

**Rule 42**  
**ELECTRONIC SIGNATURES**

(A) For the purpose of this rule, the following terms shall have the following meanings:

(1) “Authentication” is defined as the process of assuring that an electronic signature is that of the person purporting to sign a record or otherwise conducting an electronic transaction.

(2) “Electronic” has the same meaning as used in Section 1306.01 of the Revised Code and is defined as relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities. For the purpose of this rule, “Electronic” is not meant to encompass activities involving facsimile transmission.

(3) “Electronic Record” has the same meaning as used in Section 1306.01 of the Revised Code and is defined as a record created, generated, sent, communicated, received, or stored by electronic means.

(4) “Electronic Signature” has the same meaning as used in Section 1306.01 of the Revised Code and is defined as an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

(B) The following categories of electronic documents may be exchanged subject to subsection (C) of this rule:

(1) Electronic records filed with the clerk of court from outside of the court.

(2) Electronic records filed with the clerk of court from inside the court.

(3) Electronic records generated by court personnel and sent to recipients outside of the court.

(C) The process to ensure the authentication of an electronic signature in an electronic record shall be:

(1) Electronic records filed with the clerk from outside of the court by court personnel and law enforcement shall be transmitted to the clerk through a secure web services protocol. Electronic records filed with the clerk by attorneys and pro se litigants shall be transmitted through the clerk’s recognized e-filing system. Attorneys and pro se litigants shall create a login to the e-filing system that includes a username and password unique to the sender.

(2) Electronic records filed with the clerk from inside the court by court personnel shall be transmitted through the court’s secure computer records system. Court personnel shall be assigned a unique username and password to the court’s records system.

(3) Electronic records sent to recipients outside of the court shall be generated in the court’s secure computer records system and emailed to the recipient. Court personnel shall be assigned a unique username and password to the court’s records system.

(D) Electronic records filed with and generated by the court in accordance to this rule are presumed to be authentic.

(E) If a document is submitted to the clerk electronically, the document will receive an electronic time stamp. This stamp will include the date and time that the document is transmitted to the clerk’s electronic systems.

(1) Electronic records filed by law enforcement may be submitted and will be deemed filed 24 hours per day, seven days per week.

(2) Documents filed through the clerk's e-filing system may be submitted to the clerk 24 hours per day, seven days per week. Documents may be deemed filed, however, twenty-four hours per day, five days per week. If a document is submitted for filing after 11:59 p.m. on a Friday or after 11:59 p.m. on a business day before a court holiday, the document will be deemed filed on the following business day.

(F) The clerk's case management system shall indicate that a record was filed electronically and identify by name the person who electronically signed the electronic record. In the event the record is generated by computer software, the system shall identify the name of the specific software that generated the record.

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