

Technical Failure

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Background

Technical failure is defined as a malfunction of court-owned or court-leased hardware, software, or telecommunications facilities that prevents a Filing User from submitting a court filing electronically. Technical failure does not include malfunctioning of a Filing User's equipment, hardware or software.

The Clerk of Court shall deem the CM/ECF site to be subject to a technical failure if the site is unable to accept filings continuously or intermittently for more than one (1) hour occurring after 12:00 noon on a given day.

Technical Failure of the CM/ECF System

If CM/ECF is unable to accept electronic filings, a notice of the system outage will be posted on the CM/ECF website and/or on the Court's website (www.scd.uscourts.gov). The Filing User may submit the document to the Clerk of Court using one of the alternative methods listed below, provided that the document is accompanied by a certification, signed by the Filing User, that the Filing User has attempted to file the document electronically at least twice, with those unsuccessful attempts occurring at least one (1) hour apart after 12:00 noon.

Methods of Alternative Submission

In the event of a technical failure, the Filing User may preserve the time for filing by submitting the document using one of the following alternative methods of submission:

(a) E-mail

via e-mail with an attachment containing the PDF document with a digital signature or s/ [typed name] signature, sent to one of the following email addresses for alternate submission:

Charleston Division	filingdocs_ecf_chas@scd.uscourts.gov
Columbia Division	filingdocs_ecf_cola@scd.uscourts.gov
Florence Division	filingdocs_ecf_flor@scd.uscourts.gov
Greenville Division	filingdocs_ecf_gren@scd.uscourts.gov

(b) Facsimile

via facsimile transmission of the first and signature pages of the document, sent to the Clerk’s Office at one of the following fax numbers:

Charleston Division	(843) 579-1402
Columbia Division	(803) 765-5960
Florence Division	(843) 676-3831
Greenville Division	(864) 241-2711

(c) Physical Presentation

by physically delivering a copy of the document to the Clerk’s Office during normal hours of operation, if neither of the above methods is available.

Note: The alternative method of submission is not in itself a proper filing. The submission shall be effective only to preserve the time for filing. You must still perfect proper electronic filing in CM/ECF within one (1) business day after the technical failure is remedied.

The point of contact for a Filing User who is experiencing filing difficulty shall be the Court’s CM/ECF Help Desk at (803) 253-3605. The Court’s CM/ECF Help Desk is open during normal hours of operation.

Malfunction of the Filing User’s Equipment

Problems with a Filing User’s hardware, software, or Internet Service Provider do not constitute a technical failure under the ECF Policies and Procedures, nor excuse an untimely filing. Filing users who experience technical failures on their end are still expected to file both timely and electronically. If you experience a technical problem that prevents electronic filing from your regular workplace, you should try to file electronically from another computer that has internet access.

Alternatively, you may preserve your time for filing using the same methods as allowed for technical failures. You must first contact the Clerk's Office for permission to file the document by one of the alternative means listed above. You must still perfect proper filing in CM/ECF within one (1) business day after preserving your time.