

49.3 Service. When a document is filed electronically under these rules, the System generates a NEF to the filing party, any other party who is a registered user and has requested electronic notice in that case, and the assigned judge if the judge has elected to receive notice.

(a) Receipt of NEF as Service on Registered Party. Under Federal Rule of Criminal Procedure 49(b) and as permitted by Federal Rule of Civil Procedure 5(d), receipt of the NEF is considered service of the document on parties who consent to electronic service and waive the right to service by personal service or first class mail.

(b) Service on Nonregistered Party.

- (1)** A party filing electronically must serve a nonregistered participant of the System with: (A) a paper copy of any electronically filed document as stated in the Federal Rules of Civil and Criminal Procedure and (B) proof of the filing, defined as a copy of either (i) the associated NEF or (ii) the document bearing the header printed by the System.
- (2)** Service on a nonregistered party of the document and NEF may be by e-mail.
- (3)** If a filer must bring a document to the clerk for scanning and uploading to the System, the filer must serve paper copies on all nonregistered parties. Due to possible delay for uploading and electronic noticing, the filer should consider service by paper or alternate means including e-mail or fax.