

7—2506.12(17A) Electronic service and filing of pleadings and other papers.

2506.12(1) *Filing and service electronically.* Every pleading, motion, document, or other paper that is filed or served shall be executed electronically whenever possible. Filing or service by a non-electronic method can only be upon a showing to the presiding officer of undue hardship to use email.

2506.12(2) *When service mandated.* Except where otherwise provided by law, every pleading, motion, document, or other paper filed in a contested case proceeding and every paper relating to discovery in such a proceeding must be served upon each of the parties of record to the proceeding, including the person designated as advocate or prosecutor for the state or the agency. Service must be at the same time as filing. Except for the original notice of hearing and an application for rehearing, as described in Iowa Code section 17A.16(2), the party filing a document is responsible for service on all parties.

2506.12(3) *Service—how made.* Service upon a party represented by an attorney will be made upon the attorney unless otherwise ordered. Service shall be made electronically or, to the extent permitted in subrule 2506.12(1), by mailing a hard copy to the person's last-known address. Service by mail is complete upon mailing, except where otherwise specifically provided by statute, rule, or order.

2506.12(4) *Filing—when mandated.* After the notice of hearing, all pleadings, motions, documents or other papers in a contested case proceeding must be filed with the agency at the agency's address or agency's email. All pleadings, motions, documents or other papers that need to be served upon a party must be filed with the agency at the same time they are served.

2506.12(5) *Filing—when made.* Except where otherwise provided by law, a document is deemed filed at the time it is submitted to the department of inspections, appeals, and licensing electronic filing system, submitted to a separate agency electronic filing system, delivered to the agency's address or agency's email, delivered to an established courier service for immediate delivery to that office, or mailed by first-class mail or state interoffice mail to that office, so long as there is proof of mailing.

2506.12(6) *Copies by email.* Whenever possible, the parties shall provide opposing parties copies of all filings by email.

2506.12(7) *Proof of mailing.* In circumstances where non-electronic service is approved by the presiding officer, a proof of mailing is required, which includes either a legible United States Postal Service postmark on the envelope, a certificate of service, or a certification in substantially the following form:

I certify under penalty of perjury under the laws of Iowa that, on (date of mailing), I mailed copies of (describe document) addressed to the agency at the agency's address, and to the names and addresses of the parties listed below by depositing the same in (method of delivery).

(Date) (Signature)

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