

**FOURTH DISTRICT APPELLATE COURT ELECTRONIC FILING PROCEDURES AND
USER MANUAL**

Revised November 14, 2017

1. **Electronic Filing Required in Civil Cases.** Unless exempt under Illinois Supreme Court Rules, all documents filed by attorneys and self-represented litigants in civil appeals shall be filed electronically in accordance with the Illinois Supreme Court Rules, the Order entered January 22, 2016, by the Supreme Court of Illinois in *In re: Mandatory Electronic Filing in Civil Cases* (M.R. 18368), and as provided in this *Illinois Appellate Court Electronic Filing Procedures and User Manual (Manual)*.

Documents in criminal appeals may be filed electronically.

2. **Definitions.** The following terms shall be defined as:
 - a. **"Electronic Filing"** (e-filing) means filing a digital document with the Appellate Court directly from the registered user's computer or the Public Access Terminal using an approved EFSP.
 - b. **"Electronic Filing Manager"** (EFM) the Supreme Court of Illinois's central e-filing service used by all Illinois courts which manages the flow of e-filed documents from the registered user to the Appellate Court via the EFSP.
 - c. **"Electronic Filing Service Provider"** (EFSP) means an independent company approved in the State of Illinois at <http://efile.illinoiscourts.gov/service-providers.htm> to operate a web portal that transmits e-filings from the registered user through the EFM to the intended court.
 - d. **"Envelope Number"** means a unique number assigned by the EFM to each e-filing transaction, which may be used to track an e-filing transaction.
 - e. **"Hyperlink"** means a link from a hypertext file or document to another location or file, typically activated by clicking on a highlighted word or image on the screen.
 - f. **"PDF"** means Portable Document Format, a proprietary file format developed by Adobe Systems, Inc.
 - g. **"Public Access Terminal"** means a publicly accessible computer and scanner provided by the Appellate Court for the purposes of facilitating electronic filing with the court. The Public Access Terminal is available during normal business hours in the Appellate Court Clerk's offices.
 - h. **"Registered User"** means an individual who has registered a username and password with the EFSP.
 - i. **"Technical Failure"** means a malfunction of the EFM, EFSP, or the Illinois Court's hardware, software, and/or telecommunications facility, which results in the inability of a registered user to submit a document for e-filing. It does not include the failure of a registered user's equipment.
 - j. **"Transaction Confirmation"** means a confirmation transmitted to a registered user after the user has submitted a transaction through an EFSP to the Appellate Court. At a minimum, the transaction confirmation displays a transaction number and the date and time the transaction was submitted by the registered user through the EFSP. The transaction confirmation may serve as the filer's proof of submission.

3. **Secured Documents.**

- a. Confidential, impounded, sealed, or otherwise secured documents ("secured") shall be submitted

only when clearly designated as such at the time of filing.

- b. Motions for leave to file a secured document may be e-filed and must be designated as such at the time of submission. The secured document shall be submitted at the same time as the motion, but in a separate transaction than the transaction containing the motion.

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

- a. Registration to become a registered user through efileIL is available on an approved EFSP's website. For a list of approved EFSP vendors, visit <http://efile.illinoiscourts.gov/service-providers.htm>
- b. The registrant shall provide all requested registration information including a secure username and password to the EFSP. 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 9.
- c. If an attorney is suspended or disbarred by the Supreme Court of Illinois, e-filing account access will be suspended.
- d. The Appellate Court reserves the right to revoke any registered user's privileges with or without cause.
- e. Once registered, it is the responsibility of the registered user to keep contact information, including e-mail address, current with the Appellate Court and the EFSP.

5. Format of an E-Filed Document.

- a. Except as otherwise provided, an e-filed document shall comply with the current Illinois Supreme Court Rules, including but not limited to page and word limitations, page size, font type, margin width, and font size.
- b. E-filed documents 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 generated 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. If scanning is unavoidable, the scanned document must be made searchable using optical-character-recognition (OCR) software, such as Adobe Acrobat Professional, and have a resolution of 300 dots per inch (dpi) with a "black and white" setting.
- d. The size of any single transaction shall not exceed 150 megabytes (MB).
- e. Documents in different cases submitted in a single transaction will be rejected.
- f. Documents submitted for e-filing shall at the end of the document include a proof of service for the filing and any other item required by the Illinois Supreme Court Rules as a single file.
- g. If a document requires leave of court before filing, the registered user shall attach the proposed document as an exhibit to the motion for leave in a single transaction. The proposed document shall also be submitted for e-filing, but in a separate transaction than the transaction containing the motion requesting leave.
- h. Appendix materials may be scanned if necessary, but scanning should be avoided whenever possible. An appendix shall be combined into one file with the document with which it is associated for purposes of e-filing, unless the resulting computer file would exceed 150 MB. In

such case, the registered user is responsible for dividing the document into appropriately sized parts, with each part having a separate page that labels each part of the appendix (e.g. Appendix 1; Part 2 etc.) and submitting the parts in separate transactions that do not exceed 150 megabytes.

- i. An e-filed document may contain hyperlinks to another part of the same document, an external source cited in the document, an appendix item associated with the document, or a record citation. A hyperlink within an appendix item is also permitted. Any external material behind the link is not part of the e-filing.
- j. 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.
- k. The color of the cover of a brief, whether electronic or paper, shall comply with Illinois Supreme Court Rule 341.
- l. The Appellate Court may reject an e-filed document for failure to comply with Illinois Supreme Court Rules or this Manual.

6. Signatures on E-Filed Documents.

- a. Except as otherwise provided, the registered user's confidential, secure username and password constitute the registered user's signature in compliance with the Illinois 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.
- b. 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.
- c. If a document is notarized, sworn to or made under oath, the registered user must e-file the document as a scanned image containing an image of the necessary original signature(s). A document certified pursuant to Section 1-109 of the Code of Civil Procedure may contain an electric signature as described in subparagraph a.
- d. 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.

- a. The EFSP and the EFM are agents of the Appellate Court for the purpose of e-filing and receipt of electronic documents. Upon submission of an e-filed document, the EFSP will return to the registered user a transaction confirmation, which shall serve as proof of submission.
- b. A document will be considered timely submitted if e-filed before midnight on or before the date on which the document is due.
- c. A document submitted electronically after midnight or on a day when the Appellate Court Clerk's office is not open for business will, unless rejected, be file stamped on the next day the clerk's office is open for business.
- d. A document submitted to the Appellate Court Clerk for filing shall be deemed filed upon review and acceptance by the clerk. The filed document shall be endorsed with the clerk's electronic file

mark setting forth, at a minimum, the identification of the district (and division, if applicable) of the Appellate Court, the Appellate Court Clerk, and the date and time of filing.

- e. After the Appellate Court Clerk reviews an e-filed document, the registered user will receive an e-mail notification of the review results.
- f. In the event the Appellate Court Clerk rejects a submitted document, the document will not be filed and the registered user will receive an electronic notification of the reason(s) for rejection.
- g. A document properly e-filed pursuant to paragraph 5 of this policy, which requires a motion and an Appellate Court order allowing its filing, will be deemed filed on the date the motion is granted.
- h. If a document is untimely due to any technical failure, the registered user may seek appropriate relief from the Appellate Court, upon good cause shown.

8. Proof of Service.

- a. Documents filed electronically shall be served on all parties and/or counsel of record in accordance with the Illinois Supreme Court Rules. The proof of service shall advise all parties and/or counsel of record as to the method of service and specify the document was electronically filed.
- b. If a document requires an Appellate Court order allowing its filing, no additional proof of service is required as long as the original proof of service filed 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.

9. Payment of Filing Fees.

- a. Registered users filing documents electronically shall pay the applicable filing and appearance fees electronically to the Appellate Court through the EFSP at the time of filing.
- b. Registered users requesting waiver of fees shall file an application for waiver of fees pursuant to Illinois Supreme Court Rule 298. The application shall be a separate transaction from the transaction containing the document for filing. If the application for waiver of fees is denied, the document will not be filed.

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