

Proposed Amendment to Administrative Order No. 02-01

Administrative Order No. 02-01 is amended as follows:

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4. Electronic Filing of Documents.

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(d) (i) When a **summons, pleading, or other** document has been filed electronically, the official document of record is the electronic recording of the document as stored by the Court, and the filing party shall be bound by the document as filed, unless amended **or corrected** ~~by order~~ **in accordance with the Rules** of the Court. **A summons may be amended pursuant to Rule 3, provided there is no material prejudice to another party. A party wishing to correct-amend a filing must file a pleading before trial may do so as a matter of course pursuant to and within the timeframe set forth in CIT Rule 15(a)(1), with the consent of the opposing party pursuant to CIT Rule 15(a)(2), or by motion for errata after seeking consent from all parties, in accordance with the provisions of Rule 7(b) of the Rules of the Court. A motion for errata-During or after trial, the Court may permit the amendment of pleadings in accordance with Rule 15(b). Any other document may be amended or corrected by the filing of a motion for errata. Any time an amendment or correction (motion for errata) is made or proposed, the filing must have appended to it: (1) a list of each amendment or correction, including the page number for each amendment or correction, and must provide(2) a complete copy of the amended or corrected document, or indicate that the corrections are minor. The motion and (3) an amended or corrected version of the document showing the additions, deletions, and any other changes in a "redline and strikeout" format. Motions for errata, when required, must also include a proposed order either-permitting the substitution of the complete corrected copy-or-**

~~ordering the corrections deemed made without physical substitution because the corrections are minor. The corrected filing will become the official document of record and the filing date will remain the date of the filing of the original electronic filing. When a motion for errata is made upon consent of all parties in an unassigned case, the Clerk may dispose of the motion as if such motion were expressly listed in Rule 82(b) of the Rules of the Court. If accepted, the corrected filing will become the official document of record and the filing date will remain the date of the filing of the original electronic filing.~~

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Dated: April 1, 2002, amended Nov. 28, 2006, eff. Jan. 1, 2007; amended Aug. 2, 2010, eff. Sept. 1, 2010; amended Dec. 4, 2012, eff. Jan. 1, 2013; amended August 7, 2013, eff. October 1, 2013; March 21, 2017, eff. April 3, 2017; Mar. 20, 2018, eff. Apr. 23, 2018; Sept. 18, 2018, eff. Oct. 15, 2018; _____, **2021**, eff. _____, **2021**.

New York, New York

Advisory Committee Note

Administrative Order No. 02-01 would be amended to specify the information to accompany amendments or corrections (motion for errata) to summons, pleadings and other documents. In particular, any time an amendment or correction (motion for errata) is made or proposed, the filing must have appended to it: (1) a list of each amendment or correction including the page number for each amendment or correction, (2) a complete copy of the amended or corrected document, and (3) an amended or corrected version of the document showing the additions, deletions, and any other changes in a “redline and strikeout” format.