

PART 2. E-FILING

Rule 2.1 Authority. The Circuit has been approved to accept the electronic filing of documents in civil proceedings. Specific authority has been granted for electronic filing by Illinois Supreme Court Order M.R. 18368 amended January 22, 2016, mandating electronic filing in civil case types effective January 1, 2018, through the utilization of a centralized electronic filing manager (EFM) authorized by the Illinois Supreme Court.

Rule 2.2 Requirement of Electronic Filing

(a) **Requirement.** Except as otherwise set forth in these Rules and the Supreme Court Rules, the Court requires electronic filing in all civil cases. With approval of the Director of the Administrative Office of the Illinois Courts, the Court by written administrative order may authorize or require electronic filing of additional types of cases. The Clerk shall direct any phasing in of case types.

(b) **Testamentary Documents.** Wills and other testamentary documents shall not be accepted for electronic filing. Any unapproved case or document type filed electronically by a Filer may be rejected by the Clerk.

Rule 2.3 Definitions. The following terms in these Rules are defined as follows:

(a) “Conventional Filing” means and refers to the filing of paper documents or information with the Clerk.

(b) “E-document” means and refers to a document electronically filed under these Rules.

(c) “Electronic Filing” and “E-filing” mean and refer to the electronic transmission of information or documents between the Clerk and an electronic filing service provider for the purposes of case processing.

(d) “Electronic Filing Manager” and “EFM” mean and refer to the service approved by the Illinois Supreme Court and used by circuit courts to manage the flow of documents and data among Filers, clerks, and the judiciary.

(e) “Electronic Service” and “E-service” mean and refer to an electronic transmission of documents to an SRL, attorney, or representative in a case. However, E-service shall not confer jurisdiction when personal service is required by law.

(f) “Filer” means and refers to an individual who has registered a username and password with the EFM.

(g) “Portable Document Format” and “PDF” mean and refer to a file format that preserves all fonts, formatting, colors, and graphics of any source document regardless of the application platform used.

(h) “Vendor” means and refers to an internet-based service provider that provides an online platform for scanning and filing court documents.

Rule 2.4 Registration; Authorized Users

(a) **Registration Requirement.** Before E-filing any document, a user must register with the Clerk and the Court’s authorized E-filing Vendor.

(b) **Required Attorney Information.** Attorneys must register with the Clerk and shall at a minimum provide the following information: firm name; attorney names and ARDC registration numbers; address; phone number; e-mail address for E-service; staff contact information; and an approved method for paying filing fees.

(c) **ARDC Registration Numbers.** ARDC registration numbers will be used to identify an attorney and to verify that an attorney is licensed and in good standing with the Illinois Supreme Court. The Clerk is authorized to verify whether an attorney who registers as a Filer is authorized to practice in Illinois.

(d) **SRLs.** SRLs may utilize E-filing through a Vendor in the manner prescribed by the Clerk.

(e) **Registration with Vendor.** All Filers shall be registered through their Vendor. All registrations will be used to identify the source of any document submitted electronically to the Clerk.

(f) **Workstation.** The Clerk shall provide attorneys and SRLs in e-filed cases access to an e-file computer workstation. The E-filing workstation shall be available during normal business hours and without charge.

Rule 2.5 Method of Filing

(a) **Acceptance and Approval.** The Clerk shall accept and approve filings electronically, through a Vendor or through the Clerk’s computer workstation.

(b) **Conventional Filing.** At no time shall the E-filing program prevent or exclude the ability to file any pleading or document that is required to be filed by Conventional Filing.

(c) **Scanning by Clerk.** If the Court excuses a party from the obligation to electronically file documents, the Clerk shall scan documents filed by Conventional Filing by that party into the electronic file.

(d) **Access to Court Documents.** The method of filing shall not affect the right of access to court documents. The Clerk shall maintain public access viewing to allow electronic records and electronic documents to be displayed to the public. Electronic access

and dissemination of court records shall be in accordance with applicable policies of the Illinois courts.

Rule 2.6 Privacy. It is the responsibility of the Filer to ensure documents or exhibits filed electronically do not disclose information previously or statutorily impounded or sealed under these Rules or private information as defined in Supreme Court Rules 15 and 138. The Clerk is not responsible for the content of e-filed documents and has no obligation to review, redact, or screen any expunged, sealed, or impounded information.

Rule 2.7 Format of Documents; E-Filing of Multiple Documents; Rejection

(a) **Required Information.** All E-documents shall, to the extent practicable, be formatted in accordance with the applicable Supreme Court Rules and these Rules governing the formatting of paper pleadings. Additionally, each E-document shall include the case title, case number, and nature of the filing.

(b) **Identifying Information.** Each E-document shall include the typed name, e-mail address, mailing address, and telephone number of the Filer. Attorneys shall include their ARDC registration number on all E-documents.

(c) **Formatting.** Documents shall be formatted as follows:

(1) The size of the type in the body of the text must be no less than 12-point font.

(2) The size of the pages must be 8 ½ by 11 inches.

(3) The margins on each side of the page must be a minimum of 1 inch.

(4) The top right 2-inch by 2-inch corner of the first page of each pleading must be left blank for the Clerk's stamp.

(d) **PDF Format.** All electronically filed documents must be in PDF format.

(e) **Maximum File Size.** The maximum file size allowable is as determined by a Vendor's program. If a document exceeds the maximum size allowed, the Filer must divide the document into appropriately sized parts and file multiple documents, each under the maximum file size.

(f) **Protection Against Alteration.** Filers shall take all reasonable steps to ensure E-documents are unalterable by the Vendor and can be printed with the same content and format as if printed from the authoring program. The Vendor is required to make each E-document that is not infected by a virus available for transmission to the Clerk immediately after successful receipt and virus checking of the document.

(g) **Bulk Filings.** Bulk filings of multiple cases or multiple documents combined into one PDF document shall not be accepted by the Clerk; however, multiple citations being electronically filed may be transmitted to the Clerk as a single transaction directly from a law enforcement agency. Documents with different case numbers must be filed individually in separate transactions. Filing of individual documents within a case shall be accepted in a single Electronic Filing transaction; however, each individual document must be uploaded and titled individually.

(h) **Rejection.** The Clerk may reject a document submitted for E-filing if the document does not comply with the format specified by applicable statute, these Rules, applicable Supreme Court Rules, or the Statewide Standards.

(i) **Links.** E-documents containing links to material either within the filed document or external to the filed document are for convenience purposes only. The external material behind the link is not considered part of the filing or the basic record.

Rule 2.8 Signatures

(a) **Signatures by Attorneys.** E-documents requiring the signature of an attorney may be signed by the attorney or bear a facsimile or typographical signature of the attorney authorizing the filing. If an E-document bears a facsimile or typographical signature, the E-document shall be deemed to have been signed by the attorney identified.

(b) **Signatures by Non-Attorneys.** Certificates, proofs, or affidavits of service in E-documents signed by a non-attorney under the supervision of an attorney may be signed by the non-attorney or bear a facsimile or typographical signature of the non-attorney serving the E-document. If an E-document bears a facsimile or typographical signature of a non-attorney serving the E-document, the certificate, proof, or affidavit of service shall be deemed to have been signed by the non-attorney identified.

(c) **Absence of Signature.** In the absence of a facsimile or typographical signature, any E-document filed with user identification and password shall be deemed to have been personally signed by the holder of the user identification and password.

(d) **Other Signatures.** Except as set forth in Rules 2.8(a) and 2.8(b), E-documents requiring a signature or signatures shall be signed by each person whose signature is required.

(e) **Signatures by Judges.** Orders submitted by E-filing may be signed by the judge through a facsimile signature placed on the order by the judge.

Rule 2.9 Maintenance of Original Documents. Anyone E-filing a document that requires an original signature certifies that, by so filing, the original signed document exists in the Filer's possession. Unless otherwise ordered by the Court, the Filer shall maintain and preserve all documents containing original signatures that are filed electronically until one year after the date that any judgment or dismissal order has become final and

unappealable. The Filer shall make signed originals available for inspection by the Court, the Clerk, or other attorneys in the case on seven days' notice. At any time, the Clerk may request from the Filer a hard copy of an electronically filed document, which shall be provided within seven days of reasonable notice.

Rule 2.10 Time of Filing; Acceptance by the Clerk and Electronic Filing Stamp

(a) **Transmission Date.** Except as set forth in Rule 2.13, the transmission date and time of transfer shall determine the date and time of the E-filing. Pleadings received by the Clerk before midnight on a day the Clerk's office is open shall be deemed filed that day. If filed on a day the Clerk's office is not open, the document will be deemed filed the next business day.

(b) **Notification of Acceptance or Rejection.** The EFM shall provide notification of a receipt, acceptance, or rejection of E-documents.

(c) **File Stamp.** On acceptance by the Clerk, the EFM shall apply the file stamp to the E-document. Filings so endorsed shall have the same force and effect as documents file stamped in the conventional manner.

Rule 2.11 Electronic Service and Filing Proof of Service

(a) **Jurisdiction.** Electronic Service does not confer jurisdiction. Therefore, documents that require personal service to confer jurisdiction may not be served electronically and must be served in the conventional manner.

(b) **E-Service.** E-service shall be made in accordance with Supreme Court Rules 11 and 12 and shall be deemed complete at the posted date and time of transmission listed by the Vendor. The E-service of a pleading or other document shall be considered valid and effective service on all parties that are registered to receive E-service and shall have the same legal effect as personal service of an original paper document.

(c) **Change of Address.** All Filers must immediately notify other parties, the Clerk, and the EFM of any change of name, mailing address, phone or fax number, or e-mail address.

(d) **Courtesy Copies.** If requested by the Court, parties shall provide courtesy copies of documents to the Court.

(e) **Service on Parties not Registered.** Service of documents on parties not registered as an E-filing or E-service participant shall be made as otherwise provided by order, rule, or statute.

Rule 2.12 Collection of Fees

(a) **Payment.** The payment of statutory filing fees to the Clerk in order to achieve valid filing status, unless otherwise waived, shall be as authorized through the EFM.

(b) **Waiver.** When the E-filing includes a request for waiver of fees pursuant to S. Ct. R. 298, payment of the fees shall be stayed until the Court rules on the request.

Rule 2.13 System or User Errors

(a) **No Liability.** Neither the Court nor the Clerk shall be liable for malfunction or errors occurring in electronic transmission or receipt of E-documents.

(b) **Effect on Filing Dates.** If a document intended to be electronically filed is not deemed filed by the Clerk on the date the document was transmitted to the Clerk for filing because of (1) an error in the transmission of the document to the Vendor that was unknown to the sending party, (2) a failure to process the electronic filing when received by the Vendor, (3) rejection by the Clerk under Rule 2.7(h), (4) other technical problems experienced by the Filer, or (5) the party was erroneously excluded from the service list, the Court may on satisfactory proof enter an order permitting the document to be subsequently filed effective as of the date filing was first attempted.

(c) **Filing Errors.** In the case of a filing error, absent extraordinary circumstances, anyone prejudiced by the requirement in these Rules to accept a subsequent filing effective as of the date filing was first attempted shall be entitled to an order extending the date for any response or period within which any right, duty, or other act must be performed.