

1   **Rule 21. Filing and service.**

2   (a) **Filing.** Documents required or permitted to be filed by these rules must be filed with  
3   the appellate court clerk.

4       (1) **How to file.** The appellate courts are transitioning to an e-filing system. Before  
5       August 1, 2024, a document may be filed by submitting it through the appellate e-  
6       filing system, by email, mail, or in person. Effective August 1, 2024, all licensed  
7       attorneys must file through the appellate e-filing system. Unrepresented parties may  
8       continue to file by email, mail, or in person. If e-filed or emailed, a document must be  
9       in a searchable PDF format of no more than seven megabytes. Large PDF documents  
10      must be divided into multiple files of no more than seven megabytes each. Documents  
11      filed by email in the Supreme Court must be sent to [supremecourt@utcourts.gov](mailto:supremecourt@utcourts.gov).  
12      Documents filed by email in the Court of Appeals must be sent  
13      to [courtofappeals@utcourts.gov](mailto:courtofappeals@utcourts.gov).

14       (2) **Timing.** Except as provided in paragraph (g):

15           (A) Documents other than briefs are timely:

16               (i) if received by e-filing or email to the appropriate court by 11:59 p.m. on the  
17               due date; or  
  
18               (ii) if received by mail or hand delivery to the Appellate Clerks' Office before 5  
19               p.m. on the due date.

20           (B) Briefs are timely:

21               (i) if received by e-filing or email to the appropriate court by 11:59 p.m. on the  
22               due date;  
  
23               (ii) if postmarked by the due date; or  
  
24               (iii) if received by hand delivery to the Appellate Clerks' Office before 5 p.m.  
25               on the due date.

26 (b) **Filing Fees.** If a statute or rule establishes a fee for the filing, the party must pay the  
27 fee to the appellate court clerk no more than seven days after the filing, or the filing may  
28 be stricken. If a party elects to e-file, the party must pay the filing fee at the time of e-  
29 filing. Failure to pay the filing fee may result in dismissal.

30 (c) **Service of all documents required.** All documents filed with the appellate court must,  
31 at or before the time of filing, be served on all other parties to the appeal or review. Service  
32 on a party represented by counsel must be made on counsel of record, or, if the party is  
33 not represented by counsel, on the party at the last known address or email address  
34 provided to the appellate court. ~~Any document required by these rules to be served on a~~  
35 ~~party must be filed with the court and accompanied by proof of service.~~

36 (d) **Manner of service.** Service may be personal, by e-filing, by mail, or by email. Personal  
37 service includes delivery of the copy to a clerk or other responsible person at the office of  
38 counsel. Service by mail or email is complete on mailing or emailing. Service by e-filing  
39 is complete on acceptance by the e-filing system.

40 (e) **Proof of service.** Documents filed through the e-filing system need not include a  
41 certificate or acknowledgement of service if all parties have ~~contact information~~user  
42 accounts in the e-filing system. All other documents presented for filing must contain an  
43 acknowledgment of service by the person served or a certificate of service in the form of  
44 a statement of the date and manner of service, the names of the persons served, and the  
45 addresses at which they were served. The certificate of service may appear on or be  
46 affixed to the documents filed. If counsel of record is served, the certificate of service must  
47 designate the name of the party represented by that counsel.

48 (f) **Signature.** All documents filed in the appellate court must be signed by counsel of  
49 record or by a party who is not represented by counsel. For documents e-filed, or filed by  
50 email, the documents may be electronically signed as follows: / s/ name of unrepresented  
51 party or name of counsel of record.

52 (g) **Filing by inmate.**

53       (1) For purposes of this paragraph (g), an inmate is a person confined to an institution  
54       or committed to a place of legal confinement.

55       (2) Documents filed by an inmate are timely filed if they are deposited in the  
56       institution's internal mail system on or before the due date. Timely filing may be  
57       shown by a contemporaneously filed notarized statement or written declaration  
58       setting forth the date of deposit and stating that first-class postage has been, or is  
59       being, prepaid, or that the inmate has complied with any applicable requirements for  
60       legal mail set by the institution. Response time will be calculated from the date the  
61       documents are received by the court.

62       (h) **Filings containing other than public information and records.** If a filing, including  
63       an addendum, contains non-public information, the filer must also file a version with all  
64       such information removed. Non-public information means information classified as  
65       private, controlled, protected, safeguarded, sealed, juvenile court legal, or juvenile court  
66       social, or any other information to which the right of public access is restricted by statute,  
67       rule, order, or case law.

68       Effective ~~May 1~~, 2024

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## 70       **Advisory Committee Note**

71       Court records are public unless otherwise classified as private, controlled, protected,  
72       safeguarded, sealed, juvenile court legal, or juvenile court social by the Utah Code of  
73       Judicial Administration. The right of public access may be restricted by statute (including  
74       the Government Records Access and Management Act), rule, case law, or court order. If  
75       a filing contains information or records that are not public, the filer must file an  
76       unredacted version for the court and a version for the public that does not contain the  
77       nonpublic information.

78       *Note adopted April 2, 2020*