

IN THE  
SUPREME COURT OF ILLINOIS

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In re: Electronic Filing Pilot Project	)	
3 <sup>rd</sup> Judicial Circuit	)	M.R. 18368
Madison County	)	

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ORDER

Until further order of the Court and pursuant to the Court's general administrative and supervisory authority, it is hereby ordered that, effective immediately and for a period of two years thereafter, the 3<sup>rd</sup> Judicial Circuit, Madison County is approved as a pilot site for the implementation of Electronic Filing in a manner consistent with this Court's Policy for Implementation of an Electronic Filing Pilot Project in the Illinois Courts. Regarding Signatures, Time of Filing, and Electronic Service, it is further ordered:

1. Signatures

(a) Each electronically filed document, including every pleading, motion, and other paper, shall bear a facsimile or typographical signature of the attorney, or pro se party, authorizing such filing, and shall be deemed to have been signed by the individual identified. In the absence of a facsimile or typographical signature, any document electronically filed with a user identification and password issued by an authorized provider, shall be deemed to have been signed by the holder of the user identification and password.

(b) Documents containing signatures of third parties may be filed electronically. They shall bear a facsimile or typographical signature.

(c) Signatures as defined in subparagraphs (a) and (b) above satisfy Supreme Court Rules and statutes regarding original signatures, and give rise to the application of available sanctions when appropriate.

(d) Electronic filing does not remove the need for signed original documents. The original signed documents that have been electronically filed pursuant to subparagraphs (a) and (b) above, shall be maintained and preserved by the filing party until at least one year following the completion of the appellate process, and shall be made available pursuant to order of Court.

(e) Where a Clerk is required to endorse a document, the typed name of the Clerk affixed by the Clerk, shall be deemed to be the Clerk's signature on the electronic document.

(f) Anyone filing an electronic document that requires an original signature certifies by so filing, that the original signed document is in his/her possession and bears his/her original signature.

2. Time of Filing

Regarding electronically filed cases, any document submitted electronically shall be considered filed with the Clerk of the Circuit Court upon review and acceptance by the Clerk. The transmission shall be endorsed with the Clerk's electronic file stamp setting forth both date and time. Any document submitted electronically to the Clerk's Office on a day or at a time when the Clerk's Office is not open for business shall, unless rejected by the Clerk, be file stamped as filed at the next period for which the Clerk's Office is open to receive conventional filings. This file stamp shall be merged with the electronic document and shall be visible when the document is printed and viewed on-line. Electronically filed documents so endorsed shall have the same force and effect as documents file stamped in the conventional manner.

3. Service on Other Parties and Counsel of Record

(a) Electronic service does not confer jurisdiction. Only documents that do not require personal service as a matter of law may be served electronically. Parties and counsel of record may consent to receive service electronically. By electronically sending a document for service, a party or counsel of record shall be deemed to have consented to receive service electronically. If the party or counsel of record has not consented to electronic service, service shall be made as otherwise provided by rule or statute.

(b) Regarding electronically filed cases, the effective date of service on other parties shall be determined in the same manner as for service by facsimile transmission pursuant to paragraph (d) of Supreme Court Rule 12.

The Administrative Office of the Illinois Courts shall provide oversight of the pilot project for the duration of the project.

Order entered by the Court.

**FILED**

OCT 31 2008

SUPREME COURT CLERK