

EFILING GUIDELINES

TIPS & TRICKS

New cases and new document filing queues should be cleared within 24 hours.

If possible, please do not submit documents or exhibits on colored paper. The detail is more legible when it is black and white.

Title your documents accurately.....using the exact same title as indicated on the pleading. The more descriptive your pleadings are, the easier they will be to locate in the court record.

Please enter all party names, addresses, and document titles in **mixed upper and lower case**....do not use all capital letters.

All documents must be submitted in **PDF format** (.pdf)

All filings or attachments should be no larger than standard letter size (8.5" x 11").

Do not submit multiple documents as one single PDF. You should **submit each document separately** (supporting Affidavits should be separate from Motions or Orders to Show Cause).

A single document **may not exceed 10MB**. If you have a document which does exceed this size, you will have to use your PDF conversion tool to compress the document.

Exhibits can be included as part of the document they are being attached to, as long as they won't affect the size of your document, which cannot exceed 10MB. If you have a lot of exhibits or they are lengthy, they should be uploaded as separate PDF documents. After uploading a primary document, please choose the document type "Exhibit" enter the appropriate number or letter, and be sure to place a check mark to the right of "Attach to main document". Each exhibit should bear a marked as Exhibit A, Exhibit B., etc. Keeping exhibits separate makes them more easily accessible, so you don't have to scroll through an entire document to locate one specific exhibit.

- The eFiling system does not support the filing of CD's/DVD's with audio or video recordings. You may submit the transcript of the recording or submit the CD/DVD as an evidentiary exhibit.

For indigent parties, a CV-410 **Waiver of Fee** should be submitted at the same time a complaint or petition is filed.

For post judgment paternity documents, be sure to include the "**PJ**" **case number extension** on all filings.

EXTREMELY USEFUL TOOL

"NOTES TO CLERK" Box: There is a message box available for your use when e-filing where you can add notes for the clerk which may be pertinent to your filing, like "please have judge review prior to hearing on 2-15-16" or "please call Mary at 555-1234 to schedule" or "please upgrade SC case to civil" or "to state the reason a document is being amended." These would be special handling instructions, requests for actions that you want the clerk to take, or something about the filing that you want to bring to the clerk/court's attention, similar to things you would verbally relay to the clerk if you were filing in person, or things you would write on a post-it note. These notes will help insure that appropriate action gets taken, because the clerks only briefly overview the documents when accepting them into the record, they don't read them in detail.

Submit documents which do not need the signature of the Court as PDF documents.

Court Orders:

The judge can apply electronic signatures to both PDF and Word documents. See information below for margin requirements to accommodate the judge's electronic signature at the top of first page of Order and margin requirements for subsequent pages.

Submit proposed Orders saved in Microsoft Word **.docx** format, so they can be revised by the judge, if necessary, and then signed electronically.

NOTE: Do not use the word "Proposed" as part of your document title. The eFiling system automatically adds the word "Proposed" and once the judge signs the Order, the word "Proposed" gets dropped.

Alternate Options Available for Documents Requiring Multiple Signatures

Certain county generated forms may require special handling. When in doubt, call the unit clerk to discuss a recommended procedure to address your situation.

E-SIGNATURE CHANGES EFFECTIVE SEPTEMBER 1, 2018

Court official signatures will be automatically placed within the top 3 inches of page 1 of applicable documents, along with the filed stamp and a standard header featuring the case number, document number, filed date, and page number. All remaining pages will feature the standard header.

Following implementation, efilers are no longer required to include signature blocks on orders, regardless of the file format.

Both PDF and Word proposed orders may be submitted and will be signed in the same manner, eliminating confusion around document type requirements.

All state court forms will be updated to meet the new standard.

eSignature Document Specifications:

Leave a 3" top margin on the first page of any document requiring signature by a court official (circuit court judge, court commissioner, clerk of court or Register in Probate) to accommodate the eSignature block.

Leave a ½" margin on all subsequent pages of your document to accommodate the system applied header that will feature the case number, document number, filed date and page number. The document number will be visible on the eFiling website "My Cases" page to help more easily manage documents.

A six-month grace period will be honored after implementation, allowing efilers additional time to make the required changes to your documents. During the transition period, court staff will identify documents that are not formatted properly and the system will then place the court official signature on a cover page prepended to the document.

Party Information

eFilers are required to enter all parties listed on the document being filed, if the party is not already a part of the case. If the filer is filing a new complaint, ALL parties must be entered. If all parties are not entered, the filing will be rejected. Divorce filings must include all minor children born or adopted to the parties of the marriage.

Costs to File:

- \$20.00 per eFiling party, per case to eFile. (fee is a recoverable cost)
- Convenience fee: There is a \$2.50 flat convenience fee for using an electronic check or a 2.75% convenience fee to process filing fees using a Master Card or VISA credit card (Manitowoc County has deemed the convenience fee a recoverable cost)
- No \$20.00 opt-in fee is required for filing judgments or liens (TJ, FJ, CL, OL)

Refused Filing/Refund of Filing Fee

If a document is refused but had a filing fee attached to it, your filing fee will be refunded, unless you submit a corrected filing. **If you submit a corrected filing, you do not need to submit another filing fee.** When you choose this option, you will need to make contact with our office and work in coordination with one of our clerks. The convenience fee associated with your eFiling payment is not refundable.

Electronic Filing Notice (GF-180) is generated with new e-filings and needs to be served on the defendant/respondent along with the other initiating documents, to inform party(ies) of the option to register as an electronic party. The notice provides instructions for opting in as an electronic party to the action.

Opting In. eFiling parties can opt in to any electronically filed case where they are listed as a party or attorney of record. At the Opt-in page, the party selects the county the case is filed in, enters the case number, follows the prompts, and pays a \$20.00 opt-in fee. After the party submits the opt-in request, an email is sent to the email address designated by the user confirming the opt-in request. (*Convenience fee of 2.75% = \$.14 if using Master Card or VISA, or \$2.50 flat fee if using electronic check*)

Once an attorney has opted in, the represented party cannot opt in as an eNotice party. This is because there is a risk of **ex-parte communication** occurring between the other party's attorney and this party.

If the **Notice to Party with Attorney** checkbox is marked, parties of eNotice attorneys will receive a printed paper notice.

Multiple attorneys from the same firm can opt in and receive electronic notices. Before they can opt in, they need to be added to the case as an attorney of record. This can be accomplished by calling the Clerk of Court, getting added as an attorney of record, and then opting in and filing a Notice of Retainer in the case.

The \$20.00 opt-in fee will not be charged to a Wisconsin governmental unit such as the district attorney, public defender and appointed counsel, court-appointed counsel, GALs, Child Support Agency, Attorney General, and county or municipal attorneys. When opting in, there is a section where you state that you are court appointed. There is also no \$20.00 opt-in fee charged for filing judgments or liens.

Opting Out. eFiling parties can opt out of receiving electronically filed case information by going to the Circuit Court eFiling page and selecting "My Cases." A list of electronically filed cases associated with the user will display. In the "Actions" column, select the "Opt Out as an Electronic Party" link and submit. An email will be sent to the user's designated email address to confirm the opt-out request.

eNotice Status Change Forms. Whenever a party's status is changed, the system will generate a **GF-208 Electronic Notice Status Change** and a **GF-181 Electronic Filing Registration Confirmation** for each party opting in or out as an efiler.

Converting a file to eFiled. Allows a non-e-filed case to be converted to an efile, allowing the attorney and/or party(ies) on the case to opt in and receive, view or file documents electronically. *Refer to Instructions to Convert a Case to an Electronic File.*

Request Clerk to add Convenience Fee and eFiling Fee to Costs to be Included in

Judgment: Mail or fax a letter to the Civil or Small Claims Clerk requesting that the convenience fee and efilings fee be included as part of the costs of filing fee for purposes of entering a judgment. If payment was made by an electronic check, the convenience fee is a flat \$2.50, and if payment is made by a debit or credit card, the convenience fee is 2.75%.. Manitowoc County Clerk of Court fax number is (920)683-2733.

How Do I View All eFiled Cases?

Under your “My Cases” portal, the system defaults viewing of efiled cases to all **active/pending/open** cases. If the attorney wishes to view closed cases or all cases they have filed as efiles, they should mark the checkbox “Show Closed Cases.”

Small Claims – Date Summons Mailed

The “Date Summons Mailed” on new small claims filings will depend on the time we process a new e-filed small claims action. The last mail pick-up of the day for the Clerk of Court is 3:00 p.m. All new e-filed small claims cases that are processed prior to 3:00 p.m. will have the summons mailed out the same day. Anything filed after 3:00 p.m. will have the small claims summons mailed on the next business day.

Docket Fees, Satisfaction Fees & Writ Fees

Docket fees and satisfaction fees are now able to be completed through the efilings system, however, writ fees must still be done in person or by mail at this time.

Garnishment Notices

When a garnishment action is filed, the Clerk of Court office will apply an electronic court seal to the Garnishment Notice for service on the garnishee defendant. Garnishments are filed using the case number where the original judgment originated, and each garnishment action is considered a new filing, subject to the applicable filing fee and an additional \$20.00 efilings fee.

Upgrading Small Claims to Civil

A counterclaim can be filed by a defendant to an existing small claims case to upgrade it to a civil case. When done correctly, the necessary upgrade fee of \$125.50 can be paid through the efilings site. There is no \$20.00 efilings fee charged to opt-in to the new civil case.

For plaintiffs requesting an upgrade from small claims to civil, file an Amended Summons and Complaint in the small claims action and include a note to clerk requesting the small claims case to be upgraded to civil, and pay the \$171.00 upgrade filing fee. Plaintiff should contact our small claims or civil clerk for assistance working through the payment process.

Motion to Seal Documents

Please refer to the standard state forms for submitting sealed or temporary sealed documents. <https://www.wicourts.gov/services/attorney/redact.htm>

Appeals

The Notice of Appeal is to be filed electronically. Attorneys can post circuit court fees through the financial means available and submit the filing fee to the Appellate Court directly.

Rejected Filings

When a filing will be rejected, our staff will make every effort to make a courtesy call first to make you aware of the situation, and then include a message with your rejected filing, stating the reason for rejection. The name and phone number of the clerk who rejected the filing will be included in the message, in case you have any follow-up questions.

Some common reasons a file may be rejected:

- Caption does not match the parties entered in CCAP
- Invalid or no case number indicated on filing
- Document filed in wrong county
- A “proposed” order is submitted in PDF format
- Poor document quality; document is illegible or scanned inappropriately
- Multiple documents scanned as one document.....filings will need to be resubmitted as separate documents
- Document or attachment exceeds standard letter size (8.5” x 11”)
- Documents cannot be opened because of corruption, or document has been quarantined by the system for having a virus
- Missing or incorrect dates/times on Motions, Notice of Hearing or Summons
- Filing attorney calls and requests filing to be rejected

Mandatory E-Filers

Effective 3-1-17, Manitowoc County becomes a mandatory e-filing county. Mandatory e-filing applies to all attorneys and high volume filing agents who file 10 or more cases per year. Case types which will be mandatory are: CV, SC, FA, PA, CT, CM and CF or contested TR and FO.

Effective 9-1-18, the following case types were added to mandatory e-filing: TJ, FJ, OL, HL, CO and CL cases.

Effective 3-4-19, the following case types will be added to mandatory e-filing: CI, CX, JD, JO, JV, JC and TP cases.

Voluntary E-Filers

Non-attorney parties may voluntarily opt-in as e-filing parties for any of the case types which are mandatory e-filing cases for attorneys.

Non-Party E-Filers

Additional documents may be filed on an e-filed case by an individual or agency who may be associated with the case but is not a party or attorney on the case, for the purpose of filing reports, letters, administrative agency records, or return of service. Non-party filers are not charged a \$20.00 opt-in fee. Non-party filers must create an eCourts account to register as a non-party filer.

**FOR PROCEDURAL ASSISTANCE ON EFILING, CONTACT
CLERK OF COURT OFFICE AT (920) 683-4030**

**FOR TECHNICAL ASSISTANCE ON EFILING, CONTACT
CCAP PUBLIC SUPPORT LINE @ 1-800-462-8843**