBITED BY NEBRASKA ATTORNEYS
EXCEPT FOR EFILING UNAVAILABILITY PER NEB. CT. R. § 2-213.

~~Fax form~~ Appendix 1 (Neb. Ct. R. – Chapter 6, Article 6)

Approved January 1993; amended July 18, 2008; amended June 8, 2011; amended March 21, 2018.

THIS PAGE NOT COUNTED IN THE
LIMIT ON PAGES FOR TRANSMISSION

FaxCoverSheetForUse inNebraskaCourts
Ch6Art6-Faxform Amended 3/18