

MANDATORY eFILING

BEGINNING JULY 1, 2018

ELECTRONIC FILING WILL BE REQUIRED FOR ALL CIVIL CASE TYPES

(some exceptions may apply)

SPECIAL INSTRUCTIONS

General

1. Filer must clean out cache/cookies/browsing history prior to eFiling. If this is not completed, it could prevent your documents from being accepted.
2. When filing, the location drop down will list each district and location of district [i.e. Cook County – Civil – District 2 – Skokie]. If you are filing and unsure of the correct location to file, you can visit our website, www.cookcountyclerkofcourt.org for villages/municipality boundaries for each of the courthouse locations.
3. When eFiling a new case/subsequent filing, a Cook County attorney must input a Cook County Attorney Code Number in the Case Cross Reference Number Field in Section 2 on the initial screen, select Cook County Attorney Code in the drop down, click Add Case Cross Reference Number and then click 'save changes'. If this is not completed, it could prevent your documents from being accepted and/or obtaining the correct status/motion dates.
 - If you are a new attorney, you must obtain a Cook County Attorney Number prior to eFiling in eFileIL. The form can be obtained in the Law Division, Room 801, Richard J. Daley Center or by obtaining the Cook County Attorney Code Request Form on our website at www.cookcountyclerkofcourt.org
4. For Domestic Relations, Probate, and Chancery Divisions, the case cross reference field is not only for Attorney Code Number but also for Motions. You must type the word 'motion' in the case cross reference number field and then choose the type of motion from the drop down and click Add Case Cross Reference. Without this, you will not be able to schedule a date. This also applies to Law Division if you need to file into Calendar 5 or M1.
5. When filing subsequent filings, the system is case sensitive. The case number requires a four [4] digit year and a Capital Letter for the division designation [i.e. 2018D430123].
6. As you complete each section of the eFiling process, you must ensure that you are saving the changes prior to proceeding. When adding multiple filings for the same case, after each filing is added, you must save your changes prior to clicking 'Add Another Filing'.
7. When your case requires a 'Return Date' you must choose a return date from the pop up calendar. [If you are issuing a summons, it requires a return date]. If a court date is required on the filing as well, the system will generate the court date after the filing is accepted.
8. If you are a government filer, and you are set up for billing, you must choose 'Gov't Billing' as the payment type not 'Waiver'. The Billing form is available in the Forms Suite link on efile system. If you are unsure as to the type of account you have, please call (312) 603-5035.
9. If you are choosing a 'Waiver' payment type, you must have a completed 298/Waiver form or a CLSP/Waiver form and file it along with your documents. If you choose 'Waiver' and do not have the corresponding documents, your filing will be Rejected.
10. In the 'Fees' Section, whatever party is selected as 'the party responsible for the fees', this is the party the filing will write to the Case Management electronic docket on behalf of.
11. After you have uploaded your document[s], you will need to select the security of the document: Confidential or non-confidential. If you select 'Confidential' and you do not upload the court order allowing this along with the document[s], your filing will be Rejected.
12. If you are a 'Civil Legal Service Provider' [CLSP], you will need to upload the CLSP form prior to choosing 'Fee Waiver' as the payment type.

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13. Your filing[s] can be rejected for one of the following reasons: the wrong/insufficient amount was paid for the filing, the filing was filed within the wrong division, the filing was marked 'Confidential' and there was no order of court with the filing, the Cook County Attorney Code Number was not entered in the 'Case Cross Reference Field'.

Civil Areas of Law

14. In the Civil and Law Divisions, the hearing box may display dates when filing into an existing case. DO NOT choose a hearing Date unless the filing requires it.

15. When filing a Civil case, you must enter the amount claimed or the 'Ad Damnum' amount in the Fees Section in order to get the appropriate filing fee. If this is not entered correctly and the wrong fee is paid, the filing will be Rejected.

16. When filing a Mortgage Foreclosure, once you have selected your filing type[s] and have downloaded your documents, you must click on 'Add Optional Services and Fees' and select

the appropriate tier for your Mortgage Foreclosure case prior to proceeding. If the wrong tier is selected and the wrong fee is paid, the filing will be Rejected.

17. For Foreign Judgments, Administrative Reviews, Counterclaims /Jury Demands the filer must click on the 'Optional Services' to obtain the fees necessary to process [certified mailing fees, etc.] the filing.

18. The filer may only select one litigant to represent not multiple litigants on a case. Your document should properly indicate the litigants that you are filing on behalf of.

19. When filing a Name Change case, the Plaintiff's name will be the 'Given Name' [or birth name]; the defendants name would be the 'Name Requested'.

20. When filing an Appearance, the 'Return Date Not Applicable' should be checked. This does not pertain to the return date already issued on the summons. The system will then generate the status date.

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FREQUENTLY ASKED QUESTIONS (FAQs)

1. How does eFiling work?

Electronic filing or eFiling enables filers and courts to efficiently process documents and fees online. eFileIL manages the flow of information among filers, clerks, court personnel, and judges within the state of Illinois.

- a. Filer submits the document[s]
 - (i) After selecting a certified Electronic Filing Service Provider [EFSP], filers log on to their provider's website to file case-related documents online to any participating court in Illinois.
- b. EFSP delivers documents in the Court
 - (ii) EFSP's check submissions for completeness, calculate filing fees and court costs, and electronically deliver the submitted documents to participating courts.
- c. Clerks Accept/Reject Submissions

Once you have submitted your filing, the Clerk of the Circuit Court will receive the electronically filed documents and associated fees for processing and acceptance, review the documents, accept the filings or return them for correction, and provide an electronic timestamp notification to the filer for the accepted documents.

2. What are EFSP's?

EFSP's are Electronic Filing Service Providers who have partnered with the state of Illinois in the eFileIL initiative. eFileIL is the Electronic Filing Manager [EFM] that connects with all of the certified EFSP's and interface with our case management system. Currently a filer can choose one from a number of certified EFSP's in order to file.

3. Is there a fee to use eFileIL?

There are no fees to utilize eFileIL. However, all statutorily required fees associated with filing a specific document type still remains. In addition, some other EFSP's [Electronic Filing Service Providers] charge fees for eFiling and related services [bulk filing]. These fees vary by EFSP and the type of transaction. In eFileIL, a convenience fee is charged to cover the credit card or eCheck processing.

4. How do I serve an individual with the efiled documents?

Filers may use traditional mail service, serve by hand delivery, send an email or use the eFileIL option of electronic service of each filing to the designated individual. eService is a feature on eFileIL, where documents are electronically served to other parties in a case via email [utilizing the 'Courtesy Copy' box, and inserting the email addresses of each individual]. By using this option, you are able to track when a party receives and opens the document.

If you are looking to serve through the Sheriff's Department, please contact them directly at (312) 603-4925.

5. Does Cook County plan to work with eFileIL to develop a way for filers to directly place initial service of process to the sheriff (a local requirement) in their chosen EFSP?

Not initially, in the new system, it will be up to the filer to obtain service. The Cook County Sheriff's Office is currently looking into this. Should you need additional information regarding their service of process, please call them directly at (312) 603-4925.

6. When can I eFile?

eFileIL is available 24 hours a day, seven days a week.

7. What should filers expect as an average turnaround time from when their filing is submitted until the Clerk reviews it?

Turnaround times are determined by when the documents are submitted for eFiling. During office hours [Monday – Friday, 8:30 a.m. to 4:30 p.m.], documents are accepted throughout the workday. Documents submitted after regular office hours are typically accepted at the start of the next workday.

8. Are cases stamped when filed or approved?

Documents are stamped when accepted by the clerk. However, the date stamp will reflect when the document was originally submitted.

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FREQUENTLY ASKED QUESTIONS (FAQs)

Continued.

9. In Cook County, sometimes orders are drafted up by hand in the courtroom and presented to the judge immediately. Will that practice be discontinued after July 1?

No, presently court orders are excluded from Mandatory eFiling and they will continue to be accepted in the courtrooms. However, motions, appearances, or other pleadings will not be accepted in court and will be required to be eFiled.

10. In order to use eFileIL, do I need to register?

Yes, all users must register prior to utilizing the system. But if you are already registered in another county in Illinois to use eFileIL, you do not have to register again for Cook County.

11. What kind of support/training is available for eFileIL?

Filers can reach out to the Clerk's Office with any questions regarding eFileIL. There will continue to be a helpdesk hotline for filers to call to speak with a live individual from the Clerk's Office. However, the EFSP providers listed on efile.illinoiscourts.gov, offer different features and pricing, so filers would need to speak with a rep from the individual EFSP's to get their specific features. There are several 'how to' webinars on the website to offer assistance in eFiling, Tyler will also be offering training through the various bar associations. In addition, the Clerk's Office will be offer in-person training sessions prior to July 1, 2018.

12. Do Pro Se's [Self-Represented Litigant] have to eFile?

Yes, Mandatory eFile is for everyone [Attorneys and Self-Represented Litigants] filing in one of the Civil areas of Law. However, a Self-Represented Litigant can file for a good cause exemption to the eFiling process, but would require prior approval from the judge. The good cause exemption forms are available online and will be available in each of the division/district locations

13. What if a filer does not have an email address?

If the filer does not have an email address, they can utilize anyone of the efile kiosks within our office and sign up for an email address, the available icons on our machines are for Yahoo, Google [gmail], and AOL. They will need to obtain an email address in order to efile.

14. What if the filer does not have a credit card?

They have the ability to utilize an echeck online [with a valid checking account] but the individual can go to the nearest market, drugstore or gas station to purchase a fillable visa or mastercard to utilize within the efile system.

15. Will a party to the case be able to view the images of the case, like they do presently?

Yes and Illinois judges, parties to a case, and clerks of the court will also have the ability to access filed documents any time, from any place, and on any device through a single online portal, across the various jurisdictions within the state of Illinois, called re:SearchIL. If you are a clerk or work in the

Clerk's Office, you may login to re: SearchIL using your eFileIL login credentials. If you are a party to a case and have eFiled through eFileIL you may login to re: SearchIL using your eFileIL login credentials as well.

16. Will the Public Service List be populated by attorney information currently on file with either the Illinois Supreme Court or Illinois ARDC?

Public Service List [a list of all attorneys currently utilizing eFileIL] are populated by attorney information currently on file with the Illinois ARDC.

17. Will the efile system interact with the individual firm's service contacts list so that delegate emails attached to the attorney's accounts receive notifications of filings, or, are the individual firms going to be responsible for maintaining the information?

The individual firms will be responsible for maintaining their service contact lists to receive notifications of filings, etc. within the efileIL portal.

18. When can I bulk file?

You can bulk file documents now through one of the available EFSP's who offer a bulk filing service. Please refer to efile.illinoiscourts.gov, to review all of the different features for each of the EFSP'S and their specific pricing.

19. What is the Cross Reference Field on eFileIL?

The cross reference field requires a Cook County Attorney to enter their assigned Cook County Attorney Code; this field is also used for Civil areas of Law in filing specific motions.

20. What would be the reasons for my filing getting rejected?

Filings would be rejected for the statutorily required fees not being paid, the wrong fee amount paid, the filings filed in the wrong location, and if the Cook County Attorney code was omitted on the filing.

21. My filing was rejected. Can I correct and resubmit without doing the whole process over?

Yes, you can go into your 'Filer Dashboard' and click on 'Returned'. This will allow you to see all of your envelopes [filings that have been returned/rejected. You can go to the right of the line item, click 'Actions' and highlight 'Copy Envelope'. This allows the entire filing to be duplicated so the errors can be corrected and resubmitted.

22. I forgot my password. How can I reset?

You would need to call the specific EFSP [Electronic Filing Service Providers] to obtain the reset password link. The contact information for each of the EFSP's can be found at efile.illinoiscourts.gov.