

ELECTRONIC FILING STANDARDS AND PRACTICES
CHAMPAIGN COUNTY (Effective 1.1.18)

GENERAL

A. AUTHORITY

These standards are implemented pursuant to M. R. 18368 issued by the Supreme Court of Illinois.

B. DEFINITIONS

The following terms in these Standards are defined as follows:

ARDC # -the registration number issued by the Illinois Attorney Registration and Disciplinary Commission to attorneys practicing in Illinois.

Case Management System – Champaign County Circuit Court uses JANO – Integrated Criminal Justice Systems as their case management system.

Clerk -the Circuit Clerk of the Circuit Court of the Sixth Judicial Circuit, Champaign County, Illinois.

Conventional Filing -the filing of paper documents with the Clerk as is done under applicable Supreme Court rules pre-dating the implementation of the Statewide Standards in Champaign County.

Electronic Filing ("e-filing") -an electronic transmission of information and documents between the clerk of the circuit court and a Vendor for the purposes of case processing.

Electronic Filing Manager (EFM) – The State of Illinois selected Odyssey eFile IL as the state's Electronic Filing Manager. Once e-filing is mandatory, all documents that are e-filed into a case must be filed through the EFM. Neither the Court nor the Clerk may accept, file, or docket any document filed by an attorney or self-represented litigant in a mandatory case type that is not filed through the state's EFM.

Electronic Filing Service Provider (EFSP) – Electronic Filing Service Providers are approved electronic filing systems used to initiate the e-filing process. EFSPs deliver the electronically filed documents to the EFM for the Circuit Clerk to review for acceptance. Only EFSPs that have been approved by the state's EFM may be used for filing.

Electronic Service ("e-service") -service completed by an electronic transmission to the designated parties which includes access to electronically filed documents.

Facsimile Signature -a reproduction of a manual signature, saved electronically.

Filer -an attorney authorized to practice law in the State of Illinois or a sworn officer of a law enforcement agency who has an e-filing account with Vendor.

PDF - portable document format is a file format that preserves all fonts, formatting colors and graphics of any source document regardless of the application platform used.

Original – is the first authentic instrument of a document, recording, or photograph; however, if the transmission is by approved electronic means, the transmission received by the Clerk shall serve as the original.

Statewide Standard -the "Electronic Filing Standards and Principles" approved by the Illinois Supreme Court by M.R. 18368 on October 24, 2012 and Amended on May 30, 2017.

Typographical Signature –a signature comprised of text (e.g., */s/ Perry R. Mason*).

Vendor –a company or organization under contract with the Administrative Office of the Illinois Courts (AOIC) and/or a company or organization that has been approved for integration with a vendor under contact with AOIC.

STANDARDS

1. IDENTIFICATION OF CASE TYPES

Starting January 1, 2018, the following case types are mandatory for electronic filing:

- AD - Adoption
- CH - Chancery
- D - Divorce
- ED - Eminent Domain
- F - Family
- L - Law (L)
- LM - Law Magistrate (LM)
- MR - Miscellaneous Remedy
[Limited to the following MR categories: Administrative Review, Attachment, Burnt Records, Change of Name, Corporation Dissolution, Declaratory Judgment, Demolition, Abatement of Nuisance, Prohibition, Election Contest, Escheat, Extradition, Habeas Corpus, Lost Goods or Money, Mandamus, No Exeat, Quo Warranto, Subpoena, Confirmation of Election Judges, Appoint Special Prosecutor, Expungement, Appointment of Receiver, Fictitious Vital Record, Peace Bond Complaint, Pet/Discovery or Depose]
- OP - Order of Protection
- P - Probate
- SC - Small Claims
- TX - Tax

2. ACCEPTANCE AND REJECTION OF DOCUMENTS

Any electronic document or record submitted to the Clerk of the court for filing shall be deemed filed if not rejected by the Clerk. The transmission date and time of transfer shall govern the electronic file mark. Pleadings received by the Clerk before midnight on a day the courthouse is open shall be deemed filed that day. If filed on a day the courthouse is not open for business,

the document will be deemed filed the next business day. While the case is pending, the Clerk shall retain an audit trail of submission, acceptance, and filing of electronic documents by recording the dates and times transmitted, received, and accepted or rejected. The electronically filed transmission shall be endorsed with the electronic file mark setting forth, at a minimum, the identification of the court, the Clerk, the date, and the time of filing.

Pleadings not accompanied by the appropriate filing fee will be rejected by the Clerk.

3. REGISTRATION REQUIREMENTS

All filers will determine which Electronic Filing Service Provider they wish to use to file with the Electronic Filing Manager.

4. EXEMPTIONS FROM E-FILING REQUIREMENT

1. By completing the Certification for Exemption from E-Filing, a Filer is stipulating that:
 - a. They are representing themselves and do not have access to the internet or a computer at home. Also, that access through a terminal at the Courthouse, public library or other location poses a financial or other hardship;
 - b. They are representing themselves and have a disability that prevents them from e-filing;
 - c. They are representing themselves and have trouble reading, writing, or speaking English;
 - d. They are filing a document in a sensitive case, such as a petition for an order of protection or civil no contact/stalking order.

2. All self-represented litigants incarcerated in a federal, state or local correctional facility shall not be required to E-File documents;

3. Wills;

4. Documents filed under the Juvenile Court Act of 1987;

5. Orders as outlined in No. 16 of the Champaign County Circuit Clerk – E-Filing Standards and Practices;

6. Any filings using a particular filing type that cannot be filed into within the EFM, most likely due to coding issues and CMS Configuration. Any known issues with case types are listed in Appendix A of the Standards and Practices. When there are changes, the Clerk will notify the local attorney list serve, amend Appendix A of the Standards and Practices, and post the exemption on her website (<http://champaigncircuitclerk.org/>).

5. IDENTIFICATION OF INFORMATION REQUIRED TO SUBMIT DOCUMENTS ELECTRONICALLY

Information required in order to create an Electronic Filing:

- a. **Participant Information** – In order to open a new case, the petitioner will need to input all available contact information for each party in the case. The information provided at the time of filing a new case will convert electronically into the case management system.
- b. **Case Information** – filings on existing cases in the e-filing system are done from the context of that circuit court's case management system.
- c. **Additional information Required by Court** – the title or name of each document in the filing. The title of each lead document will be placed in the “Filing Description”. This information will be placed on the docket sheet once the filing has been approved.

6. TIMELY FILING

Unless a statute, rule, or court order requires that a document be filed by a certain time of day, a document is considered timely if submitted before midnight (central standard time) on or before the date on which the document is due. A document submitted 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. The filed document shall be endorsed with the clerk's electronic file mark setting forth, at a minimum, the identification of the court, the clerk, the date, and the time of filing. If a document is untimely due to any court-approved electronic filing system technical failure, the filing party may seek appropriate relief from the court, upon good cause shown. If a document is rejected by the clerk and is therefore untimely, the filing party may seek appropriate relief from the court, upon good cause shown.

The Clerk shall have 24 to 48 business hours to review a filing. If the filing has a deadline sooner than 24 to 48 hours, the Filer will need to contact the Clerk's office prior to submitting the filing to request an expedited review.

7. MAXIMUM FILE SIZE

The Electronic Filing Manager has a limit of 25 MB per filing and 50 MB per envelope. Additional restrictions may apply depending upon which Electronic Filing Service Provider is used.

8. MULTIPLE DOCUMENTS SUBMITTED IN A SINGLE FILING TRANSACTION (RESTRICTIONS ON BULK FILINGS)

Bulk filings of multiple cases or multiple documents combined into one PDF document in civil or criminal case types shall not be accepted. Documents with different case numbers must be filed individually in separate envelopes. Filing of multiple individual documents within a civil or criminal case shall be accepted in a single electronic filing transaction; however, each individual document must be uploaded and titled individually. Currently the EFM limits up to 10 additional filings per envelope.

9. REQUIRED INFORMATION FOR ALL FILINGS

In addition to the filer's name and address the following information is required on all Champaign County filings:

1. Attorney's ARDC number;
2. Attorney or filer's email address (except pro se exempt filers).

10. FORMAT OF DOCUMENTS

Documents will be submitted in PDF format. When possible, documents must be converted to PDF directly from the program creating the document, rather than from the scanned image of a paper document. Documents only in paper format may be scanned and converted to PDF for electronic filing.

Unless otherwise required, documents created by word processing programs must be formatted as follows:

- (i) The size of the type in the body of the text must be no less than 12-point font, and footnotes no less than 10-point font;
- (ii) The size of the pages must be 8.5 by 11 inches;
- (iii) The margins on each side of the page must each be a minimum of 1 inch; and
- (iv) The top right 2" x 2" corner of the first page of each pleading shall be left blank for the Clerk's stamp.

11. REJECTION OF DOCUMENTS WHICH DO NOT COMPLY WITH FORMATTING REQUIREMENTS

Documents submitted for electronic filing may be rejected if not complying with the format specified by:

- a) Applicable statute;
- b) Applicable Supreme Court or local rule;
- c) The Statewide Standard; or
- d) Section 9 above.

12. EXTERNAL LINKS CONTAINED IN DOCUMENTS

Electronic 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 court file.

13. PROCEDURE FOR FAILURE OF ELECTRONIC FILING PROCESS

- a. Neither the court nor the Clerk shall be liable for malfunction or errors occurring in the electronic transmission or receipt of electronically filed or served documents.
- b. If a document submitted electronically is not filed or is rejected, the court may, upon good cause shown, enter an order permitting the document to be filed effective as of the date of the attempted first filing.

14. CONFIDENTIAL CONTENT OF DOCUMENTS

Filer is responsible to ensure that court documents filed electronically appropriately segregate and do not disclose previously or statutorily impounded or sealed information or private information defined in Supreme Court Rule 15 (effective January 1, 2012) and Supreme Court Rule 138 (effective January 1, 2013). Filer shall indicate during electronic filing that any separate document containing confidential information is being filed under seal and indicate the reason it is confidential information, whether being personal identity information as defined by 138, or confidential information pursuant to Supreme Court Rule 15, statute, rule or order. It is the responsibility of the filer to indicate within the EFSP whether the document is "Confidential" or "Non-Confidential".

The clerk is not responsible for the content of filed documents and has no obligation to review, redact, or screen any documents for confidential, expunged, sealed or impounded information.

15. COSTS FOR CERTIFICATION OF ELECTRONIC DOCUMENTS

The EFM will make a file-stamped copy of the filing available at no additional cost to the Filer by sending a link to the Filer for that filing.

The Clerk shall provide copies of any document or certification of same and may provide the copies electronically. Copies shall be available to the requesting party at a reasonable cost, including all applicable fees as set by rule or statute.

Filings initiated by court partner agencies in criminal cases (e.g. state's attorney, public defender, attorney general, law enforcement) shall be exempted from the payment of filing fees and any vendor fees, when appropriate.

16. PAYMENT METHODS FOR FILING FEES

Filer shall make payment of requisite filing fees to the Clerk in cash, cash equivalent (money order, cashier check) approved check or credit card. Payment made by cash, cash equivalent or approved check must be received by the Clerk prior to the e-filing. An EFSP vendor may charge fees (e.g., service fees, convenience fees or value-added service fees for e-service) in addition to payment of filing fees by credit card.

17. PROCEDURE FOR ELECTRONIC SIGNATURE

Proposed Orders – Proposed Orders shall be filed through the EFM. If a Motion needs to accompany the Order, both shall be filed separately as an “Additional Filing” through the EFM. Until completion of the Judicial Signature Portal within the EFM, all Proposed Orders will be printed and provided to Judiciary for signatures. Once signed, the Clerk’s office will file stamp, note, scan and email a copy of the Order to the Filer.

Written Orders – For the time being, the process for Written Orders in court will remain the same. For example, an Order for eviction is completed and signed in Court. The Judge will retain a copy for the file, the attorney will bring a copy down for the Clerk’s office to affix a file stamp, and the attorney will take the Order to the Sheriff’s office.

18. AUTHORIZING REVIEWERS AND FILERS

The EFM has established a process for entering new Courthouse staff as a Review or Filer within the Champaign County Circuit Clerk’s account. The Circuit Clerk and Chief Deputy Circuit Clerk have the ability to enter new users on this account. This account is available for Courthouse and County personnel that will be e-filing for County business using a waiver.

19. MAINTENANCE OF ORIGINAL DOCUMENT BY FILER

The Filer must retain an original duplicate of any document as signed and e-filed until one year after the date that the judgment has become final by the conclusion of direct review or the expiration of the time for seeking such review. The original duplicate may be retained electronically or on paper.

Appendix A

Case Type	Filing Description
CH	Commercial Mortgage Foreclose
LM	Forcible Entry and Detainer – Over \$15,000
LM	Forcible Entry and Detainer – Possession Only
LM	Tort – Money Damages - \$10,000.01 to \$15,000
LM	Arbitration over \$15,000
LM	Arbitration under \$15,000
P	Administration of Estate – Over \$15,000
P	Administration of Estate – Under \$15,000
P	Proof of Heirship
P	Guardianship of Disabled Person – Over \$15,000
P	Guardianship of Disabled Person – Under \$15,000
P	Guardianship of Minor – Over \$15,000
P	Guardianship of Minor – Under \$15,000
P	Petition to Probate – Wrongful Death/Settlement

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