

MASSACHUSETTS RULES OF CIVIL PROCEDURE

RULE 5. SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS

Reporter's Notes--2027

Rule 5(d)(2) was amended in 2027 to address verified pleadings, affidavits, or documents required to be signed under oath or under the penalties of perjury signed electronically pursuant to Rule 11(a), as also amended in 2027. Amended Rule 11(a) requires in such cases that a paper version of the document be obtained with a wet signature and that the hand-signed document be served on all parties. The hand-signed document is not to be filed with the court unless otherwise ordered by the court in a particular case or otherwise provided by a court rule. A court rule or standing order may require filing in general or filing of particular types of documents.

In the first sentence of Rule 5(d)(2), the language “by him” was amended to read “by the attorney.” No substantive change was intended.

Also, the heading of Rule 5(d) has been updated to reflect the nonfiling of documents.

Regarding the electronic signature requirements, see the 2027 Reporter's Notes to Rule 11.