



Clerk of the Court Internal Procedure

APPROVED:
Christine Kelly

A handwritten signature in black ink, appearing to read "Christine Kelly", written over the printed name.

Subject: Notice to the File
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Effective Date: 09-04-2012
Last Revised Date:

PURPOSE:

It is the purpose of this procedure to establish guidelines for the creation and use of a Notice to the File.

GENERAL:

A Notice to the File is to be used to explain in the record an unusual occurrence or breakdown in normal procedures or processing. A Notice to the File should not be used in routine circumstances such as the routine release of documents or exhibits or compliance with a court order. Some examples of circumstances requiring a Notice to the File are: a missing document or file that cannot be re-created, missing exhibits, when there is a gap of six months or longer between the file stamp date and docketing date of a document, when the Clerk's Office has taken some action that causes the record to change significantly, or any other circumstance as approved by the section Administrator.

PROCEDURES:

After necessary research has been done, the need for a Notice to the File will be brought to the attention of the section Supervisor or Manager. The Notice to the File will be created on the appropriate Clerk's Office letterhead and shall include the date, the case caption and the case number. The body of the Notice will briefly explain the circumstances surrounding the need for the Notice.

The Notice to the File will be signed by the Supervisor or Manager or the staff person who researched the specific situation. The Notice will also be signed by the appropriate department Administrator.

The Notice to the File will be file stamped in the upper right hand corner of the document. The docket code NTF will be included in the lower left hand corner of the document.

A courtesy copy of the Notice will be provided to the department's Deputy Director. At the direction of the Administrator, a courtesy copy may be provided to the Chief Deputy if the situation is highly unusual or high profile. A copy may also be provided to the judicial officer assigned and the parties depending on the circumstances.

The Notice to the File will be sent to the applicable EDM area for docketing and scanning.

DEFINITIONS:

None

APPLICABILITY:

This procedure applies to all employees of the Clerk of the Court.