

**IN THE CIRCUIT COURT FOR
MONTGOMERY COUNTY, MARYLAND**

**FIRST AMENDED ADMINISTRATIVE ORDER
EXPANDING AVAILABILITY OF ELECTRONIC FILING
(AO-E7)**

Having been authorized on April 14, 2020, by the Court of Appeals to use a Virtual Drop Box for electronic filing during the COVID-19 emergency period, and having since determined that use of such a Virtual Drop Box would be appropriate under the circumstances set forth below, it is this 27th day of April, 2020, by the Circuit Court for Montgomery County, Maryland, hereby

ORDERED, that there is established a Virtual Drop Box for electronic filing in the Circuit Court for Montgomery County, Maryland (hereinafter “electronic filing”) for limited purposes only, as described below; and it is further

ORDERED, except as provided below, that nothing herein is intended to limit a litigant’s ability to file items with the Clerk of the Court, either by regular mail or by depositing them into the physical drop box on Maryland Avenue (collectively “physical filing”); and it is further

ORDERED, that electronic filing in the Virtual Drop Box is available only in Civil Track 2 and 3 cases, and Family Track 2 and 3 (Non-1F1J cases), and only for the following matters: (a) motions upon failure to provide discovery pursuant to Rule 2-432; (b) motions for discovery protective orders pursuant to Rule 2-403; and (c) motions to quash deposition subpoenas pursuant to Rule 2-510(f), together with all supporting memoranda and exhibits, all responsive memoranda and exhibits, (collectively “discovery motions”), and no other pleadings or motions of any type or any other Civil Track will be considered; and it is further

ORDERED, that litigants wishing to file the aforesaid motions electronically in the Virtual Drop Box may do so only if they abide by all provisions of this First Amended Administrative Order; and it is further

ORDERED, that any motion or paper submitted for electronic filing in the Virtual Drop Box that does not comply with all provisions of this First Amended Administrative Order will be rejected for electronic filing; and it is further

ORDERED, that if a motion or paper is rejected for electronic filing, a litigant wishing to file it during the emergency period must subsequently do so by physical filing and it will be reviewed by the Court when staff is available to do so; and it is further

ORDERED, that motions, supporting memoranda and exhibits, and responsive memoranda and exhibits received for electronic filing will be deemed “filed” as of the date they are simultaneously uploaded into the Virtual Drop Box; and it is further

ORDERED, that an Order on a discovery motion will be deemed “filed” as of the date handwritten on it by the Court; and it is further

ORDERED, that all electronically-filed items will be docketed when staff is available to do so, with docket entries listing the above filing dates as the “actual filing date;” and it is further

ORDERED, that no paper copy of the Order will be sent by the Clerk to the parties, and it is further

ORDERED, that litigants wishing to file motions, supporting memoranda and exhibits,

and responsive memoranda electronically pursuant to this First Amended Administrative Order must do so (1) simultaneously; (2) in .pdf file format; and (3) styled with the case number and date of uploading to the Virtual Drop Box; for example, in a Civil Track 3 case, a motion for a protective order uploaded on April 13 2020 in Case No. 123456V must be styled, "123456V Motion for Protective Order Filed April 13 2020," and an opposition thereto must be styled, "123456V Opposition to Motion for Protective Order Filed April 13 2020;" and in a Family Track 3 case (Non-1F1J), a motion to compel uploaded on April 13 2020 in Case No. 123456FL must be styled, "123456FL Motion to Compel Filed April 13 2020," and an opposition thereto must be styled, "123456FL Opposition to Motion to Compel Filed April 13 2020;" and it is further

ORDERED, proposed Orders should not be uploaded into the Virtual Drop Box; the Court will instruct litigants on how to submit proposed Orders by providing such information on the court's website (montgomerycountymd.gov/cct/); and it is further

ORDERED, that any motion not containing a certificate of good faith attempts to resolve dispute under Maryland Rule 2-431 will not be considered; and it is further

ORDERED, that supporting memoranda shall not exceed 15 pages in length, with no exceptions permitted; and it is further

ORDERED, that the Court will decide all motions on the papers, without a hearing; and it is further

ORDERED, notwithstanding any time that may elapse between the "deemed filing date" and the "actual filing date," litigants filing discovery motions electronically shall abide by all time periods and deadlines established in Orders ruling on discovery motions; for example, if the court issues an Order with a handwritten deemed filing date of April 17, 2020, and therein orders the production of interrogatory answers within ten days of the filing of the Order, but the actual filing date is June 1, 2020, the deadline for production is April 27, 2020; and it is further

ORDERED, that discovery motions submitted for physical filing prior to the effective date of this First Amended Administrative Order may not be withdrawn and re-filed electronically in the Virtual Drop Box; and it is further

ORDERED, that a signature on an item submitted for electronic filing has the same force and effect as a signature required under Rule 1-311; and it is further

ORDERED, that the Court Administrator is directed to publish further instructions on the court's website regarding access to the Virtual Drop Box (montgomerycountymd.gov/cct/), and it is further

ORDERED, that litigants filing electronically pursuant to this First Amended Administrative Order must retain the original motion or paper until the case is concluded or for such longer period of time as is required by court order or other applicable law, and it is further

ORDERED, that the Administrative Order Regarding Electronic Filing dated April 10, 2020, is hereby rescinded, as it is superseded by the terms of this First Amended Administrative Order.

ROBERT A. GREENBERG
Administrative Judge of the
Circuit Court for Montgomery County, Maryland

*Robert A. Greenberg, Administrative Judge,
Circuit Court for Montgomery County, MD*