

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered December 19, 2019.

(Deleted material is struck through, and new material is underscored.)

Effective January 1, 2020, Illinois Supreme Court Rules 9 and 313 are amended, and new Rule and 371 is adopted, as follows.

Amended Rule 9

Rule 9. Electronic Filing of Documents

(a) Electronic Filing Required. Unless exempt as provided in paragraph (c), all documents in civil cases shall be electronically filed with the clerk of court using an electronic filing system approved by the Supreme Court of Illinois.

(b) Personal Identity Information. If filing a document that contains Social Security numbers as provided in Rule 15 or personal identity information as defined in Rules 138 or 364, the filer shall adhere to the procedures outlined in Rules 15, 138, and 364.

(c) Exemptions. The following types of documents in civil cases are exempt from electronic filing:

- (1) Documents filed by a self-represented litigant incarcerated in a local jail or correctional facility at the time of the filing;
- (2) Wills;
- (3) Documents filed under the Juvenile Court Act of 1987;
- (4) Documents filed by a person with a disability, as defined by the Americans with Disabilities Act of 1990, whose disability prevents e-filing; and
- (5) Documents in a specific case upon good cause shown by certification. Good cause exists where a self-represented litigant is not able to e-file documents for the following reasons: no computer or Internet access in the home and travel represents a hardship; or a language barrier or low literacy (difficulty reading, writing, or speaking in English). Good cause also exists if the pleading is of a sensitive nature, such as a petition for an order of protection or civil no contact/stalking order.

A Certification for Exemption From E-filing shall be filed with the court—in person or by mail—and include a certification under section 1-109 of the Code of Civil Procedure. The court shall provide, and parties shall be required to use, a standardized form expressly titled “Certification for Exemption From E-filing” adopted by the Illinois Supreme Court

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**SUPREME COURT
CLERK**

Commission on Access to Justice. Judges retain discretion to determine whether good cause is shown. If the court determines that good cause is not shown, the court shall enter an order to that effect stating the specific reasons for the determination and ordering the litigant to e-file thereafter.

Judges retain discretion to determine whether, under particular circumstances, good cause exists without the filing of a certificate, and the court shall enter an order to that effect.

(d) 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 (in the court's time zone) 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.

(1) 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.

(2) 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.

(e) Filer Responsible for Electronic Submissions. The filer is responsible for the accuracy of data entered in an approved electronic filing system and the accuracy of the content of any document submitted for electronic filing. The court and the clerk of court are not required to ensure the accuracy of such data and content.

(f) Effective Date. This rule is effective July 1, 2017 for proceedings in the Supreme Court and the Appellate Court. For proceedings in the circuit court, this rule is effective January 1, 2018.

Adopted June 22, 2017, eff. July 1, 2017; amended Dec. 13, 2017, eff. immediately; amended Dec. 12, 2018, eff. Immediately; amended Dec. 19, 2019, eff. Jan. 1, 2020.

Committee Comments

(December 13, 2017)

a. The implementation of electronic filing in Illinois courts should not impede a person's access to justice.

b. Where a party has filed a Certification for Exemption From E-filing or the court has granted a good-cause exemption *sua sponte*, that party may file documents in person or by mail unless ordered otherwise by the court.

Amended Rule 313

Rule 313. Fees in the Reviewing Court

(a) Docket Fees. Unless excused by law, in all cases docketed in the reviewing court all appellants or petitioners shall pay a filing fee of \$50.00, and all other parties upon entry of appearance or filing any document shall pay a fee of \$30.00. Any non-party in a case filing any

paper, including a motion for leave to file a brief *amicus curiae* pursuant to Rule 345, shall pay a fee of \$30.

(b) Paper Document Request Fees. The clerks of the reviewing courts shall charge a fee of 25 cents per page for providing a paper copy of documents filed in their respective offices, except that the clerks shall furnish opinions or orders to parties in interest or their attorneys of record without cost. In furtherance of the public interest, the clerk may furnish opinions or orders to other individuals or entities without cost. The fee shall apply to both physical paper output and electronic delivery of documents, except as provided in paragraph (c).

The clerks may allow a requestor to use personal equipment, such as a portable scanner or camera, to obtain scans or images of filed documents and shall charge no fee for such access. When considering such requests, the clerk shall determine whether the equipment is likely to cause damage to the documents and whether the equipment and/or request will interfere with the clerk's office operations. Automatic feed features or stack feeders are not permitted.

(c) Fee for Electronic Remote Access to Documents. Unless a remote access user group is excluded from payment in the Remote Access Policy (https://courts.illinois.gov/SupremeCourt/Policies/Pdf/Remote_Access_Policy.pdf), the clerks of the reviewing courts shall charge 10 cents per page with a maximum fee of \$3 per document for electronic remote access to a case document through re:SearchIL.

(d) Certificate and Seal. The fee for each official certificate and seal is \$5.

(de) Law License. In the Supreme Court, the fee for preparing a law license, certifying it with the seal, administering the oath, and transcribing the name on the roll of attorneys is \$50. The fee for a replacement law license shall be \$25.

(ef) Attorney Certificates of Good Standing. In the Supreme Court, the fee for an attorney certificate of good standing shall be \$15. If multiple certificates for the same attorney are requested, each additional certificate shall be \$5.

(fg) Application for Waiver of Fees in the Reviewing Court. An applicant for a waiver of fees in the reviewing court shall use the "Application for Waiver of Court Fees (Appellate Court)" or the "Application for Waiver of Court Fees (Supreme Court)" adopted by the Illinois Supreme Court Access to Justice Commission, which can be found in Article III Forms Appendix. In all other respects, the provisions of Rule 298 shall apply in the reviewing court.

Adopted December 17, 1993, effective February 1, 1994; amended Jan. 23, 2014, eff. Jan. 1, 2015; amended Dec. 7, 2015, eff. July 1, 2016; amended June 22, 2017, eff. July 1, 2017; amended June 26, 2018, eff. July 1, 2018; amended Dec. 19, 2019, eff. Jan. 1, 2020.

Commentary
(December 17, 1993)

Because the authority for collecting reviewing court fees is contained in statutory provisions (see 30 ILCS 220/12 (West 1992); 705 ILCS 25/3 (West 1992)), a fee rule is provided for informational purposes.

Amended Rule 371

Rule 371. Confidential Records When On Review

Cases and documents within a case identified as impounded, sealed, secured or otherwise confidential in the circuit court shall remain as such when filed in the reviewing courts, and the parties of record shall have the same level of access, if any.

Adopted Dec. 19, 2019, eff. Jan. 1, 2020.