

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**

# eFiling Portal Guidance



## **Introduction**

On August 22, 2022, the D.C. Office of Administrative Hearings (OAH) launched the eFiling Portal (the Portal). The launch of the Portal was the first step of a broader, long-term initiative to allow limited public access to the OAH electronic case management system. The Portal is accessible from the OAH website, and is available at <https://ecourt.oah.dc.gov/public-portal>.

This guidance document explains how OAH Rules (which may be found in Title 1 of the District of Columbia Municipal Regulations, Sections 2800 *et seq.* and 2900 *et seq.*, and at <https://oah.dc.gov/page/rules-laws>) apply to filings through the Portal. This guidance document may be revised periodically in OAH's sole discretion. The information provided in this guidance document does not constitute legal advice, and does not serve as a substitute or limitation of OAH Rules.

## **Case Types**

The Portal is available for all case types.

## **Use of the Portal**

The Portal allows a party and/or representative to create a personal account with OAH's electronic case management system, using an email address and a private password. Through the account, a party or representative may electronically file papers; view a list of other papers filed in the case; and access orders issued in the case.

Currently, case files can only be viewed through the Portal by parties and representatives who have created an account using an email address. The Portal does not make case files or orders generally open to the public.

Further, the Portal is currently only available for case filings. The Portal is not used for other case-related actions, such as service of orders. Whether or not a party creates a Portal account, orders will still be served on all parties by mail or email in accordance with OAH Rules.

## **Creating an Account**

No party is obligated to use the Portal. A party may always file papers in person at OAH during regular business hours, or by mail, email, fax, or through the online filing form; and all filing options will remain available for the duration of a case, even if a party creates a Portal account. If filing options other than the Portal are utilized, those filings will be visible through the Portal.

If a party chooses to use the Portal, the party must agree to the Portal Terms of Service, which are located on the account registration page. When creating an account, a party must check a box to acknowledge that they read and consent to the Terms of Service.

For step-by-step instructions on creating an account and filing papers through the Portal, a party can refer to the "Help and Support" page, available from the Portal homepage.

## **Filing a Paper through the Portal**

Once an account is created, a party will have the option to file a paper through the Portal. The Portal can only accept papers in portable document format (PDF), and the maximum file size limit for upload is 100 MB. Once a paper is successfully submitted and received through the Portal, the Portal will generate and send an automated confirmation email stating that the submission was received and giving a temporary case number that a party may use to reference their submission if speaking with OAH staff. The confirmation email is sent to the email address the party used to create the account and should appear in the party's inbox from noreply.oah@dc.gov. If the confirmation email does not appear in the party's inbox after a few minutes, the party should check the junk or spam folder.

If the party still does not receive email confirmation, then the party may try to contact OAH for technical assistance (see below for contact information). OAH may provide technical assistance, but the party is ultimately responsible for making sure OAH receives the paper. If OAH cannot provide immediate technical assistance, the party may also file the paper by other available electronic means (email, fax, or the online filing form) or by mail or in person, in accordance with OAH Rules.

If delays from technical issues with the Portal cause a party to miss a filing deadline, a party may file a written motion in the case explaining the circumstances and asking the presiding administrative law judge to excuse a late filing or extend a deadline. However, granting such a request is in the judge's sole discretion, and the judge's discretion may be strictly limited by a law establishing a deadline. See OAH Rules 2808.3 and 2812.6. It is the party's responsibility to know the law, rule, or order that establishes a filing deadline, and if choosing to file electronically, a party should try to file the paper with sufficient time before the deadline to deal with any technological issues that may arise.

Finally, a party should always keep the original copies of papers filed through the Portal, at least until the case is concluded and the time period for appeals has expired. Parties may be required to produce original versions of a paper filed electronically.

## **OAH Rules Applicable to Filings through the Portal**

The Portal provides an additional option for parties to file papers with OAH. Therefore, the OAH Rules regarding the filing of papers apply to filings through the Portal.

Under the OAH Rules, a paper is "filed" when the paper is **received** by the OAH Clerk's Office **during regular business hours**. See OAH Rule 2809.3. If an electronic submission of a paper is received by OAH outside of regular business hours, then the paper is deemed to be filed when OAH is next open. See OAH Rules 2809.4(a) and 2841.10.

Since the Portal provides another form of electronic filing, the same Rules apply to Portal filings, unless superseded by specific rules promulgated by OAH related to Portal filings. As such, a paper is filed on the day the Clerk's Office receives the paper through the Portal during regular business hours. If a paper is received outside business hours, the paper is deemed filed when OAH is next

open. OAH's business hours are 9:00am to 5:00pm Monday to Friday, excluding DC Government holidays.

Further, electronic filings of any kind do not replace or excuse other applicable OAH Rules. Parties filing through the Portal are also responsible for following other relevant OAH Rules, including, but not limited to, hearing request filing requirements of Rule 2808.2; service requirements of Rule 2811; signature requirements of Rule 2809.2; motion procedures of Rule 2813; and certification requirements of Rule 2814. A party should be familiar with and follow OAH Rules when filing papers, regardless of the filing method used. Failure to follow OAH Rules for a filing could result in a paper being rejected. If a paper is rejected, it is not "filed," since it does not satisfy the requirements for the type of filing.

If the Clerk's Office rejects a filing received through the Portal, the Portal will generate and send an automated email response to notify the party that the paper was rejected. Likewise, when the Clerk's Office accepts a paper, the Portal will generate and send an automated confirmation email. When a paper is accepted, the Portal will place an electronic date stamp on the paper showing the date and time of acceptance. The date stamp will also show the date and time the paper was received through the Portal. If a paper was received during OAH business hours, but it was not accepted by the Clerk's Office until a later date, the presiding administrative law judge in that instance may rely on the date stamp showing when the paper was initially received, not the date stamp for acceptance.

Finally, OAH can only accept a paper for filing when the paper is actually received and is legible and complete. As with other forms of electronic filing, disruptions of electronic signals and technological failures may prevent a paper from being successfully and fully submitted and received. The party filing a paper is ultimately responsible for making sure OAH receives the paper and, by choosing to file electronically, accepts the risk that a paper may not be filed.

### **Contact Information for Technical Assistance**

For technical assistance using the Portal, a party may first refer to the Portal "Help and Support" page, available from the Portal homepage. This page has more detailed step-by-step instructions for creating an account and submitting filings through the Portal.

For confirmation that a filing was received, a party may contact the OAH Clerk's Office by calling (202) 442-9094. From the automated main menu, press "3" for the Clerk's Office, and then from the following menu options press the number for the appropriate case type. Due to call volume, OAH cannot guarantee that a staff person will be available for immediate assistance.

If technical issues prevent the successful submission of a paper through the Portal and OAH staff are not immediately available to offer technical assistance, a party may submit the paper by other electronic options (email, fax, or the online filing form) to prevent further delay.