



## Ohio Administrative Code Rule 1513-3-05 Filing and service of papers.

Effective: November 1, 2018

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(A) Documents required or permitted to be filed with the commission may be filed personally, by mail addressed to the reclamation commission or by facsimile transmission followed by hard copy.

(B) The filing of a notice of appeal is controlled by section 1513.13 of the Revised Code. A notice of appeal shall be deemed filed with the commission when received by the commission, or if the notice of appeal is sent to the commission by certified mail, registered mail or priority express mail, the notice of appeal shall be deemed filed with the commission on the postmark date placed upon the sender's receipt by the postal service.

(C) The copy of the notice of appeal required by section 1513.13 of the Revised Code to be filed with the chief of the division of mineral resources management shall be deemed filed with the chief when received by the chief, or if the copy of the notice of appeal is sent to the chief by certified mail, registered mail or priority express mail, the copy of the notice of appeal shall be deemed filed with the chief on the postmark date placed upon the sender's receipt by the postal service.

(D) A document requesting temporary relief shall be deemed filed with the commission only when received by the commission.

(E) All filings other than a notice of appeal or request for temporary relief, that are not sent to the commission by certified mail, registered mail or priority express mail, shall be deemed filed with the commission on the day on which the filings are received by the commission. Filings made by certified mail, registered mail or priority express mail, shall be deemed filed on the postmark date placed upon the sender's receipt by the postal service.

(F) Parties shall file an original and one copy of any papers required or permitted to be filed with the commission.

(G) Copies of all documents filed with the commission by any party to an appeal shall be served



upon all other parties to the appeal. Service on a party represented by counsel shall be made on counsel.

(H) Service by mail is complete upon mailing.

(I) All documents required or permitted to be filed with the commission must contain:

(1) The name of the case;

(2) The case number;

(3) The title of the document; and

(4) Proof of service in the form of a statement of the date and manner of service and of the names of the persons served.

(J) If documents filed with the commission cite case law as authority in support of an argument, the filing must include a complete copy of the case law cited and must refer to the page number or paragraph on which the relevant language is found.

(K) Once an appeal is initiated, the commission may, through order, establish a filing and service protocol, which may, among other provisions, include the electronic transmission of documents.