

# COOK COUNTY E-FILING FAQs

The following frequently asked questions attempt to provide some clarification regarding policy, procedures, and rules for e-filing in the Cook County Circuit Court. Please check back often for updates.

## **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.

## **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.

## **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.

## **What is a transaction?**

A transaction is the filing of a document, or group of documents, in one single submission through the electronic filing system.

## **What is an "envelope"?**

An envelope contains a document or group of documents for a single file code for a single case number, or a group of documents for multiple filing codes, that will be processed in one transaction for one single case number.

**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 eFileLL option of electronic service of each filing to the designated individual. eService is a feature on eFileLL, 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.

**How should counsel serve discovery docs in an e-filed case?**

Service of discovery documents can be done the way you've always done it, by traditional means, or you can use the "Serve-Only" feature of the e-filing system to electronically serve documents, and track whether they've been opened or not.

**Does the e-filing system have a "serve only" option for discovery docs?**

Yes, Serve-Only is a feature of Green Filing.

Does Cook County plan to work with eFileLL 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.

**When can I eFile?**

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

**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.

**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.

**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.

**In order to use eFilell, 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 eFileLL, you do not have to register again for Cook County.

**What kind of support/training is available for eFileLL?**

Filers can reach out to the Clerk's Office with any questions regarding eFileLL. 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](http://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.

**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.

**Can I use my personal computer to efile?**

Yes, you can submit filings through an electronic filing service provider (EFSP). You will be using the internet to select the EFSP and submit your documents for filing. You will upload the document as an attachment. For instructions, refer to your EFSP's website.

**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.

**What type of payments do you accept?**

Please check with the electronic filing service provider (EFSP) of your choosing for specific information regarding payment types. Credit cards and electronic checks are accepted.

**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.

**What is E-Check, and is it available to everyone? Is there a fee?**

An e-check is short for "electronic check", also referred to as an ACH transaction. Anyone may create an e-check payment method. E-Checks are created by inputting your bank account information, including account type, account number, and routing number for use as a payment option when filing. The Court will then automatically withdraw any filing fees from that account upon acceptance of your filing. There is a \$0.25 cent processing fee added to your total filing fee when e-check is used as your payment method.

You may also pay filing fees with the user of a credit card. If a credit card is used, the court assesses a processing fee of approximately 3% of your total filing fee. Depending on the filing fees due, it can be much cheaper to pay filing fees with an e-check.

**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.

**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.

**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.

**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](http://efile.illinoiscourts.gov), to review all of the different features for each of the EFSP'S and their specific pricing.

**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.

**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.

**What happens if I select the wrong court location?**

Your electronically filed document will be rejected and returned to you through the Efiling system for correction and resubmission with the proper filing location indicated.

**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.

**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](http://efile.illinoiscourts.gov).

**Does the e-filing system generate a notice of motion w/hearing date and time pre-selected or can counsel choose?**

In Cook County, the filer can request and schedule hearing dates. Upon submitting a filing, this request may be made, or later after submitting a filing that is still Pending with the court the filer could make this request. This feature allows the court to generate an electronic notification to the e-filing service provider when a hearing date is scheduled. That service provider may then notify any interested parties by email or otherwise.

**Is a typographical ("/s/ [NAME]") signature acceptable for discovery documents that are served but not e-filed? Or must it be a manual signature?**

For service of discovery, I am uncertain of the requirements for signatures. I will look into this and let you know what I find. For e-filing, electronic signatures are ok may be simply typed on the signature link as /s/ followed by the attorneys name (i.e. /s/ Ben Matlock).

**What is the process for filing under seal?**

When e-filing, you are required to select a "security" for each document filed. Options typically include Confidential or Non-Confidential. Depending on the county, different rules may be in place for e-filing on cases that are completely sealed. Typically, e-filing is not allowed on sealed cases.

**Are notices of filing and notices of motion automatically generated by the e-filing system or should counsel include one with the filing?**

The e-filing system does not automatically generate any notices, other than "Electronic Service Notifications" when service contacts are added to a filing, and e-service is requested. Otherwise, any business practice related to generating notices, proofs of service, etc... remain as it always has.

**Is spindling of motions still required in Cook County?**

We are not 100% certain on whether "spindling" will still be required on motions when e-filing occurs through the eFileIL system. Some policies and procedures that will be adopted by the Cook County court have not yet been shared with the e-filing service providers. I can share, that a feature is being added and will be launched on April 1 to allow filers to identify a "Return Date" for new pleadings filed.

**How are summons handled? Must they be submitted with new case filings or do any clerks issue e-summons?**

Yes, you may submit a summons with a new case filing. Upon the clerks review and acceptance they can sign and issue the summons. You will receive it back via email. Summonses may also be submitted in a separate filing submission once a case is already established.

**Cook offers service of summons by sheriff as an option when initiating a case. Do any others through eFileIL? Will that option go away in Cook when they join eFileIL?**

During the process of any filing, there is a field called "Optional Services" that allows the filer to select any of the additional services a particular county may offer. It is expected that Cook will continue to offer service by Sheriff and that may be selected as an optional service during the filing process. The availability of optional services can vary by county and court. If the option to

have the Sheriff serve your summons is not available, then upon receiving your accepted filings and signed summons, you can print your documents and provide to a private process server.

**What is the difference, if any, between using Mac and Windows for Green Filing?**

There is no difference. Green Filing is a web-based application. All you need is a web browser and an Internet connection and the site is fully functional on either a Apple / Mac or PC.

**Is Green Filing mobile / tablet friendly? Does it work on a Smartphone or Tablet?**

Yes, Green Filing is fully responsive. This means it automatically adjusts it's layout based on the type of device you are using (desktop, mobile or tablet) for an optimized screen display, and is fully functional on all devices.

**How long does it take for a filing to be accepted?**

Depending on the court, it can take as little as a minute, to a few hours, to a full business day. If it is taking longer than that, the court may be having a backlog they are working through. If you are concerned about the status, the best thing to do is contact the court directly and provide them the envelope number on your filing.

**Do we have to type in the plaintiff's actual address or can we use the law firm address?**

The intent of the court is to record the party's actual address, or the address associated with the party as identified in your pleading. As the filing attorney, it is up to you what address you'd like to provide the court. If you don't know the address, then you should select the "Address Unknown" checkbox for that party.

**Filing a Motion, normally doesn't have a fee. Is there now a fee due to the e-filing system?**

This will depend on the e-filing service provider you choose. For the user of our site, the features it provides, the the 24/7 support that is available, Green Filing charges \$1 per filing submission even on filings where not court filing fees are due.

**In the courtroom, will the court have a paper copy and/or paper file or will everything be on the judge's computer?**

This will depend on the court or county. Some court's have gone completely paperless, while others still print e-filed documents and keep paper case files. The expectation over time is that all courts will be completely paperless and only view documents on their computers.

**How secure is this system in terms of inputting and storing payment account information, credit cards, e-check information, etc?**

The payment gateway that stores your credit card or e-check information is provided by the Court's vendor, Tyler Technologies and is known as the Tyler Online Payment Gateway (TOGA). This platform is meets industry standards for PCI compliance and is considered to be very secure.

**At present, I use Cook County's Clerk of the Court e-filing. Will that change on July 1, 2018 in Cook?**

Yes. Per the Supreme Court Order all cases currently e-filed under the current Cook County e-filing platform must be moved to the eFileIL system, and the existing platform will no longer be used.

**Do we have to download or purchase software?**

No. All you need is a computer, a web browsers (i.e. Chrome, Firefox, Internet Explorer, Microsoft Edge, or Safari), and an internet connection. We do recommend investing in **Adobe Acrobat Pro** to allow you to easily manipulate PDF documents, and purchasing a high quality scanner for situations where you need to scan documents in order to file them (i.e. exhibits).

**If there is a dispute about when something was filed, is the email from the EFSP valid proof? Or only an email from the court?**

Any emails from the e-filing service provider, or the eFileIL system (e.g. the Court), containing a summary of your filing and an envelope number would be valid proof that you had submitted a filing. As long as you can produce an envelope number, the system can also be used to find that filing and review a history of the filing, providing for further proof.

**Why use "service only" option instead of just emailing the document to opposing counsel?**

By using the "serve only" feature, you allow the e-filing system to generate the Notification of Service emails which are tracked. We can tell whether or not an email has been sent and received, and whether or not a document has been opened. Use the serve only feature allows you to login to the system and check on the status of your service at any time.

**Are we required to provide a paper courtesy copy to the judge?**

Typically, no. E-Filing implementations automatically distribute documents on the court's end to the assigned division, courtroom or Judge. In some situation, the Judge may require you to submit a courtesy copy at his or her direction.

**Will Cook County Hearing dates be sent to all counsel on the service list?**

Cook County will be sending electronic notifications regarding hearing dates to the filing party that requested the hearing date. At this time, we are uncertain if they will also send to all the counsel on the case. At Green Filing, we intend to notify all the service contacts on a case of a schedule hearing date anytime we receive a notification as such on a case.

**Why are both a Filing ID number and an Envelope number needed?**

The Filing ID is Green Filing's own internal ID for a filing. The Envelope number is the Court unique identifier of a filing. If your filing has an Envelope number assigned, you know the court has your filing. If you need to contact the court regarding the status of a filing, it is best to provide them the envelope number. If you contact Green Filing regarding a filing, you can provide either the Filing ID or the Envelope number and we are able to locate your filing quickly.

**Do I need to serve paper copies of documents on opposing attorneys?**

If your filing requires service of process, or personal service, then use traditional means of service should be used and paper copies provided to opposing counsel. If however, standard secondary service is all that is needed, then electronic service or "e-service" suffices.

**Can I submit an Initial Petition with a Fee Waiver Application?**

Yes, the initiating document and fee waiver application will be processed together.

**Can I ask to send a confirmation email to another party / person?**

Yes, the system will allow the option to send a confirmation email to another email address other than what is indicated in your registered account. The confirmation email is not considered electronic service of the document.

**Can the court electronically serve (eserve) other parties for me?**

No, at this time the court will not electronically serve other parties on behalf of another party. Contact your EFSP for options.

**Can I use an electronic filing service provider to electronically serve other parties?**

Yes, electronic filing service providers (EFSP's) offer this service for a fee. Refer to the specific electronic filing service provider's website to determine which service best fits your business need.

**Does it matter what DPI (dots per inch) is used when scanning a document?**

Yes, the Trial Court Records Manual recommends 300 DPI resolution. DPI refers to the output resolution of the scanner when a document is scanned. The DPI only factors in if you are scanning and attaching a document. If you start your document in a word processing application and convert it to pdf, text searchable format will be preserved.

**Do I need to scan a document that includes an original signature?**

Retention of original signed documents shall be done by the filing attorney. For documents efiled with court, the filing party may use /s/ followed by the name of the individual on the signature line of a document.

**Should a document be password protected?**

No, documents should not be password protected and will be rejected if the content cannot be viewed.

**Will the court accept a scanned pdf when third party legal software is used to complete forms?**

Yes, forms completed using third party software can be efiled as an uploaded pdf. When it is reasonable to submit a document that is text searchable, you should.

**Can I electronically file a Confidential Document?**

The filer may not establish a document's security level. The document security level is established by the court.

**In what format should I submit my proposed order?**

Submit your proposed order in PDF version. Only orders after hearing may be submitted, except for a ex parte proposed orders.

**Can I scan documents that accompany a proposed order?**

Yes, attachments to a proposed order may be scanned for concurrent review with a proposed order. Each document to be "Filed" as part of the court record shall be efiled as a separate document.