

**CHAMPAIGN COUNTY ELECTRONIC FILING  
STANDARDS AND PRACTICES  
Effective May 17, 2021**

**GENERAL**

These standards are implemented pursuant to M.R. 18368 issued by the Illinois Supreme Court on January 22, 2016 and May 30, 2017; Supreme Court Rule 9 adopted on June 22, 2017; amended December 13, 2017; amended December 12, 2018; amended December 19, 2019 and amended August 14, 2020; Supreme Court Rule 10 adopted on January 5, 1982; amended June 25, 1990; amended October 24, 2012; amended June 22, 2017; Supreme Court Rule 11, amended April 8, 1980; amended April 10, 1987; amended October 30, 1992; amended December 29, 2009; amended October 24, 2012; amended December 21, 2012; amended June 14, 2013; amended December 9, 2015; amended June 22, 2017; amended July 15, 2020; amended January 26, 2021; and Supreme Court Rule 12, amended effective July 1, 1971 and July 1, 1975; amended October 30, 1992; amended December 29, 2009; amended December 21, 2012; amended January 4, 2013; amended September 19, 2014; amended December 9, 2015; amended October 6, 2016; amended June 22, 2017. These rules, standards and other resources can be found as follows:

MR 18368 Order (January 22, 2016) <http://illinoiscourts.gov/SupremeCourt/Anounce/2016/012216.pdf>

MR 18368 Order (May 30, 2017) <http://illinoiscourts.gov/SupremeCourt/Anounce/2017/053017.pdf>

The eFileIL website: <http://efile.illinoiscourts.gov>

Supreme Court Rules: <http://illinoiscourts.gov/SupremeCourt/Rules/default.asp>

Records on Appeal Standards: <http://efile.illinoiscourts.gov/documents/IL-Record-on-Appeal-Standards-v1.0.pdf>

E-filing of civil cases became mandatory in all Illinois Circuit Courts effective January 1, 2018, and in the Illinois Supreme Court and the Illinois Appellate Courts effective July 1, 2017.

Effective January 1, 2018, the Circuit Clerk will no longer accept any pleadings, motions, petitions, answers, or related documents which a party attempts to provide in open Court or in Court chambers.

**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 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.

**Registered User** – an individual who has registered a username and password with the EFM.

**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 contract with AOIC.

## STANDARDS

### **1. IDENTIFICATION OF CASE TYPES**

Starting January 1, 2018, and effective until December 31, 2021, 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.

Filings will be rejected if they contain any of the following errors:

A. Wrong jurisdiction

B. Incorrect Case Category and/or Case Type

C. Filing Code is incorrect and the amount of the filing fee for the new Filing Code is different.

D. Filing Document is missing key information, such as lack of signature, or wrong case number.

E. Filing Document is illegible or scanned with an incorrect orientation, such as upside down or sideways.

### **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**

The following documents in civil cases are exempt from electronic filing:

- A. Documents filed by a self-represented litigant incarcerated in a local jail or correctional facility at the time of the filing;
- B. Wills;
- C. Documents filed under the Juvenile Court Act of 1987;
- D. Documents filed by a person with a disability, as defined by the Americans With Disabilities Act of 1990, whose disability prevents e-filing; and
- E. 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:
  - 1. No computer or internet access in the home and travel represents a hardship;
  - 2. A language barrier or low literacy (difficult reading, writing, or speaking in English);
  - 3. The pleading is of a sensitive nature, such as a petition for an order of protection or civil no contact/stalking order; or
  - 4. A self-represented litigant tries to e-file documents but is unable to complete the process, and the necessary equipment and technical support for e-filing assistance is not available to the self-represented litigant.

A Certification for Exemption From E-Filing, which includes a certification under Section 1-109 of the Code of Civil Procedure, and any accompanying documents shall be filed with the Court in person or by mail. The Certification for Exemption From E-filing and documents may also be filed by other means, such as e-mail, **if permitted by the local Court.** 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 Commission on Access to Justice. Judges retain discretion to determine whether good cause is shown. If the Court determine 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 as to that effect.

### **5. IDENTIFICATION OF INFORMATION REQUIRED TO SUBMIT DOCUMENTS ELECTRONICALLY**

Information required 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. This option is available only if there is already an existing case, and the Filer should use the “File Into Existing Case” option for e-filing.
- 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. If the Filer has a deadline for Court and needs expedited review of their filing, the Filer will need to contact the Clerk’s office prior to submitting the filing to request that review with specific information about the deadline the Filer needs to meet.

## **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:

- A. Attorney's ARDC number
- B. Attorney or filer's email address (except self-represented litigant 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:

- A. 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;
- B. The size of the pages must be 8.5 by 11 inches;
- C. The margins on each side of the page must each be a minimum of 1 inch; and
- D. The top right 2" x 2" corner of the first page of each pleading shall be left blank for the Clerk's stamp.

If a document is not electronically filed, the document shall be legibly written, typewritten, printed or otherwise prepared.

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

Documents submitted for electronic filing may be rejected if not complying with the technical specifications contained in the eFileIL Electronic Document Standards as published at <http://efile.illinoiscourts.gov>

## **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 – The Clerk will not accept an Order for file stamping that has not been electronically signed without the accompanying court file and docket entry verifying the authenticity of the written order.

## **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.

## **20. SERVING DOCUMENTS OTHER THAN PROCESS AND COMPLAINT ON PARTIES NOT IN DEFAULT**

- A. If a party is represented by an attorney of record, service shall be made upon the attorney. Otherwise, service shall be made upon the party.
- B. An attorney must include on the appearance and on all pleadings an e-mail address to which documents and notices will be served. A self-represented litigant who has an e-mail address must also include the e-mail address on the appearance and on all pleadings to which documents and notices will be served.
- C. Unless otherwise specified by rule or Court order, documents shall be served electronically. Electronic service may be made either through the Court electronic filing manager or an approved electronic filing service provider, if available. For all parties for which such service is not available, the Filer shall make service to the email address(es) identified by the party's appearance in the matter. If service is made by e-mail, the documents may be transmitted via attachment or by providing a link within the body of the e-mail that will allow the party to download the document through a reliable service provider.

If a self-represented party does not have an e-mail address, or if service other than electronic service is specified by rule or order of Court, or if extraordinary circumstances prevent timely electronic service in a particular instance, service of documents made be made by one of the following alternative methods:

1. Personal Service. Delivering the document to the attorney or party personally;
  2. Delivery to Attorney's Office or Self-Represented Party's Residence. Delivery of the document to an authorized person at the attorney's office or in a reasonable receptacle or location at or within the attorney's office. If a party is not represented by counsel, by leaving the document at the party's residence with a family member of the age of 13 years or older;
  3. United States Mail. Depositing the document in a United States post office or post office box, enclosed in an envelope to the party's address, as identified by the party's appearance in the matter, with posted fully prepaid; or
  4. Third Party Commercial Carrier. Delivery of the document through a third-party commercial carrier or courier, to the party's address, as identified by the party's appearance in the matter, with delivery fully prepaid.
- D. In cases in which there are two or more plaintiffs or defendants who appear by different attorneys, service of all documents shall be made on the attorney for each of the parties. When more than one attorney appears for a party, service upon one of them is sufficient.
- E. If a party serving a document via e-mail receives a rejection message or similar notification suggesting that transmission was not successful, the party serving the document shall make a good-faith effort to alert the intended recipient of a potential transmission problem and take reasonable steps to ensure actual service of the document.
- F. After an attorney files a Notice of Limited Scope Appearance, service of all documents shall be made on both the attorney and the party represented on a limited scope basis until (1) the Court enters an order allowing the attorney to withdraw under Rule 13 or (2) the attorney's representation automatically terminates under Rule 13.

## 21. PROOF OF SERVICE AND EFFECTIVE DATE OF SERVICE

When service of a document is required, proof of service shall be filed with the Clerk.

Service is proved:

- A. In the case of electronic service through the Court electronic filing manager or an approved electronic filing service provider by an automated verification of electronic service specifying the time of transmission and email address of each recipient;
- B. In the case of service by e-mail, by certification under Section 1-109 of the Code of Civil Procedure of the person who made delivery, stating the time and place of delivery;
- C. By written acknowledgement from the person served;
- D. In case of service by personal, office, or residential delivery, by certification under Section 1-109 of the Code of Civil Procedure of the person who made delivery, stating the time and place of delivery;

- E. In case of service by mail or delivery to a third-party commercial carrier, by certification under Section 1-109 of the Code of Civil Procedure, of the person who deposited the document in the mail or delivered the document to a third-party commercial carrier or courier, stating the time and place of mailing or delivery, the complete address that appeared on the envelope or package, and the fact that proper postage or the delivery charge was prepaid;
- F. In case of service by mail by a self-represented litigant residing in a correctional facility, by certification under Section 1-109 of the Code of Civil Procedure of the person who deposited the document in the institutional mail, stating the time and place of deposit and the complete address to which the document was to be delivered.

Service by electronic means or by persona, office, or residential delivery is complete on the day of transmission. Service by delivery to a third-party commercial carrier or courier is complete on the third court day after delivery of the package to the third-party carrier. Service by U.S. mail is complete four days after mailing.

**APPENDIX A**

<u>CASE TYPE</u>	<u>FILING DESCRIPTION</u>
CH	Mortgage Foreclosure
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