

On September 15, 2021, the Nebraska Supreme Court approved the following rule amendments to Workers' Comp. Ct. R. of Proc. 3 and 13:

RULES OF PROCEDURE

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NEBRASKA WORKERS' COMPENSATION COURT

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RULE 3

PLEADINGS

- A. All petitions, answers, motions, forms, proposed orders, and other pleadings and filings shall be printed or typewritten using nothing smaller than 12-point type in 8½- by 11-inch format. No reductions of print or type will be accepted. Double-spacing is allowed, but 1½ spacing is encouraged. All pages shall have 1-inch margins, except for the top margin of the first page, which shall have at least a 1½-inch margin. ~~Facsimile copies are acceptable as provided in Neb. Ct. R. § 6-601 to 6-615.~~

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RULE 13

TRANSCRIPT OF PLEADINGS

~~Repealed effective January 21, 2016.~~

FAX FILINGS

- A. "Fax" means to transmit and reproduce a facsimile of an original document by electronic means. Any pleading may be filed by fax, except an initial application for lump sum settlement or release of liability which requires the statutory filing fee accompanying the filing thereof or other pleading where an original signature is required.
- B. The fax machine shall be used solely for court business. The fax machine shall use plain paper and shall meet standard minimum CCITT Group III requirements. "CCITT" means Consultative Committee for International Telephone and Telegraph. "Group III" is a standard letter-size document that takes approximately one minute for transmission. The fax machine shall place the date and time of receipt on the transmission received.
- C. The first page of any fax transmission shall be a cover sheet. The fax cover sheet shall contain the sender's full name, address, telephone number, and fax number. The fax cover sheet shall specify the number of pages in the transmission. Each transmission shall be limited to 25 pages, excluding the cover sheet. Additional pages may be permitted with prior approval of the clerk.
- D. The faxed transmission of the original document shall become the original filing with the court when accepted by the clerk. The sender shall retain the original document transmitted by fax for a period not less than the maximum allowable time to complete the appellate process, unless otherwise

directed by a court. If a filing requires an original and multiple copies of the original, only the original shall be filed by fax transmission. The clerk will make the necessary copies of the original fax transmission.

- E. The sender bears all risk in a fax transmission. Electronic transmission of a document by means of a fax machine does not constitute filing; filing is complete only after the clerk's acceptance for filing in compliance with applicable statutes and rules. If the clerk determines that there has been an error in transmission, such as illegible documents or an interruption in the sequence of pages transmitted, the clerk shall, as soon as practical, contact the filing party and advise them of the error. Any fax transmission containing an error that prevents filing may be disregarded by the clerk unless within 10 days of the fax transmission the sender shall have requested judicial review of the rejection for filing. If the clerk rejects a filing in a pending proceeding, the clerk's rejection shall be noted on the docket. The clerk is not required to acknowledge that a fax transmission has been received or accepted for filing. The clerk has no duty to serve on a party a copy of the faxed transmission. Any fax transmission received by 11:59:59 p.m. shall be deemed to be filed on the same day. The time at which a document shall be deemed to be received is when the last page of the faxed transmission is received by the clerk.
- F. A person seeking to file a signed document may fax a copy of the original signed document. Notwithstanding any provision of law to the contrary, a signature reproduced on a fax transmission is an original signature for the purpose of the fax filing only. Anyone who files a signed document by fax represents that the original signed document is physically in their possession or control.

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