

IN THE
SUPREME COURT OF ILLINOIS

In re: Electronic Filing Pilot Project
In the Supreme Court of Illinois

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M.R. 18368

ORDER

Effective March 1, 2013, the pilot project authorized by order filed on January 12, 2012 involving the electronic filing of documents in the Supreme Court of Illinois is expanded to include the electronic filing of documents in: (1) all cases on the Court's general docket and (2) attorney disciplinary matters on the Court's miscellaneous record docket. Electronic filing under the expanded electronic filing pilot is optional and the Court will continue to accept documents filed in paper format. The expanded electronic filing pilot shall operate pursuant to the "Supreme Court of Illinois Electronic Filing User Manual", as amended and attached to this order. In the event this order creates a conflict with any statute or Supreme Court Rule, this order shall control.

The "Supreme Court of Illinois Electronic Filing User Manual" is amended effective March 1, 2013.

Order entered by the Court.

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SUPREME COURT
CLERK

SUPREME COURT OF ILLINOIS
ELECTRONIC FILING USER MANUAL

1. **Electronic Filing Allowed.** Attorneys admitted to and in good standing with the Supreme Court of Illinois ("the Court") and other registered users, including *pro se* litigants and attorneys licensed in other jurisdictions appearing in a specific case *pro hac vice*, may file documents with the Court electronically over the Internet as provided in this *Supreme Court of Illinois Electronic Filing User Manual* ("manual").
2. **Definitions.** The following terms shall be defined as follows:
 - a. **"Electronic Filing Provider"** means the Court approved vendor providing e-filing of documents via the Internet. The service may be accessed on the Court's website at www.state.il.us/court or by using a Public Access Terminal located at the Supreme Court Clerk's office in Springfield.
 - b. **"Public Access Terminal"** means a publicly accessible computer provided by the Court for the purposes of allowing e-filing. The public access terminal is located in the Supreme Court Clerk's office in Springfield and is available during normal business hours.
 - c. **"Electronic Filing"** (e-filing) means uploading a document directly from the registered user's computer or the Public Access Terminal using the e-filing provider to file that document with the Court.
 - d. **"Transaction Confirmation"** means a confirmation that is transmitted to a registered user after a registered user has submitted a transaction through the e-filing provider to the Court. The transaction confirmation displays a transaction number and the date and time the transaction was submitted by the registered user through the e-filing provider. The transaction confirmation may serve as the submitting party's proof of submittal.
 - e. **"Transaction Number"** means a unique number assigned by the e-filing provider to each e-filing transaction and is used to track e-filing transactions.
 - f. **"PDF"** means Portable Document Format, a proprietary file format developed by Adobe Systems, Inc.
 - g. **"Registered User"** means an individual who has registered a username and password with the e-filing provider and has been approved by the Supreme Court Clerk ("Clerk") for electronic filing of documents.
 - h. **"Technical Failure"** means a malfunction of the e-filing provider's or the Court's hardware, software, and or telecommunications facility which results in the inability of a registered user to submit a document electronically. It does not include the failure of a user's equipment.

3. Scope.

- a. The following types of pleadings and other documents, including supporting documents (exhibits, appendix etc.), on the Court's General Docket and Miscellaneous Record Docket (MR Docket) may be filed electronically:
 - i. Administrator's statement of costs (MR Docket)
 - ii. Answer
 - iii. Appearance
 - iv. Brief
 - v. Hearing Board report
 - vi. Motion
 - vii. Notice of filing
 - viii. Petition
 - ix. Petition for leave to file exceptions (MR Docket)
 - x. Petition for leave to appeal (General Docket)
 - xi. Petition for rehearing
 - xii. Proof of service
 - xiii. Reply
 - xiv. Response
 - xv. Review Board report
 - xvi. Other
- b. Confidential, impounded and sealed documents shall be submitted conventionally to the clerk's office for filing; however, motions for leave to file a document under seal may be e-filed and designated as such at the time of e-filing.

4. Registration, Change of Contact Information, Usernames and Passwords.

- a. Registration shall be available on the e-filing provider's website. The registrant shall provide the e-filing provider the requested registration information, including a secure username and password to use when e-filing a document. This username and password shall also function as a signature on each e-filed document, as provided in paragraph 6, and will authorize payment of all filing fees and service fees, if any, as provided in paragraph 10.
- b. If an attorney is suspended or disbarred by the Court, his or her e-filing account access will be suspended. If reinstated, the attorney must re-register.
- c. The Court reserves the right to revoke a registered user's privileges with or without cause.
- d. Once registered, it is the responsibility of the registered user to keep his or her e-mail address and other contact information current with the e-filing provider.

5. Format of e-filed document.

- a. Except as otherwise provided, an e-filed document shall comply with current Supreme Court Rules governing paper filings, including but not limited to page limitations, paper size, font type, margin width and font size.
- b. An e-filed document must be in text-searchable PDF format compatible with the latest version of Adobe Reader. Except as otherwise provided by this manual, an e-filed document created by a word processing program must not be a scan of the original but must instead be converted directly into a PDF file using Adobe Acrobat, a word processing program's PDF conversion utility, or another software program. Whenever possible, scanning should be avoided.
- c. The maximum number of documents that may be e-filed in a single transaction is ten (10). The size of any single document shall not exceed 175 megabytes.
- d. Each document shall be uploaded separately in the same transaction and shall apply to the same case (e.g. motions and notices in the same case must be uploaded separately in the same transaction). Documents in more than one case submitted in a single transaction will be rejected. If a document requires a motion and a Court order allowing its filing, the motion and the document shall be uploaded in two separate transactions.
- e. Appendix materials may be scanned if necessary, but scanning should be avoided when possible. An appendix may be combined into one computer file with the document it is associated with for purposes of e-filing, unless the resulting computer file would exceed 175 megabytes. In such case, the registered user is responsible for dividing the document into appropriately sized parts.
- f. If scanning is unavoidable, the scanned document must be made searchable using optical-character-recognition software, such as Adobe Acrobat Professional, and have a resolution of 300 dots per inch (dpi) with a "black and white" setting.
- g. An e-filed document item may contain hyperlinks to another part of the same document, an external source cited in the document, an appendix item associated with the document, an embedded case, or a record cite. A hyperlink within an appendix item is also permitted. Any external material behind the link is not considered part of the e-filing.
- h. An e-filed document must not contain a virus or malware. The e-filing of a document constitutes a certification by the registered user that the document has been checked for viruses and malware.
- i. A document requiring a specific color cover page pursuant to Supreme Court Rule 341 filed electronically shall be submitted electronically with a white cover. Upon acceptance and filing, the paper copies submitted to the

Clerk's office pursuant to paragraph 8 of this manual shall contain the appropriate color cover page and be the printed version of the e-filed document bearing the Clerk's electronic stamp.

- j. The Court may reject an e-filed document for nonconformance with this manual or Supreme Court Rules.

6. Signatures on e-filed documents.

- a. Except as otherwise provided, the confidential, secure username and password that the registered user must use to e-file a document constitute the registered user's signature on the document, in compliance with requirements of Supreme Court Rules and statutes regarding original signatures on Court documents. When a signature is provided in this manner, the registered user must also include either an "/s/" and the registered user's name typed in the space where the registered user's signature would otherwise appear or an electronic image of the registered user's signature, which may take the form of a public key-based digital signature or a scanned image of the registered user's signature. The registered user shall not allow his or her username or password to be used by anyone other than an agent who is authorized by the registered user.
- b. If a document is notarized, sworn to, or made under oath, the registered user must e-file the document as a scanned image containing the necessary signature(s).
- c. If a document requires the signature of an opposing party, the registered user must e-file the document as a scanned image containing the opposing party's signature.

7. Timing of e-filing; mechanics.

- a. The e-filing provider is an agent of the Court for the purpose of e-filing and receipt of electronic documents. Upon submittal of the e-filed document, the e-filing provider will email the registered user a transaction confirmation that includes the transaction number, a list of documents submitted and the date and time of submittal. The transaction confirmation shall serve as proof of submittal.
- b. A document will be considered timely submitted if e-filed at any time before midnight on or before the date on which the document is due.
- c. A document submitted electronically to the Clerk's office after midnight or on a day when the Clerk's office is not open for business will, unless rejected, be file stamped as filed on the next day the Clerk's office is open for business.
- d. An e-filed document submitted to the Clerk for filing shall be deemed filed upon review and acceptance by the Clerk.

- e. After the Clerk reviews an e-filed document, the registered user will receive an e-mail notification of the review results. If the e-filed document is accepted, the registered user may then log onto the e-filing provider's site, locate the filing by transaction number and pay any applicable filing fees. Once payment has been made, the registered user may download the accepted document bearing the Clerk's file stamp. A payment transaction receipt, if applicable, will be emailed by the e-filing provider and serves as the official receipt for payment. If payment of a filing fee is not required, the registered user may log onto the e-filing provider's site, locate the filing by transaction number and download the accepted document bearing the Clerk's file stamp.
- f. In the event the Clerk rejects a submitted document following review, the document will not be filed and the registered user will receive an e-mail notification of the rejection along with a message explaining the reason the document was rejected. Registered users may be required to re-submit documents to comply with applicable Supreme Court Rules.
- g. The Clerk may choose to review e-filed documents at a later date; however, accepted filings will relate back to the date the document was timely submitted, in accordance with this paragraph 7.
- h. A document requiring a motion and a Court order allowing its filing that is properly e-filed pursuant to subparagraph d of paragraph 5 of this manual, will be deemed filed on the date the motion is granted.
- i. If an e-filed document is untimely due to a technical failure or a system outage, the registered user may seek appropriate relief from the Court.

8. Paper Copies.

- a. Except as provided in subparagraph (b) in addition to the electronically filed document, registered users shall submit the original and the number of paper copies required by Supreme Court Rules in paper filings. The original and paper copies shall be received by the Clerk's office, if payment is not applicable, within five (5) days following the electronic review notification indicating acceptance of the e-filed document or, if payment is applicable, within five (5) days following receipt of the electronic payment transaction receipt.
- b. When providing paper copies of briefs, petitions or answers pursuant to Supreme Court Rule 341; registered users shall submit the required original and paper copies; however, the number of paper copies required by Supreme Court Rule 341 shall be relaxed to include the original and twelve (12) copies and shall be received by the Clerk's office, if payment is not applicable, within five (5) days of the electronic review notification indicating acceptance of the referenced e-filed documents or, if a payment is

applicable, within five (5) days following receipt of the electronic payment transaction receipt.

- c. The original and paper copies must comply with applicable Supreme Court Rules, including the color cover requirement in Supreme Court Rule 341, if applicable, and shall be the printed version of the e-filed document bearing the Clerk's electronic file stamp.

9. Proof of Service.

- a. A document filed electronically shall be served on all parties and/or counsel of record in accordance with Supreme Court Rules. The proof of service shall advise all parties and/or counsel of record the document was served and filed by electronic means on the Clerk's office.
- b. If a document requires a Court order allowing its filing, no additional proof of service is required as long as the original proof of service filed along with the motion for leave to file the document includes a reference to the unfiled document and is served on all parties and/or counsel of record.

10. Payment of Filing Fees.

- a. Registered users e-filing documents shall pay the applicable filing and appearance fees electronically to the Court through the e-filing provider upon receipt of the electronic review notification indicating acceptance of the e-filed document. Methods of payment include MasterCard, Visa, Discover, American Express and E-Check.
- b. Filing and appearance fees are due and payable upon acceptance of the e-filed document by the Clerk. The accepted and e-filed document bearing the Clerk's electronic file stamp may not be downloaded by the registered user until payment is received.

Approved: January 12, 2012; amended February 13, 2013, effective March 1, 2013.