

material, offered for filing does not comply with requirements of this part, the Clerk will accept it, and may advise the person offering it of the defect, and require that person to correct the defect. If the defect is failure to serve copies on other parties, the parties' response period begins when properly served.

§ 20.303 Form and content of filed documents.

(a) Each filed document must clearly—

- (1) State the title of the case;
- (2) State the docket number of the case, if one has been assigned;
- (3) Designate the type of filing (for instance: petition, notice, or motion to dismiss);
- (4) Identify the filing party by name and capacity acted in; and
- (5) State the address, telephone number, and any fax number of the filing party and, if that party is represented, the name, address, telephone number, and any fax number of the representative.

(b) Each filed document must—

- (1) Measure 8½ by 11 inches, except that a table, chart, or other attachment may be larger if folded to the size of the filed document to which it is physically attached;
- (2) Be printed on just one side of the page and be clearly typewritten, printed, or otherwise reproduced by a process that yields legible and permanent copies;
- (3) Be double-spaced except for footnotes and long quotations, which may be single-spaced;
- (4) Have a left margin of at least 1½ inches and other margins of at least 1 inch; and
- (5) Be bound on the left side, if bound.

(c) Each filed document must be in English or, if in another language, accompanied by a certified translation. The original of each filed document must be signed by the filing party or her or his representative. Unless the rules in this part or the ALJ requires it to be verified or accompanied by an affidavit, no filed document need be. The signature constitutes a certification by the signer that she or he has read the document; that, to the best of her or

his knowledge, information, and belief, the statements made in it are true; and that she or he does not intend it to cause delay.

(d) Complaints, answers, and simple motions may employ forms approved for use in proceedings of the Coast Guard instead of the format set out in this section.

§ 20.304 Service of documents.

(a) The ALJ shall serve upon each party to the proceeding a copy of each document issued by the ALJ in it. The ALJ shall serve upon each interested person, as determined under §20.404, a copy of the notice of hearing. Unless this part provides otherwise, the ALJ shall upon request furnish to each such interested person a copy of each document filed with the Hearing Docket Clerk or issued by the ALJ.

(b) Unless the ALJ orders otherwise, each person filing a document with the Hearing Docket Clerk shall serve upon each party a copy of it.

(c) If a party filing a document must serve a copy of it upon each party, each copy must bear a certificate of service, signed by or on behalf of the filing party, stating that she or he has so served it. The certificate shall be in substantially the following form:

I hereby certify that I have served the foregoing document[s] upon the following parties (or their designated representatives) to this proceeding at the addresses indicated by [specify the method]:

- (1) [name, address of party]
- (2) [name, address of party]

Done at _____, this _____ day of _____, 19__ or 20__.

[Signature]

For

[Capacity].

(d) This table describes how to serve filed documents.

TABLE 20.304(d)—HOW TO SERVE FILED DOCUMENTS

Type of filed document	Acceptable methods of service
(1) Complaint	(i) Certified mail, return receipt requested. (ii) Personal delivery. (iii) Express-courier service that has receipt capability.

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TABLE 20.304(d)—HOW TO SERVE FILED DOCUMENTS—Continued

Type of filed document	Acceptable methods of service
(2) Default Motion ..	(i) Certified mail, return receipt requested. (ii) Personal delivery. (iii) Express-courier service that has receipt capability.
(3) Answer	(i) Mail. (ii) Personal delivery. (iii) Express-courier service. (iv) Fax.
(4) Any other filed document.	(i) Mail. (ii) Personal delivery. (iii) Express-courier service. (iv) Fax. (v) Other electronic means (at the discretion of the ALJ).

(e)(1) Unless the ALJ orders otherwise, if a party files a document under § 20.302, the party must serve a copy to the person indicated in this table.

TABLE 20.304(e)—WHO RECEIVES COPIES OF FILED DOCUMENTS

If a party—	Then the serving party must serve—
Is represented	The counsel or other representative.
Is not represented ..	The party.

(2) Service upon counsel or representative constitutes service upon the person to be served.

(f) The serving party must send service copies to the address indicated in this table.

TABLE 20.304(f)—WHERE TO SEND SERVICE COPIES

If the party—	Then the serving party must send the copies to—
Is represented	The address of the counsel or representative.
Is not represented ..	The last known address of the residence or principal place of business of the person to be served.

(g) This table describes when service of a filed document is complete.

TABLE 20.304(g)—WHEN SERVICE IS COMPLETE

If method of service used is—	Then service is complete when the document is—
(1) Personal delivery (Complaint or Default Motion).	(i) Handed to the person to be served. (ii) Delivered to the person's office during business hours. (iii) Delivered to the person's residence and service made to a person of suitable age and discretion residing at the individual's residence.

TABLE 20.304(g)—WHEN SERVICE IS COMPLETE—Continued

If method of service used is—	Then service is complete when the document is—
(2) Personal delivery (all other filed documents).	(i) Handed to the person to be served. (ii) Delivered to the person's office during business hours. (iii) Delivered to the person's residence and deposited in a conspicuous place.
(3) Certified Mail or express-courier (Complaint or Default Motion).	(i) Delivered to the person's residence and signed for by a person of suitable age and discretion residing at the individual's residence. (ii) Delivered to the person's office during business hours and signed for by a person of suitable age and discretion.
(4) Mail or express-courier service (all other filed documents).	(i) Mailed (postmarked). (ii) Deposited with express-courier service.
(5) Fax or other electronic means.	Transmitted.

(h) If a person refuses to accept delivery of any document or fails to claim a properly addressed document other than a complaint sent under this subpart, the Coast Guard considers the document served anyway. Service is valid at the date and the time of mailing, of deposit with a contract service or express-courier service, or of refusal to accept delivery.

[CGD 98-3472, 64 FR 28062, May 24, 1999; 64 FR 34540, June 28, 1999, as amended by USCG-2000-7223, 65 FR 40054, June 29, 2000]

§ 20.305 Amendment or supplementation of filed documents.

(a) Each party or interested person shall amend or supplement a previously filed pleading or other document if she or he learns of a material change that may affect the outcome of the administrative proceeding. However, no amendment or supplement may broaden the issues without an opportunity for any other party or interested person both to reply to it and to prepare for the broadened issues.

(b) The ALJ may allow other amendments or supplements to previously filed pleadings or other documents.

(c) Each party or interested person shall notify the Hearing Docket Clerk, the ALJ, and every other party or interested person, or her or his representative, of any change of address.