

DATE: July 17, 2026

TO: Oregon Law Commission – Uniform Electronic Wills Act Work Group

FROM: Jared Rumsey

RE: How other UEWA-enacting states handle filing of e-wills and their “originals”

Below is a table with cited legal authorities outlining how the 10 other “states” (including Washington, D.C. and the U.S. Virgin Islands) handle two issues the work group has been discussing: (1) the mechanical filing of documents with the courts and (2) an “original” will.

With the exception of Washington, D.C., which strictly mandates paper filing of wills, the other states allow for electronic filing at least of a copy of the will. Some allow a properly executed e-will to be electronically filed as the only filing, while most seem to require a paper copy to accompany the electronic filing, often preferring the certified paper copy in accordance with the uniform act. All states handle the file type and mechanical procedure requirements through administrative rule of some sort, though Idaho does have some statutory guidance supplementing their procedures. Most control these procedures statewide, though some, like Washington and Missouri, give more deference to local courts.

The “original” issue was handled by some states with an explicit statutory statement that an appropriately executed e-will electronically filed or a certified paper copy satisfy any requirements for an “original” document (Idaho, Minnesota, Missouri). Others do not appear to have an exemption from the rules of evidence in probate proceedings like Oregon. Their rules of evidence provide a similar “original” substitution for electronically stored information (Colorado, Kentucky, North Dakota, Oklahoma, Virgin Islands) that may provide clearance. Washington state also has the applicability of a similar rule, but their qualified custodian requirements for e-wills present additional hurdles.

“State”	Authority	Summary
Colorado	Filing: Colorado Rules of Civil Procedure 121; Chief Justice Directive 11-01 ¹	Local rules determine whether e-filing in general is required. Documents can be various word processing formats or PDFs. Formal probate requires an “original will”. There are potential arguments using the “an e-will is a will” and certified paper copy

	“Original”: § 15-12-402, C.R.S.; Colorado Rules of Evidence 1001	language (which models the uniform act) with holographic wills or the lost will process, but there is no explicit solution to the “original” problem. Of note, the form for a petition for a formal will has checkboxes where you can declare the original will “is an electronic will executed in compliance with § 15-11-1305, C.R.S.”.²
D.C.	Filing: DC Superior Court Administrative Order 13-15³ “Original”: D.C. Code § 20-304	While e-filing is generally mandated, wills and codicils are expressly required to be filed in paper. Formal probate requires an “original will”. There is no explicit solution to the “original” problem. Thus, a party would need to file a certified paper copy via D.C. Code § 18-909, which mirrors the uniform act, and hope for acceptance under the “absurd result” doctrine or satisfaction through the “an e-will is a will” language modeled after the uniform act.
Idaho	Filing: Idaho Code § 15-2-1109; Idaho Rules for Electronic Filing and Service 4, 5, and 6⁴ “Original”: Idaho Code §§ 15-2-1109, 45-3-303	An e-will may be filed electronically or as a certified paper copy, but must be accompanied with a statement that it is a tamper-evident electronic record, all records affixed to or logically associate with the will or an explanation of omissions, and, if known, facts about the provenance of the will document and accompanying records. E-filed documents must be PDF or PDF/A and generally text-searchable. An original is required for probate. The certified paper copy statute explicitly adds in that “an electronic will transmitted to the registrar or court via electronic filing or other electronic means constitutes the original of the electronic will.” If using a certified paper copy as the original, it must be preliminarily filed electronically, with the original paper being filed within seven business days. Pro-se litigants are not required to electronically file.
Kentucky	Filing: Kentucky Supreme Court Orders 2025-02⁵ and 2023-39⁶ “Original”: Kentucky Rules of Evidence 1001	Nearly all documents (including wills) are required to be e-filed as a PDF or PDF/A, though pro-se litigants are not required to e-file. Kentucky has no explicit “original” will requirement, though there may be some local rules governing it. (KRS 394.310 does mention withdrawing an original will from the court for proceedings in other jurisdictions requiring the original, which may have some implications.) Instead, they have common law-based assumptions that might more easily be overcome by the “an e-will is a will”

		language that models the uniform act. The Kentucky Rules of Evidence may also provide clearance stating that an accurate printout of electronically stored information counts as an original.
Minnesota	Filing: General Rules of Practice for the District Courts Rule 14.01(b)(1) and 14.03(g) ⁷ ; E-Filing User Guide ⁸ “Original”: Minnesota Statutes 524.2.518	Attorneys are required to e-file PDFs that are preferably “text-based”. Minnesota’s certified paper copy provision of their e-wills act explicitly allows a certified paper copy to satisfy any “original” requirements.
Missouri	Filing: Missouri Supreme Court Rules 103.02, 103.04, and 103.05 ⁹ ; Court Operating Rule 27 ¹⁰ “Original”: RSMo 474.556	All filing is generally required to be electronic as a PDF. The Missouri Supreme court is carrying out a rolling implementation of these mandates to eventually cover all courts. Each local court has additional rules, but any “original” requirement is satisfied by an addition to Missouri’s certified paper copy statute.
North Dakota	Filing: Rules of Court 3.5 ¹¹ “Original”: North Dakota Century Code 30.1-14-01; North Dakota Rules of Evidence 1001 ¹²	Generally, attorneys must file all documents electronically. Accepted file types are .wpd, .tif, .pdf, and .txt. An “original” will is required for probate, but there does not appear to be an explicit paper requirement. North Dakota also does not exempt probate proceedings from the rules of evidence like Oregon. Therefore, the North Dakota Rules of Evidence may provide clearance stating that an accurate printout of electronically stored information counts as an original.
Oklahoma	Filing: Rules for Electronic Filing 12 ¹³ “Original”: 12 Oklahoma Statutes § 3001	E-filing is not required, but if you do e-file, it must be a “text-based” PDF when possible. There are some statutory references to an “original”, but do not appear to be any clear paper requirements. Oklahoma is similar to North Dakota in its application of the rules of evidence, which also allow an accurate printout to count as the original document.
Virgin Islands	Filing: Electronic Filing Rules 3 and 4 ¹⁴ ; E-Filing User Guide ¹⁵ “Original”: Rule 8 For Probate and Fiduciary Proceedings ¹⁶ ; Virgin Islands Rules of Evidence 1001	Electronic filing is generally required. There appears to be no rule or statute governing document type, but an e-filing user guide states that their system accepts “MS Word, WordPerfect, JPG, and TIFF files in addition to PDF, but no other file types”. They require an original in their probate proceedings, though not expressly paper. Similar to North Dakota, the Virgin Islands Rules of Evidence

		appear to be applicable to probate proceedings, and allow a printout of electronically stored information to count as an original.
Washington	Filing: General Rule 30 ¹⁷ “Original”: General Rule 30; Washington Evidence Rule 1001	Washington’s General Rule 30 broadly establishes e-filing rules. Local courts have Local General Rule 30 which tend to require e-filing for attorneys, but paper filing of certain documents like original wills. ¹⁸ Most courts use eFileWA, which is similar to Oregon’s system and therefore only allows PDFs. Though Judge Diana Kiesel from Washington’s Pierce County opined to the work group that an e-will would likely have to go through Washington’s lost will procedure, some local courts in their general rule 30 appear to allow e-wills to satisfy the “original” requirement. Additionally, though there are statutory references to an “original” (RCW 11.20.060 and 11.20.070), none explicitly say paper. Further, their statute on “writings” for wills (RCW 11.12.020) specifically exempts e-wills. Washington also applies their rules of evidence to probate proceedings which have a similar provision to other states for printouts counting as originals, but their qualified custodian requirements (RCW 11.12.460 and 11.12.470) may render that path moot.

¹ <https://www.coloradojudicial.gov/sites/default/files/2025-12/CJD%2011-01%20Effective%20January%201%202026%20WEB%20A11Y.pdf>

² <https://www.coloradojudicial.gov/sites/default/files/2024-04/JDF920.pdf>

³ https://www.dccourts.gov/sites/default/files/Order13-15_eFiling-in-Probate-Division-with-Attachments-AnB_091613.pdf

⁴ <https://isc.idaho.gov/rules-procedure/irefs>

⁵ <https://ehelp.kycourts.net/wp-content/uploads/2025/10/rules-for-efiling.pdf>

⁶ <https://www.kycourts.gov/Courts/Supreme-Court/Supreme%20Court%20Orders/202339.pdf>

⁷ https://www.revisor.mn.gov/court_rules/gp/id/14/

⁸ https://mncourts.gov/_media/migration/scao_library/efs/Minnesota-District-Court-Registered-User-Guide-for-Electronic-Filing.pdf

⁹ <https://www.courts.mo.gov/page.jsp?id=200009>

¹⁰ <https://www.courts.mo.gov/page.jsp?id=200636&up=50470>

¹¹ <https://www.ndcourts.gov/legal-resources/rules/ndrcr/3-5>

¹² <https://www.ndcourts.gov/legal-resources/rules/ndrev/1001>

¹³

[https://govt.westlaw.com/okjc/Document/N3438F7F0B13011EF8A5DF6F83C9E41C1?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/okjc/Document/N3438F7F0B13011EF8A5DF6F83C9E41C1?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

¹⁴ <https://www.vicourts.org/common/pages/GetFile.ashx?key=ivYCAxcI>

¹⁵ [https://cdnsm5-](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_12810860/File/Professional%20Regulation/Bar%20Admission/Regular%20Admissions/Application%20Instructions%20November%202014.pdf)

[hosted.civiclive.com/UserFiles/Servers/Server_12810860/File/Professional%20Regulation/Bar%20Admission/Regular%20Admissions/Application%20Instructions%20November%202014.pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_12810860/File/Professional%20Regulation/Bar%20Admission/Regular%20Admissions/Application%20Instructions%20November%202014.pdf)

¹⁶ https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_12810860/File/Promulgation%20Orders/2019-005%20-%20Order-Probate%20and%20Fiduciary%20Proceedings.pdf

¹⁷ https://www.courts.wa.gov/court_rules/pdf/GR/GA_GR_30_00_00.pdf

¹⁸ <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/superior-court-local-rules/local-general-rules/lgr-30>