

# Jersey County Circuit Clerk's Office Protocol

## Civil Division

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## Accepted Methods of Filing

Electronic Filing of Documents are required by all litigants unless they are qualified as exempt.

*The following types of documents in civil cases are exempt from electronic filing:*

- (1) Documents filed by a self-represented litigant incarcerated in a local jail or correctional facility at the time of the filing;
- (2) Wills;
- (3) Documents filed under the Juvenile Court Act of 1987; and
- (4) Documents filed by any person, including an attorney or a self-represented litigant, with a disability, as defined by the Americans with Disabilities Act of 1990, whose disability prevents e-filing; and
- (5) Documents in a specific case upon good cause shown by certification.
  - (A) Good cause exists where a self-represented litigant is not able to file documents for the following reasons:
    - (i) no computer or Internet access in the home and travel represents a hardship;
    - (ii) a language barrier or low literacy (difficulty reading, writing, or speaking in English); or
    - (iii) a self-represented litigant tries to e-file documents but is unable to complete the process and the necessary equipment and technical support for e-filing assistance is not available to the self-represented litigant.
  - (B) Good cause also exists where any person, including an attorney or self-represented litigant, is filing a pleading of a sensitive nature, such as a petition for an order of protection or a civil no-contact/stalking order.

If a litigant qualifies for exemption from e-filing they are required to file a standardized form expressly titled "Certification for Exemption From E-filing" adopted by the Illinois Supreme Court Commission on Access to Justice into the case into their case.

A Certification for Exemption From E-filing and any accompanying documents shall be filed with the court-in person, by e-mail or by mail.

## Rejection of Pleadings

Pleadings may be rejected for various reasons such as if a filing is incomplete (i.e. missing proof of service or signature), illegible text, or incorrect venue.

A pleading can also be rejected if a litigant fails to use proper AOIC standardized forms. (forms frequently updated/created and can be found on [illinoiscourt.gov](http://illinoiscourt.gov)).

The clerk's office cannot reject a pleading due to its nature or the contents in the body of the pleading.

If a filing is rejected, clerk shall provide an explanation to the litigant as to why in a timely manner.

## Service of Documents

When a litigant, attorney or self-represented, files a pleading into a case it is their responsibility to send a copy to the other party and indicate so by completing a proof of service.

When an order or docket entry is entered into a case, it is the clerk's responsibility to send to all parties of record in a timely manner. This may be done by mail, CMS generated mailer, personal delivery in clerk's office or in court, or by email.

If a Judge is to direct the clerk's office to send an order or entry in a specific manner (i.e. "clerk to send to parties by email"), this is how the document must be delivered to parties.

*\*In certain circumstances some orders or documents may be required to be sent by certified mail. Please refer to AOIC handbook or the issuing Judge for guidance.*

Method and date of service by clerk's office must be notated on case record sheet.

If any mail or notices sent <sup>to</sup> a party are returned to the clerk's office as undeliverable, this must be notated on case record sheet and scanned into the case's imaging.

If a forwarding address is provided by the post office or obtained elsewhere in our CMC, resend to provided address and update the address for said litigant in the case in question.

## Updating Litigant Information

When an attorney's office calls in, or submits formal notice of change of address and/or firm name, or email address, please update said information in office's CMC via the TECHNICAL > CASE MGMT TABLES > EDIT ATTORNEYS tab as soon as possible. If your user name is not authorized to submit changes, please refer the task to a clerk who has such authorization.

The same updates must be made to pro-se litigants. \*\*Please note that contact information for pro-se litigants can only be changed by editing it in each individual case. It will not auto populate into other cases. Please ensure that you are only updating contact information if you are for certain the case pertains to that individual and not another litigant with the same name.

Mail returned to the clerk's office providing a new address for litigants is a permissible resource for updating contact information.

## Scheduling

The civil clerk's office is permitted to schedule the following case types for hearings:

Order of Protections

Small Claims/ LM

Pro-se dissolution cases

Please refer to yearly court schedule published by the Judge's office for weekly dates and times for these settings.

For any other case types, please transfer to or ask the Judge's clerk for availability or scheduling.