

Electronic filing — “3-day mailing” rule.

Question: Does the party responding to a pleading or other paper have three extra days in which to respond if the a pleading or paper is served by the electronic filing system?

Answer: No. [Rule 6](#)(e) allows the responding party three extra days in which to respond only if the motion or other filing is served by mail. The rule does not allow that additional time when service is by any other method, including hand delivery, fax, email or by the electronic filing system.

Neither does the e-filer have to take the extra step of mailing the filing to any lawyer in the case who has an e-filing account. The e-filing system will automatically notify the other lawyers of the filing, so electronically filing the document satisfies the service requirement. [Rule 5](#)(b)(1)(A)(i).

The filer must still complete a certificate of service designating “e-filing” as the method by which the other parties were served. And the filer must still notify parties, usually self represented, who do not have an e-filing account in one of the traditional ways.