



APPELLATE COURT OF ILLINOIS

CHAMBERS OF
JUSTICE MARY K. ROCHFORD

160 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60601
(312) 793-5453

December 8, 2017

Re: Good Cause Exemption from E-Filing

Dear Court Stakeholders and Patrons:

I am writing to inform you that the Illinois Supreme Court has amended Rule 9 (Ill. S. Ct. R. 9 (eff. July 1, 2017)), which sets forth the documents in civil cases which are exempt from e-filing, to more clearly define the good cause exemption from the requirements of e-filing contained in subsection (c)(4) of the rule, and to specify the procedures which allow a self-represented litigant to obtain this exemption. The amendment also provides that good cause exists as to pleadings relating to orders of protection or civil no contact/stalking orders.

Specifically, Rule 9(c)(4), as amended, now states, as to the good cause exemption:

“All documents filed in a specific case, upon good cause shown by certification. Good cause exists where a self-represented litigant is not able to e-file documents for the following reasons: no computer or Internet access in the home and travel represents a hardship; a disability, as defined by the Americans with Disabilities Act of 1990, that prevents e-filing; or a language barrier or low literacy (difficulty reading, writing, or speaking in English). Good cause also exists if the pleading is of a sensitive nature, such as a petition for an order of protection or civil no contact/stalking order.

A Certification for Exemption from e-filing shall be filed with the court—in person or by mail—and include a certification under 1-109 of the Code of Civil Procedure. The court shall provide and parties shall be required to use a standardized form expressly titled "Certification for Exemption from E-filing" adopted by the Illinois Supreme Court Commission on Access to Justice.

Judges retain discretion to determine whether, under particular circumstances, good cause exists without the filing of a certificate and the court shall enter an order to that effect.

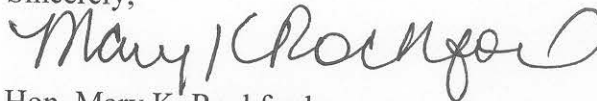
Judges retain discretion to determine whether good cause is shown. If the court determines that good cause is not shown, the court shall enter an order to that effect stating the specific reasons for the determination and ordering the litigant to e-file thereafter.”

Thus, under the amendment, the good cause exemption is granted automatically, either upon the filing of a Certification for Exemption from E-Filing, which is made under section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109 (West 2010)) or, by a judge entering an order after determining that good cause exists under Rule 9(c)(4), as amended. A judge may make this determination *sua sponte*.

The certification will be available shortly on the Illinois Courts' website at: www.illinoiscourts.gov/Forms/approved.

The Illinois Supreme Court, in amending the rule, concluded that this narrow good cause exemption will ensure access to the court system for those self-represented litigants who face difficulties because they lack the tools or ability to achieve compliance with e-filing and provide security for those seeking orders of protection or civil no contact/stalking orders.

Sincerely,



Hon. Mary K. Rochford

Chair

Illinois Supreme Court Commission on
Access to Justice