

Electronic Case Transfer Standards for Illinois Circuit Courts

(Effective November, 2018)

Pursuant to Supreme Court Order M.R. 18368, Mandatory E-Filing in Civil Cases, filed January 22, 2016, the Supreme Court authorizes these *Electronic Case Transfer Standards for Illinois Circuit Courts (Standards)*. Cases transferred between Illinois counties on Order for Change of Venue or other court order shall be exchanged via the Supreme Court's Electronic Filing Manager pursuant to these *Standards*.

1. Definitions

- a. *Bookmark* - A type of link with representative text in the Bookmarks panel in the navigation pane of Adobe applications. Each bookmark links to a different view or page in the document.
- b. *Confidential Records* – A sealed, impounded, confidential, expunged, secured or otherwise protected document(s) which is not accessible by the public.
- c. *eFileIL* – The Supreme Court’s approved central Electronic Filing Manager (EFM) service which integrates with all Electronic Filing Service Provider software and is used by all Illinois courts to process filed documents.
- d. *Portable Document Format (PDF)* – A computer file format developed by Adobe Systems for reproducing a document in a manner that is independent of the application software, hardware, and operating system originally used to create the document.
- e. *Record Sheet* – Chronological register of all documents filed, all orders entered, and all proceedings held in a case.

2. Preparation and Assembly of the Record

- a. General Provisions
 - i. To the extent practicable, all documents shall be in Portable Document Format (PDF) with a minimum resolution of 300 Dots per Inch (DPI) and maximum of 600 DPI, scanned in black and white mode, with black text on white background and shall be text searchable. Scanned documents should meet the resolution and search formatting requirements of this section.
 - ii. Each part of the record shall be assembled in documents of no more than 25 MB each. The maximum size of any one envelope is 50 MB. Records exceeding the 25 MB per document limits shall be divided into appropriately sized volumes.
 - iii. Each PDF part shall include bookmarks where possible, immediately viewable when the document is opened, to individual documents.
 - iv. Documents in each part shall be assembled by date filed; each document in sequential order, beginning with oldest to most recent.
- b. Record Sheet - The Record Sheet shall be assembled as a single PDF document.

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- c. Case Record
 - i. Case records shall be assembled as a single PDF document.
 - ii. As required by 735 ILCS 5/2-106, a Certification page (see appendix 1) shall be included as Page 1 of the Case Record, which shall state, at a minimum, the Case Record contains the originals of all papers filed in the case together with copies of all orders entered.
 - iii. All non-confidential Case Records shall be assembled beginning immediately after the Certification page.
- d. Fee Waiver – If a Petition for Fee Waiver is requested, the petition is to be uploaded by the transferring county. Existing Fee Waiver's shall remain in full force and effect unless reviewed and denied by receiving court.
- e. Confidential Case Records
 - i. All Confidential Case Records shall be assembled as a single PDF document.
 - ii. The court or clerk is not responsible for content of filed documents and have no obligation to review, redact or screen any confidential information contained in such records. Documents that have been maintained as secured, sealed, or impounded shall be transferred as confidential.

3. Transmission of the Record

- a. Once the Case Record has been prepared and assembled per these *Standards*, the circuit court clerk shall transmit the record to the receiving circuit court clerk as a new filing pursuant to options available in the configuration coding standards. Filing of the Confidential Case Record shall be labeled as "confidential" through eFileIL.
- b. Using the standard workflow of eFileIL, notification shall be provided to the circuit court when the record is delivered. The notification shall include the date and time of the record's delivery.
- c. Unless a fee waiver is included or ordered, payment of required filing fees shall be collected by the transmitting county and forwarded to the receiving county via US Mail (regular or certified), electronic fund transfer, or other authorized methods as may be agreed upon. If payment is being forwarded outside eFileIL, the transmitting county shall make appropriate notations that payment is being forwarded separately and select "waiver" as the payment method. The receiving court may use customized queues to assist with organization and isolation of payment pending transactions. If payment is not received within a reasonable time, the filing may be dismissed on motion or rejected and returned to the originating county.
- d. Once the Case Record and payment, or fee waiver, is received, the clerk shall affix the electronic file mark setting forth, at a minimum, the identification of the court, the clerk, the date, and the time of filing. The transmission date and time shall govern the electronic file mark. If a Case Record is transmitted on a day the clerk's office is not open for business, the electronic file mark shall indicate the next business day. Using

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the standard workflow of eFileIL, upon the receiving clerk's review and validation of the filing, a message shall be transmitted to the transmitting county that the clerk has accepted or rejected the electronic transmission.

- e. The court or clerk shall not be liable for malfunction or errors occurring in the electronic transmission, receipt or access to electronically filed documents.
- f. If a Case Record submitted electronically is rejected or not filed due to exchange malfunction, the court may, upon good cause shown, enter an order permitting the Case Record to be filed effective as of the first date of the attempted filing.

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Appendix 1

CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

Plaintiff/Petitioner

vs.

Case No. _____

Defendant/Respondent

CERTIFICATION OF RECORD

The record for transfer has been prepared and assembled in the form required for transmission to the receiving court.

It consists of:

____ Volume(s) of the Case Record, containing _____ pages.

I do hereby certify that this certification of the record pursuant to 735 ILCS 5/2-106 to be a true and complete copy containing the originals of all papers filed in the case, including all orders entered, issued out of my office this _____ DAY OF _____, 20____.

_____, Clerk of the Circuit Court