



## **FREQUENTLY ASKED QUESTIONS REGARDING E-FILING RULES:**

### **When is the deadline for documents filed on any business day?**

-Documents can be filed as late as 11:59 p.m., eastern standard time.

### **Does an e-filer need to present a summons to the clerk along with the initiating document?**

-No, The Clerk will generate a summons and issue it based on the e-filer's requested method of service.

### **Can I place multiple case numbers on one e-filing?**

-Each case number must be e-filed in separate "envelopes." Failure to comply will result in a rejection of the filing.

### **May subpoenas be filed electronically?**

-Subpoenas issued pursuant to CR 45 must be served as provided in CR 45.03(1) and not by use of the e-filing system.

### **When is a document considered to be "filed" for purposes of e-Filing?**

-A document filed electronically is deemed filed on the date and time stated on the Notice of Electronic Filing from the court, regardless of when the e-Filer actually transmitted the document. Filing a document electronically does not alter the filing deadline for that document.

-Filing must be completed BEFORE MIDNIGHT, eastern standard time, in order to be timely filed. However, if the time of day is of the essence, the presiding judge may order a document filed by a certain time.

-If the clerk sees an error in the filing, they will notify the filer of the error and what further action is required to address the issue.

### **If I wish to file a document, may I email a copy to the clerk's or judge's office instead of submitting it through the e-filing system?**

-No. Emailing a document to the clerk's office or to the presiding judge does not constitute filing the document. A document will not be considered filed until the e-filing system generates a Notice of Filing.

**Should discover materials be e-filed with the court?**

-No. The e-filing system will not be used for electronic exchange of discovery materials and other communications between the parties that are not intended to be filed with the court.

**Must electronically filed documents be redacted?**

-Yes. All e-filers must comply with the redaction requirements set out in CR 7.03, "Privacy protection for filings made with the court." These requirements apply to all documents, including attachments and exhibits. *The clerk will not review filings for compliance with this rule. The responsibility to redact filings rests solely with the e-filer.*

**In the event of a technical failure with the e-filing system, how do I ensure my documents are filed on time?**

-If an e-filer experiences a technical failure the e-filer may file the document conventionally; provided that the document is accompanied by a certification signed by the e-filer, that the e-filer has attempted to file the document electronically at least twice, with those unsuccessful attempts occurring at least one (1) hour apart.

**Do technical difficulties with the e-filing system extend jurisdictional deadlines?**

-No. A technical failure, including the failure of the e-filing system, will not excuse a failure to comply with a jurisdictional deadline.

-A "jurisdictional deadline" is defined by the e-filing rules as, "deadline set by statute or rule that the court may not extend or change."

**May an e-filer obtain any form(s) of relief based on the inability to file documents on time in the event of technical failure with the e-filing system?**

-An e-filer who suffers prejudice as a result of technical failure or an e-filer who cannot file a time-sensitive document electronically due to unforeseen technical difficulties, other than a document filed under a jurisdictional deadline; may seek relief from the court. Parties may also enter an agreed order deeming a document, other than one filed under a jurisdictional deadline, timely filed.

**What are the signature requirements of an e-filed document?**

-A document electronically filed using the e-filing system may be signed in two ways.

- An e-filer may place their personal signature on a document, scan the document, convert it to PDF or PDF/A form, and upload it to be filed; or
- An e-filer may sign a document electronically:

The name of the filing party's attorney must be preceded by an "/s" and typed in the space where the signature would otherwise appear.

The electronic signature of the filings party's attorney will be treated as a personal signature and will serve as a signature for purposes of CR 11, all other Kentucky Rules of Civil Procedure, any applicable statutes, the Local Rules of Court, and any

other purposes for which a signature is required in connection with proceedings before the court.

# Attorney eFiling Program

# Fast Facts

Kentucky state courts are accepting court cases electronically in all 120 counties. The Administrative Office of the Courts quickly implemented eFiling as part of the Judicial Branch's plan to better serve those who depend on the state court system.

eFiling was initially available only for civil cases in Circuit Court and District Court. The program was extended to criminal cases in the fall of 2014.

"Moving from a paper-based environment to one that is primarily electronic will transform the way Kentucky courts do business," Chief Justice John D. Minton Jr. said. "The cost savings to the court system and to practitioners will be substantial and the state's entire legal system will become more efficient when we process court cases electronically."

eFiling is part of the Judicial Branch's comprehensive, multiyear eCourt program. The goal is to update Kentucky's aging court technology to meet the demands on the court system and enable the courts to stay current with the mainstream of law and commerce.

The eCourt program will also upgrade the court system's technology infrastructure (hardware and software), replace its case management systems for the trial and appellate courts. A document management system has been acquired that electronically stores and indexes court documents.

The Judicial Branch cleared a major hurdle on its eCourt program in March 2013, when it received legislative approval to issue bonds to fund a new case management system. Resolving the funding issue jump-started the eFiling process and made it possible to begin proof-of-concept testing in Franklin County in December 2013.

The statewide rollout of eFiling began in January 2015. Ten to 14 counties were on-boarded each month with Jefferson County being the last county implemented in October 2015.

Additional functionality will be the emphasis of product development and includes small claims, probate, and much more.

## ***Need Training & Certification?***

You are cordially invited to attend training in order to become authorized to eFile. eFiling is not mandatory, but attorneys wishing to eFile must attend training in order to be authorized to file. The in-person training sessions are free and have been approved by the Kentucky Bar Association for 2.0 CLE credit hours. Paralegals, secretaries or other support staff are welcome to register along with an attorney. To view in-person training times and register, please visit <http://kyefiling.eventbrite.com/>.

Attorney Online eFiling Training and Certification is also available. Log in to KYeCourts here <https://kcoj.kycourts.net/kyecourts/Login> and click the eLearning tile.

## ***Attorney Support Services***

Filers may send their questions to [ECourtSupport@kycourts.net](mailto:ECourtSupport@kycourts.net) for assistance with eFiling issues. Assistance is also available if filers contact **502-573-2350, ext. 50109**. Support is available during the AOC's regular business hours, 8:00 AM to 5:30 PM EST, Monday through Friday, excluding holidays. Calls after that time will be forwarded to voice mail.

When calling for assistance, please have your envelope number handy!



# eFiling

Learn how eFiling can benefit  
your legal practice

Provided by the Administrative Office of the Courts

# Attorney eFiling Program

# Fast



# Facts

## *eFiling Program Tips for Attorneys*

### Login and Profile Activities

- Login through <https://kcoj.kycourts.net/KYeCourts/login>.
- Verify User Profile data (you may change your password by clicking on the password icon also on this screen).
- Complete KBA Verification under Profile Identifiers (one time only activity).
- Add information on the Business Info tab. This information will populate automatically into your eFilings for you.
- Use the Additional eMails tab to send notifications to other emails (you can have up to 1000 total email address, maximum).

### Notifications Field

Allows access to all NEF and NCP notifications for your eFilings.

### Support

- Use the Help button located in the eFiling Dashboard for News and Update information as well as contact information, eFiling Rules, User Guides, Reference Materials, and FAQ concerning eFiling.
- Send questions by email to: [eCourtSupport@kycourts.net](mailto:eCourtSupport@kycourts.net).
- Assistance is available by calling: 502-782-8699 x50109. Support is available during the AOC's regular business hours, 8:00am to 5:30pm EST, Monday through Friday, excluding holidays.
- When contacting the eCourt Support team, always provide the envelope number.
- KYeCourts Help website: <https://ehelp.kycourts.net/>

### Filings

Keep in mind when eFiling:

- While building an envelope the system displays the local time of the courthouse being filed into.
- PDF or PDF(A) documents uploaded (8 ½ x 11) should not exceed 4MB per PDF.
- Total size of ALL documents contained within an uploaded envelope should not exceed 50 MB.
- DOC or DOCX documents are only used when submitting proposed orders – tendered documents.
- No password protections or Macros can be used on documents.
- Name fields have a 41 character string limit.
- If Selected Sheriff is not in drop down menu, then select return to filer and present the document to sheriff conventionally (as Sheriff has not yet elected to participate in eFiling).
- Should you wish to use an alternative service provider, you should select return to filer and present the document to the alternative service provider conventionally.
- VS300 is to be submitted through the eFiling system as well as filed conventionally.
- Motion date information must include the information provided by the court (date, time, location, and if known the Judge hearing the Motion).
- On the review screen, review data submitted for accuracy and review fee totals to verify that filing costs are correct.
- If IFP is utilized, upload IFP document at the bottom of the screen.



Need Help Processing eFilings?

\*\*\*Call the AOC (502) 573-2350 Ext. 50109\*\*\*

- **Do not delete parties from KYCourts.** eFiler links will be broken if parties are deleted in KYCourts. If you have a case where the attorney is listed multiple times, please contact support services (ext. 50109) and we will assist with determining which entry needs to remain.
- **Service Package Selections in Appeals Cases.** When a Circuit Case is being appealed to the Court of Appeals or the Supreme Court, the system will automatically create a service package to serve the Notice of Appeal (NOA) based on the selections in the Notice Method drop-down. The system will pre-select the court (Court of Appeals or Supreme Court) based on case type. This is informational only and displays in the Mail Notice of Appeal (NOA) to: section of the screen. The system will generate the service package when either Save button is clicked. The attorney selects the Notice Method for the parties when filing the NOA. The clerk may change the Notice Method, if needed.

Notifications

Mail Notice of Appeal to:  Court Of Appeal  Supreme Court

Parties Receiving Conventional Service (13)

Search:

| Party Type             | Name                | Notice Method | Status    |
|------------------------|---------------------|---------------|-----------|
| ATTORNEY               | LINZIE ABELL-TEST   | No Service ▾  | Withdrawn |
| ATTORNEY FOR APPELLANT | JANUMPALLY, MOUNIKA | No Service ▾  | Active    |
| ATTORNEY FOR APPELLANT | YOUNG, JAMES        | No Service ▾  | Withdrawn |

- ❖ **Distribution to Non-Case Parties.** Clerks may add parties they believe should receive the Notice of Appeal who are not parties to the case. There is no need to replicate service packages already created by the system in the notification section (above). This section should only be used for distribution to non-parties.

Distribution via Conventional Service to Non-Case Parties (0)

Search:

| Name | Address | Zipcode | City | State |                                       |
|------|---------|---------|------|-------|---------------------------------------|
|      |         |         |      |       | <input type="button" value="Create"/> |

Showing 1 to 1 of 1 entries

- ❖ **Save Case Button.** When clicked, will only save the NOA in the district court case.
- ❖ **Save Case and Process Next Button.** When clicked the NOA is saved in the district court case and creates a new case in the Circuit Division. If this button is clicked you will automatically be taken to the new Circuit Division case.