

Appendix A

Fourth District Appellate Court Electronic Filing Procedures and User Manual

ELECTRONIC FILING PROCEDURES AND USER MANUAL

FOR THE FOURTH DISTRICT APPELLATE COURT OF ILLINOIS

1. **Electronic Filing Required in Civil Cases.** Unless exempt under Supreme Court Rule 9(c), all documents in civil cases shall be filed electronically in accordance with the Supreme Court Order entered on January 22, 2016, in *In re: Mandatory Electronic Filing in Civil Cases* (M.R. 18368) as amended, Supreme Court Rules and as provided in this *Electronic Filing Procedures and User Manual* ("Manual"). Documents filed in people cases and documents filed on the Supreme Court's Miscellaneous Record Docket (MR Docket) may be filed electronically.

For additional information regarding eFileIL, click on the following link:
<http://efile.illinoiscourts.gov/index.htm>

2. **Definitions.** The following terms shall be defined as follows:
 - a. **"Electronic Filing"** (e-filing) means filing a digital document with the Court directly from the registered user's computer or a Public Access Terminal using an approved EFSP.
 - b. **"Electronic Filing Manager" (EFM)** means a solution approved by the Court that enables documents to be filed, served, and distributed electronically while integrating with both the EFSPs and the Court's case management system.
 - c. **"Electronic Filing Service Provider" (EFSP)** means an approved vendor for electronic filing in the State of Illinois at <http://efile.illinoiscourts.gov/service-providers.htm>.
 - d. **"Envelope Number"** means a unique number assigned by the EFM to each e-filing transaction and may be used to track an e-filing transaction.
 - e. **"PDF"** means Portable Document Format, a proprietary file format developed by Adobe Systems, Inc.
 - f. **"Public Access Terminal"** means a publicly accessible computer and scanner provided by the Court for the purposes of facilitating electronic filing with the Court. Public access terminals are available during normal business hours in the Supreme Court Clerk's office in Springfield and its satellite office in Chicago.
 - g. **"Registered User"** means an individual who has registered a username and password with the EFM.
 - h. **"Technical Failure"** means a malfunction of the EFM, EFSP, or the 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 user's equipment.

- i. **"Transaction Confirmation"** means a confirmation that is transmitted to a registered user after the user has submitted a transaction through an EFSP to the Court. At a minimum, the transaction confirmation displays an envelope 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. Confidential Documents.

- a. Confidential, impounded, or sealed documents ("confidential") must be e-filed, and be so designated in eFileIL by selecting the "confidential" checkbox at the time of filing.
- b. Motions for leave to file a confidential document may be e-filed and must be designated as such at the time of submission. The confidential 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 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 the EFSP the requested registration information, including a secure username and password. 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.
- c. If an attorney is suspended or disbarred by the Court, his or her e-filing account access will be suspended.
- d. The Court reserves the right to revoke a registered user's privileges with or without cause.
- e. Once registered, it is the responsibility of the registered user to keep contact information, including email address, current with the Court and the EFSP.

5. Format of e-filed document.

- a. Except as otherwise provided, an e-filed document shall comply with the Court's eFileIL Electronic Document Standards (http://efile.illinoiscourts.gov/documents/eFileIL_Digital-Media-Standards.pdf) and with the requirements of current Supreme Court Rules, including but not limited to page and word limitations, page size, font type, margin width and font size. Supreme Court Rules shall govern if there is a conflict with a Rule and any standard or policy.

- b. The EFM limits a document's "file name" and "file description" to 150 characters. Any document with a name or description exceeding 150 characters will fail to e-file.
- c. Documents in different cases submitted in a single transaction will be rejected.
- d. Documents submitted for e-filing shall include a proof of service for the filing (placed at the end of the document) and any other item required by Supreme Court Rules, as a single file.
- e. 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.
- f. Appendix materials may be scanned if necessary, but scanning should be avoided when possible. An appendix shall be combined into one file with the document it is associated with for purposes of e-filing, unless the resulting computer file would exceed 150 megabytes. In such case, the registered user is responsible for dividing the document into appropriately sized parts, with each part having a separate cover page that labels each part of the appendix (e.g. Appendix, Part 1; Appendix, Part 2 etc.), and submitting the parts in separate transactions that do not exceed 150 megabytes.
- g. 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.
- h. A document requiring a specific color cover page shall comply with Supreme Court Rule 341, whether electronic or paper. Upon acceptance and filing, the paper copies submitted to the Clerk's office pursuant to paragraph 8 of this manual shall also contain the appropriate color cover page and be the printed version of the e-filed document bearing the Clerk's electronic stamp.
- i. The Court may reject an e-filed document for failure to comply with this manual, Supreme Court Rules or as otherwise directed by the Court.

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 on the document, in compliance with 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 electronic 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; mechanics.

- a. The EFSP and the EFM are agents of the Court for the purpose of e-filing and receipt of electronic documents. Upon submission of an e-filed document, the EFSP will email 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 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. 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.
- e. After the Clerk reviews an e-filed document, the registered user will receive an e-mail notification of the review results.
- f. In the event the 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 the rejection.
- g. A document requiring a motion and a Court order allowing its filing will be deemed filed on the date the motion is granted.
- h. 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, upon good cause shown.

8. Paper Copies.

- a. The Fourth Appellate District **does not require** paper copies to be supplied by the filer after electronic filing **except in Workers Compensation cases**.

- b. Briefs filed in the Workers Compensation Court must comply with Workers' Compensation Administrative Order entered September 21, 2017, which requires ten duplicate paper copies of all briefs bearing the court's electronic file stamp shall be received by the Clerk within five days of the electronic notification generated upon acceptance of an electronically filed brief in the Workers Compensation Division of the Appellate Court.
- c. The paper copies in Workers Compensation cases 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.
- b. If a document requires a Court order allowing its filing, no additional proof of service is required if 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 EFSP at the time of e-filing.
- b. Registered users requesting waiver of fees shall file an application for waiver of fees pursuant to Supreme Court Rule 313 using the form at this link:
http://illinoiscourts.gov/Forms/approved/supreme/SC_Fee_Waiver.asp.
The application shall be a separate transaction from the transaction containing the document for filing.

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