

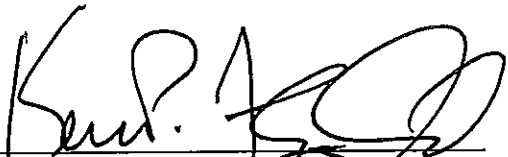
**ELEVENTH JUDICIAL CIRCUIT OF ILLINOIS**

**ADMINISTRATIVE ORDER 2017-18**

**ORDER AMENDING ELEVENTH JUDICIAL CIRCUIT RULE 3 AND CREATING  
RULE 9 TO COMPLY WITH E-FILING MANDATE**

Pursuant to Illinois Supreme Court M.R. 18368 mandating the e-filing of civil cases for all judicial circuits effective January 1, 2018, the Eleventh Judicial Circuit hereby amends Circuit Rule 3 and creates Circuit Rule 9 (both attached to this order) effective January 1, 2018.

Entered this 26<sup>th</sup> day of December, 2017.

  
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Kevin P. Fitzgerald, Chief Judge  
Eleventh Judicial Circuit

**AMENDMENT TO THE RULES OF THE  
ELEVENTH JUDICIAL CIRCUIT COURT,  
STATE OF ILLINOIS**

The Rules of the Eleventh Judicial Circuit Court are hereby amended as follows and Rule 9, entitled "E-FILING RULES", effective January 1, 2018, is added:

**RULE 3            FACSIMILE, EMAIL OR ELECTRONIC FILING**

- A. No filing of any summons, petition, notice, motion or other document may be made in the Eleventh Judicial Circuit via facsimile (fax) or email absent leave of the court.
  
- B. All civil cases with the exception of WI (Will Filing) and cases filed by Illinois Department of Corrections (IDOC) inmates or inmates of a local county adult detention center, shall be electronically filed in accordance with the Illinois Supreme Court *Electronic Filing Standards and Principles* and Eleventh Judicial Circuit Rule 9. From time to time, with the approval of the Director of the Administrative Office of Illinois Courts, the Court may authorize, by written Administrative Order, additional types of cases to be processed via electronic filing.

**RULE 9            E-FILING RULES**

In all civil cases, except where the party has been granted an exemption under SCR 9 (c)(4) or where the case type is specifically exempted from this requirement by the Supreme Court, all documents must be filed electronically (e-filed) beginning January 1, 2018, and the following rules apply within the Eleventh Judicial Circuit:

- A. Format of Documents.
  - 1. All e-filed pleadings shall be formatted in accordance with the applicable Supreme Court rules governing formatting of document pleadings and must be in PDF format. Additionally, each e-filed pleading and document shall include the case title, case number and the nature of the filing.
  - 2. Each e-filed document, excluding exhibits, shall include the typed name, e-mail address, address and telephone number of the attorney or pro se party filing such document. Attorneys shall also include their ARDC identification number.
  - 3. If a document exceeds the maximum size allowed, the filer shall file multiple documents, each under the maximum file size. Currently the maximum file size allowed for each document is 25 MB, with a total maximum size of all documents filed in one transaction at 50 MB.

B. Rejection of e-filing.

Circuit Clerks will reject filings and return filings to the party if the following error(s) are present:

- 1. Filing or appearance fee has not been paid or is submitted with an insufficient or incorrect amount. Filing fees may be waived only upon the filing of the proper application for waiver of court fees. Failure to include the appropriate fee or application for waiver will result in rejection of filing.

2. Incorrect caption, case number, county or case type.
3. Documents incorrectly bundled as one filing. Filings including wage garnishment, citations, wage deductions summons and related affidavits and notices must be separate documents. Attorneys are encouraged to contact the local circuit clerk's office for other specifics.
4. Scanned documents which are upside down, blank, indecipherable or scanned at an insufficient resolution.
5. Failure to comply with further e-filing rules of the Supreme Court or this Court, or failure to comply with the Rules of Civil Procedure.

C. Signatures and Authentication.

1. All e-filed signatures must comply with the Illinois Supreme Court *Electronic Signature Standards* (December 8, 2017) as amended and 5 ILCS 175/1 et seq.
2. Where a Circuit Clerk is required to endorse or electronically sign a document, the electronic or digital representation of the clerk's name shall be deemed to be the clerk's signature on an electronic document.
3. All Judges' and other necessary electronic signatures shall be captured and maintained by the Circuit Clerk of each county. Each signature shall be protected by internal system security measures and use security tokens and encrypted password to authenticate the use of the e-signature.
4. E-filed documents that require an original signature when conventionally filed shall bear a facsimile or typographical signature of the attorney or party authorizing such filing, (e.g. "/s/ John Doe, Attorney"), and shall be deemed to have been signed in-person by the individual identified.
5. The original signed document that has been electronically filed shall be maintained and preserved as required by Illinois Supreme Court's *Electronic Filing Standards and Principles*.

D. Electronic Service, Courtesy Copies and Filing Proof of Service.

1. Electronic service is not capable of conferring jurisdiction. Any documents that require personal service to confer jurisdiction as a matter of law may not be served electronically and must be served in the conventional manner.
2. All other documents may be served upon the other parties or their representatives electronically. The filing party or attorney shall be responsible for completing electronic service.
3. Electronic service shall be made and proof of service e-filed in accordance with Supreme Court Rule 12, and shall be deemed complete at the posted date and time of transmission listed by the e-service vendor. However, for the purpose of computing time for any party to respond, any document electronically served is deemed to be served on the first court day following transmission. The electronic service of a pleading or other document shall be considered as valid and effective service on all parties and shall have the same legal effect as personal service of an original paper document.
4. Anyone registered to e-file must notify the Clerk, the e-filing vendor and the other parties as soon as practicable, but not later than 10 business days after a change of firm name, delivery address, or e-mail address.
5. Copies of any document or certification of same shall be available to the requesting party at

a reasonable cost, including all applicable fees as set by rule or statute.

E. Collection of Fees.

1. The e-filing of a document requiring payment of a statutory filing fee to the Clerk of the Court in order to achieve valid filing status shall be filed electronically in the same manner as any other e-filed document.
2. Fees charged by the e-filing vendor to the registered user for vendor services are solely the property of the vendor and are in addition to any statutory fee associated with statutory filing fees.
3. When the electronic filing includes an application for waiver of court fees, payment of the requisite fees shall be stayed until the court rules on the waiver application.

F. Exhibits.

1. Exhibits to be offered to the Court at pre-trial or trial are to be marked by the party with the exhibit number, case number and indication of party offering the exhibit (e.g. plaintiff/petitioner, respondent/defendant, third-party defendant).
2. Exhibits which contain confidential information as defined by SCR 15, SCR 138 or SCR 364, those exhibits specified by Illinois Statute or Rule, or as otherwise directed by the Court, shall be either ordered impounded or ordered sealed. These terms are not interchangeable – “impounded” restricts access to the exhibit to a specified person or parties; “sealed” only allows access to or disclosure of the exhibit via written court order.
3. Exhibits withdrawn are to be returned to the party offering said exhibit at the conclusion of the hearing.
4. Exhibits offered shall be marked by the Court as admitted, denied or reserved. Demonstratives and other exhibits referenced (but not otherwise offered) shall be filed and made part of the electronic exhibit record in the same manner as described herein.
5. At the conclusion of the hearing or trial, the Circuit Clerk or their designee shall create an electronic exhibit index and file for each hearing, or trial, for all exhibits indicating the exhibit number, name or description of the exhibit (or title of the document), whether the exhibit was admitted, denied or reserved and date of the hearing. Said exhibit file shall be in compliance with IL Supreme Court *M.R. 18368* (January 22, 2016) and the IL Supreme Court *Standards and Requirements for Electronic Filing the Record on Appeal* (revised).
6. Exhibits that can be reproduced electronically in PDF format shall be included in any electronic exhibit index and file.
7. The Circuit Clerk or their designee shall create a separate exhibit index and file for any physical object offered as an exhibit which cannot be reproduced electronically.
8. Upon creation of the exhibit index and electronic files as outlined in Sections G(5) or (7) above, exhibits may be returned to the attorney or party offering said exhibit, unless otherwise directed by the Court.

END OF DOCUMENT.