



Supreme Court of Illinois

January 22, 2016

SUPREME COURT ANNOUNCES TIMELINE FOR STATEWIDE, MANDATORY E-FILING IN CIVIL CASES

Filing paper court documents in civil cases will soon be a thing of the past in Illinois.

Chief Justice Rita B. Garman and the Illinois Supreme Court on Friday announced that the electronic filing of documents in civil cases will be required in the Supreme Court and five districts of the Appellate Court effective July 1, 2017, and in all circuit courts effective January 1, 2018.

The announcement marks the latest step in the Court's ongoing effort to utilize technology to make the court system more efficient. The Court's statewide e-filing initiative will provide a streamlined process for filing documents, conserve environmental resources and time, and generate long-term savings.

“When I was sworn in as Chief Justice in October 2013, one of the several goals that I announced was the increased use of technology in our courthouses and courtrooms, both to make the judicial system more efficient and to make the work of the courts more transparent. At that time, the e-filing pilot project had been completed. I am pleased that we have now reached the point where the technology is available to implement e-filing statewide at all levels of our judicial system,” Chief Justice Garman said.

“While full implementation will not be achieved during my term as Chief Justice, we have established a workable timetable, and I look forward to being involved as we address any challenges or concerns that mandatory e-filing may raise.”

E-filing was first approved in Illinois on September 19, 2002, when the Supreme Court authorized the electronic filing of documents in select civil cases in circuit courts on a pilot basis. The e-filing pilot program took effect January 1, 2003, and included five sites: Cook, DuPage, Madison, St. Clair, and Will counties.

To date, 15 of Illinois' 102 counties have sought and been granted approval for e-filing. The limited use of e-filing statewide is the likely result of variances in funding and technology resources available to the 24 circuit courts in Illinois.

A major barrier to e-filing in Illinois has been the complications that arise from the operation of at least a dozen different case management software systems in the state's courts. To address this issue, the Supreme Court will require e-filing to occur through a single Electronic Filing Manager (EFM), which will be integrated with each court's case management system and the attorney-selected e-filing service provider.

The Supreme Court has been working on the technical aspects of e-filing for years. After asking the Technology Committee of the Conference of Chief Judges to review the matter, the Court in 2014 created the e-Business Policy Advisory Board and the e-Business Technical Committee.

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The Court charged the Advisory Board with providing recommendations on how to implement e-business applications, such as EFMs and case management systems, and tasked the Technical Committee with developing statewide standards. Members of the Board and Committee include judges, court clerks, attorneys, and court technology personnel.

Based on the recommendations of the e-Business Policy Advisory Board and Technical Committee, as well as guidance from the Technology Committee of the Conference of Chief Circuit Judges, and staff from the Administrative Office of the Illinois Courts (AOIC), the Supreme Court on Friday announced a mandatory e-filing program in Illinois.

Illinois is not alone in mandating e-filing. Several states require e-filing and the federal court system offers e-filing through a unified, nationwide system known as PACER. Mandatory, statewide e-filing ensures efficiency, consistency, and fairness.

"I applaud the Court's huge step toward a paperless system. The public and taxpayers we were elected to serve will greatly benefit," said Chief Judge David A. Hylla of the Third Judicial Circuit in Madison County who serves as Chair of the Supreme Court e-Business Policy Advisory Board. "There will be some resistance, transitional work, costs, and bumps in the road. But when all is said and done, we will have a more efficient, cost effective, and user-friendly court system. The court system should not try to hold back the tide of technology, but rather embrace it."

The mandate will be phased in over two years. E-filing will be required in civil cases in the Supreme Court and the five districts of the Appellate Court effective July 1, 2017, and then in all circuits courts effective January 1, 2018.

Once these deadlines pass, attorneys and self-represented litigants will not be allowed to file paper documents, except for documents exempted by rules adopted by the Court or in the event of emergency.

For attorneys and self-represented litigants alike, mandatory e-filing means no more running to the Clerk's Office to file a document before the close of business or to the post office to make sure that a filing is postmarked on time. Because e-filing may be done at any hour and from any location, access to the court will be more convenient for all.

All courts will be required to provide designated space, the necessary equipment, and technical support for self-represented litigants who do not have access to computers and are seeking to e-file documents during regular court hours.

"Statewide mandatory e-filing enables the entire Illinois court system to move forward together to take full advantage of the accuracy, efficiency, integrity, and economies afforded by e-filing," Chief Judge Joseph G. McGraw of the Seventeenth Judicial Circuit said. "I commend Chief Justice Garman for her leadership and the hard work and vision all of those who have worked tirelessly toward making e-filing a reality for all Illinois courts."

Chief Judge McGraw serves as Chair of the Conference of Chief Judges and is familiar with e-filing as Chief Judge of a circuit that includes Winnebago County, one of the 15 counties that currently permit e-filing in civil cases.

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Besides Winnebago County, counties that currently allow e-filing include Clinton, Cook, DeKalb, DuPage, Kendall, Lake, Madison, Marion, McHenry, Montgomery, Moultrie, Sangamon, St. Clair, and Will. To make the transition easier for the courts currently operating approved e-filing programs, these 15 courts will be allowed to continue using their local electronic filing manager until e-filing has been implemented in all the other circuit courts and the centralized system has been evaluated.

The exact cost of implementing a statewide e-filing program in Illinois will not be known until a vendor is selected to provide electronic filing manager services.

The AOIC will issue a request for information to solicit proposals from vendors and is currently studying funding mechanisms used in other state courts utilizing e-filing and exploring funding alternatives, including new or increased court fees.

"The Supreme Court's decision to move its e-filing initiative forward is a significant step for the Illinois courts. Requiring e-filing in Illinois will modernize and simplify the process of filing documents for everyone involved, including attorneys, self-represented litigants, clerk's offices, courts, and taxpayers," AOIC Director Michael J. Tardy said. "We understand that this represents change, and while there may be some initial discomfort, the ultimate results of mandatory civil e-filing will be most positive and improve efficiencies in our court system."

The Court anticipates it will need to adopt and amend rules governing e-filing as the effective implementation date nears. Courts that believe they cannot comply by the mandatory implementation date may petition the Supreme Court for an extension with good cause.

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