



# E-filing in Utah's State Courts

## Frequently Asked Questions For Attorneys

April 2011

### GENERAL INFORMATION

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#### ***What do I need to e-file?***

A computer, an internet connection, and an Electronic Filing Service Provider (EFSP). Contact information for court-approved electronic filing service providers is available at: [www.utcourts.gov/efiling/providers.html](http://www.utcourts.gov/efiling/providers.html).

#### ***What are the most important things I should know about e-filing?***

1. All documents bearing the signature of the filer must be submitted in searchable PDF format.
2. Draft documents, such as orders, to be signed by the court are to be submitted in rich text format (RTF).
3. The filer must retain the original document.
4. All e-filers on a case may retrieve and view all documents related to that case. All public documents will eventually be available to the public online through XChange-Access to Court Records.
5. It is the responsibility of counsel and the parties to redact personal identifiers that are visible within the body of an electronically filed document. ([UCJA Rule 4-202.09\(9\)](#)) Court clerks will not review any e-filed document to determine whether it includes personal information. Personal information not protected will be available to the public through XChange, the district court case lookup system.

#### ***What hours is e-filing available?***

You may use e-filing 24 hours per day. However, your submission will not be approved automatically upon receipt. When an e-filed document bearing the signature of the filer is approved by the court, the date and time it was received is recorded as the filed date and time. For example, if an e-filed document is received on April 4 at 7:30 pm and is approved by the court on April 5 at 10:40 am, the date and time recorded is April 4 at 7:30 pm.

When an e-filed document requiring a court signature is signed by the court, the date and time it is signed is recorded as the filed date and time

IMPORTANT: When an e-filing is rejected, a filing date and time is not recorded. See [Common Reasons for Rejections](#) to prevent e-filing rejections.

***What types of cases can be filed electronically?***

As of April 1, 2011, any general civil case may be e-filed. E-filing in domestic cases and criminal cases will follow.

***Are there any documents that cannot be filed electronically?***

Yes. While more documents are being added all the time, some documents cannot be processed electronically. These are motions for waivers of fees, abstracts of judgment, confessions of judgment and renewals of judgment.

***What happens if the e-filing system is temporarily unavailable or my filing fails because of a technical problem?***

The filer is responsible for a timely filing and should take appropriate action if the electronic filing system fails to notify the filer of the receipt of a filing action.

***If a case was originally filed on paper, can subsequent filings be electronically submitted?***

Yes.

***Are electronic filings processed faster than over-the-counter filings?***

Typically, e-filed documents are processed as or more quickly than over-the-counter filings.

***How does service work with e-filing?***

Original service of process under URCP 4 cannot be accomplished through e-filing. Service of subsequent filings under URCP 5 is accomplished via e-filing if both parties are e-filers. When the court's electronic filing system initiates a service message, the EFSP will respond that the service message has been received and delivered to the intended recipient. Recording and storing the receipt of the message constitutes valid service. The filer will receive notification of parties not participating electronically to allow for alternative service. Please note this process does not replace the requirement for filing a certificate of service document. ([URCP Rule 5d](#))

***Who do I call for technical support?***

Your Electronic Filing Service Provider (EFSP) is your contact for technical support. If a technical issue occurs at the court, the court will contact the EFSP.

***Who do I call if there is a problem with my electronic filing at the court?***

E-filing specialists have been identified in each judicial district. A current list of those specialists is available at: [http://www.utcourts.gov/efiling/docs/District\\_Contact\\_List.pdf](http://www.utcourts.gov/efiling/docs/District_Contact_List.pdf)

## PREPARING DOCUMENTS FOR EFILING SUBMISSION

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### ***In what format must documents be e-filed?***

All documents bearing the signature of the filer must be submitted in searchable PDF format. Draft documents, such as orders, to be signed by the court are to be submitted in rich text format (RTF).

### ***Are all PDFs searchable?***

No. PDFs are "searchable" when you can search for words or data within the document. Most word processing applications like Word Perfect or MS Word allow you to convert your text document to a searchable PDF. When you scan a document, the scanner creates an image of the document. The image can be converted to a PDF file, but the result is only an image or picture of the document. An image-only PDF is not searchable.

### ***Can I submit documents in RTF and PDF in the same e-filing?***

No. If one of your documents requires a court signature, file it separately. Unfortunately, filing a document requiring court signature with a document not requiring court signature will result in a rejection of the filing and request to file them separately. This is a known deficiency and is being addressed.

There are limited exceptions to this requirement. They are:

Debt Collection Cases - Debt Collection default packets include a Default Certificate, a Default Judgment, Memo of Costs, Military Service Affidavit. These documents may all be filed in one submission.

Supplemental Proceedings - Supplemental Proceedings documents such as a Motion and Order for Supplemental Proceeding, Order to Show Cause and Bench Warrant may all be filed in one submission.

Applications for Garnishments and Writs of Garnishments may be filed in one submission.

An overlength memorandum may be submitted with the Order approving its submission.

### ***My address has changed. Should I put my new address on my documents?***

Yes, but be sure you also change your address with the Utah State Bar. Each week the court receives from the Bar a list of all attorney address updates made in the prior week. The court case management system is updated with these new addresses. When you update your address with the Bar, please do not back date the effective date.

***Do e-filed documents need the case number in the caption?***

Yes. Case numbers are required on e-filed documents. If a court issued case number is not included on the filed documents, the filing will be rejected. The only exception to this requirement is when the court has not yet assigned a number to the case, such as when a case-initiating complaint is filed or when a ten-day summons is filed with a case-initiating complaint.

***Can I submit color documents?***

No. Color documents do not meet the e-filing specifications. Please submit color documents in black and white.

***Is there a limitation on the size of documents that can be filed electronically?***

The court e-filing system will accept documents with an electronic file size of up to 4 MB. Larger documents must be filed in sections. Be sure you do not scan your documents in color and avoid using colored paper to reduce the size of your documents.

If your document is over 4MB, split the document into sections less than 4MB each. Use the exact name of the document for the first section. For the remaining sections, use “Other” as the document type and enter the section number in the “Additional Docket Text” box. The court will reassemble your document upon approval. It will appear as a single document in the court docket.

Documents over 8 ½” X 11” should not be efiled.

***Can the court delete the documents I e-filed in error?***

The court e-filing system does not have the ability to delete e-filed documents after they are approved. The court will reject any documents it believes were filed in error. Please review document to ensure it’s the correct document, contains the case number if issued, is readable, displays right-side up, contains only pages that are part of the filing, and complies with the redaction of personal identifying information requirements of [UCJA Rule 4-202.09\(09\)](#). If the document contains non-public information that was not protected, you may file a motion to classify the document as private.

***Can I amend a document I e-filed?***

An e-filed document may be amended using the same process used to amend a document filed over the counter. The document will be added to the docket as an amended version. The original filing will remain on file as part of the court record.

***Do I need to do anything else before submission?***

Before submission, you should review each document to ensure it's the correct document, contains the case number if issued, is readable, displays right-side up, contains only pages that are part of the filing, and complies with the redaction of personal identifying information requirements of [UCJA Rule 4-202.09\(9\)](#).

***Do I need to sign the documents I file?***

Yes, but not in the way you typically sign a document. A person may sign a document using any form of signature recognized by law as binding. ([URCP Rule 11](#)) To electronically sign a document, the document must contain your typed or printed name. ([URCP Rule 10](#)).

If statute requires a notarized signature on the document, a notary acknowledgment on an electronic message or document is considered complete without the imprint of the notary's seal if the following information appears electronically within the document:

- (a) the notary's full name and commission number appearing exactly as indicated on the notary's commission; and
- (b) the words "notary public," "state of Utah," and "my commission expires on \_\_\_\_\_ (date)". ([UCA 46-1-16](#))

If rule requires an affidavit or a notarized, verified or acknowledged signature, a declaration may be submitted (78B-5-705). The following information should appear within the electronic document.

I declare (or certify, verify, or state) under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed on (date).

(Signature)

***If I submit a document and realize that it is incorrect or illegible, what can I do to correct it?***

Contact the district e-filing specialist immediately and ask them to reject the document before it is approved. A list of court e-filing specialists can be found at:

[http://www.utcourts.gov/efiling/docs/District\\_Contact\\_List.pdf](http://www.utcourts.gov/efiling/docs/District_Contact_List.pdf)

## PREPARING DATA FOR E-FILING SUBMISSION

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### ***Why have I been asked not to use punctuation?***

Data entry standards are needed to assure the e-filed document is properly displayed in the docket and to make records searches simple and effective. One of these standards is to omit punctuation when entering party names and addresses. The exception to no punctuation is the hyphen in a name. A hyphen in a party name should be included. A comprehensive list of data entry standards can be found at [E-FILING DATA ENTRY STANDARDS](#).

### **When entering party data, what information should be entered in the suffix box?**

The suffix on a person's name, like: Jr, Sr or III. The box should not be used for Inc or LLC.

### ***What other names should be entered when filing a case?***

DBAs and AKAs should be entered when named in a complaint. Use the Add Alias and Address option.

### **I have chosen the document type, but what is the "Additional Docket Text" box for?**

The additional text box is used along with the document type to display the document title in the court docket.

Example:

Document type: *Motion*

Additional Text: *to Reconsider Third Party Defendants Request for Refund of Filing Fees*

NOTE: Use the Document Type and/or Additional text to include the entire title of your e-filed document. Please do not shorten, abbreviate or summarize the document title.

The "Additional Docket Text" box may also be used to alert the court to special circumstances. Examples of this include indicating the e-filing is a REJECTED document that has been corrected and is being resubmitted, or documents that are being RESUBMITTED as a result of a hearing.

The Third Judicial District, for example, requests that the HEARING DATE and PROCEEDING DESCRIPTION for a supplemental proceeding be included in the additional text box. For example: Supplemental Order 4/16/11 OSC. See [Debt Collection Cases](#) for more information.

IMPORTANT: When the "Additional Docket Text" box is used to alert the court to special circumstances, the court will remove the additional text before approving the filing. The information will not display in the court docket. Please note, this is only for alerts; the "Notes" field is available for more detailed communication with the court.

***If I have updated information for the parties in my case, should I add it to my e-filing?***

Yes, always update party names and information in your e-filing submission. The case record will be updated using the new information submitted. For example, when filing an Answer and Counterclaim, add the Counterclaim party name(s). If you have a more current address for the defendant when filing a Return of Service, please provide it. Always enter the most current address and personal information in your e-filing.

***I'm submitting the return of service on a subpoena. The person served isn't a party to the case. How do I enter the data?***

If you are filing a return of service for a person who is not a party to the case, it must be filed as an "Other" document. In the "Additional Docket Text" box, enter Return of Service: Name of Person.

***I want to submit a motion and order for an over length memorandum. How do it in e-filing?***

Submit the order for the over length memorandum as a separate document in the same e-filing as the over length memoranda. If the order is signed, the memorandum will be filed with the order in the court record.

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**AFTER YOU'VE SUBMITTED YOUR DOCUMENTS**

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***Is my e-filing automatically approved when it's received?***

Your e-filing is not automatically approved upon receipt; the data submitted and your documents must be reviewed and approved by the court. There may be a few days before you receive your notification. DO NOT send duplicate submissions on paper or electronically. Doing so may result in duplicate docket entries, slower processing time and additional filing charges.

***What will the filed date of my e-filed document be?***

When an e-filed document bearing the signature of the filer is approved by the court, the date and time it was received is recorded as the filed date and time. For example, if an e-filed document is received on April 4 at 7:30 pm and is approved by the court on April 5 at 10:40 am, the date and time recorded is April 4 at 7:30 pm.

When an e-filed document requiring a court signature is signed by the court, the date and time it is signed is recorded as the filing date and time.

When an e-filing is rejected, a filing date and time is not recorded.

***Will I receive notification if my e-filing is rejected?***

Yes. You will receive notification of the rejection and the reason(s) for the rejection through your Electronic Filing Service Provider (EFSP). Notification methods are unique to the EFSP. Contact your EFSP to determine how your notifications will be provided.

***What are the most common reasons an e-filing is rejected by the court?***

1. The submitted document(s) belong to a different case.
2. At least one required document is missing from the filing.
3. A document requiring a court signature was not filed in an RTF format.
4. The e-filing submission contained document(s) not requiring court signature along with document(s) requiring a court signature.
5. A single Return of Service document was submitted for two or more parties. A separate Summons and Return of Service must be filed for each defendant or respondent.
6. A Summons was submitted with multiple returns of service attached.
7. A Return of Service was filed without the Summons.
8. Court-issued case numbers are not included on e-filed documents.
9. The e-filing submission included a motion with an embedded order.  
*(NOTE: Motions and Orders for Supplemental Proceedings may be submitted together in the Second and Third District courts.)*
10. A judgment information statement was submitted with an order.

***I e-filed three documents. One of them had a problem, but all three were rejected. Why were the other two documents rejected?***

The courts e-filing system does not currently have the ability to accept some of the documents submitted in an e-filing and reject others. If one of the documents you submitted is rejected by the court, the entire filing must be rejected. This is a known deficiency and is being addressed.

***If my filing is rejected and I resubmit it, what will the filing date be?***

The filed date will be the day it was resubmitted if approved.

***Why was I asked to file a separate Summons (and Return) for each defendant?***

To produce an accurate court record, it is necessary for the court to receive a separate Summons and Return of Service for each defendant. A Summons with multiple returns of

service attached to it or a Return of Service without the Summons will be rejected. Do not submit courtesy copies.

## **E-FILING BY CASE TYPE**

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### **Debt Collection Cases**

#### **Filing documents for supplemental/post judgment proceedings**

##### **In the Third Judicial District only**

When filing supplemental proceedings, always choose “Supp Order” as the document type. In the “Additional text box,” add the date of the hearing. Then indicate the type of order. Type S/O for Supp Order; OSC for Order to Show Cause or B/W for Bench Warrant.

For example: Supplemental Order 04/18/2011 S/O  
Supplemental Order 04/18/2011 OSC

#### ***Can I file Judgment Information Statements with the Judgment when I submit it?***

No, a judgment information statement cannot be filed with the judgment. The information on the court-issued judgment must be added to the Judgment Information Statement before it is submitted to the court. It is the filer’s responsibility to update any personal identifying information on the judgment information statement when it is e-filed. The judgment information statement is filed by the court as a private document. Any personally identifying information on the judgment information statement will not be accessible to the public.

Please do not partially or completely redact information such as dates of birth or social security numbers on judgment information statements.

#### ***Why was I asked to resubmit a document for a submission that has already been approved?***

Sometimes there are problems with images attached to an e-filed document. If there is a problem with an image attached to a previously approved e-filing, the court will contact you and ask you to resubmit the image. When resubmitting an image, please choose the document type “Other” and type RESUBMITTED (name of image) in the additional text box. This will allow court staff to quickly identify your resubmitted image and attach it to the proper document. NOTE: After the resubmitted image is attached to the original docket entry, the resubmitted e-filing will be rejected with a note from the clerk.

## E-FILING DATA ENTRY STANDARDS

The data entry standards are provided to assure that the data submitted to the court is properly displayed in the court case history.

### *NAMES OF INDIVIDUALS*

Leave out any punctuation marks. Professional titles, such as MD, should not be entered.

<i>Name of Individual</i>	<i>Enter As</i>
MR. DONALD P. SMITH II	<b>Last Name:</b> SMITH <b>Middle Name:</b> P <b>First Name:</b> DONALD <b>Suffix:</b> II
MIGUEL SANCHEZ HERNANDEZ	<b>Last Name:</b> HERNANDEZ <b>Middle Name:</b> SANCHEZ <b>First Name:</b> MIGUEL
SANCHEZ MIGUEL-HERNANDEZ	<b>Last Name:</b> MIGUEL-HERNANDEZ <b>Middle Name:</b> <b>First Name:</b> SANCHEZ
CLARE T. SMITH-TODD	<b>Last Name:</b> SMITH-TODD <b>Middle Name:</b> T <b>First Name:</b> CLARE
JO-ELLEN BROWN-JONES	<b>Last Name:</b> BROWN-JONES <b>Middle Name:</b> <b>First Name:</b> JO-ELLEN
KATE M. O'BRIEN	<b>Last Name:</b> OBRIEN <b>Middle Name:</b> M <b>First Name:</b> KATE
FRANK KRAMER DOING BUSINESS AS FRANK KRAMER TRUCKING	<b>Last Name:</b> KRAMER <b>Middle Name:</b> <b>First Name:</b> FRANK  <b>Add Alias/DBA and Address for</b>  <b>Last Name:</b> FRANK KRAMER TRUCKING <b>Middle Name:</b> <b>First Name:</b>

**NAMES OF BUSINESSES OR COMPANIES**

Spell out the first two words in name. Always use Dept for Department. Use abbreviations from the common abbreviations list, UNLESS they are the first or second words in the name. Omit all punctuation except for hyphens. Omit the word THE whenever possible.

Name of Business	Enter As	Common Abbreviations	
RENT-A-WRECK	RENT-A-WRECK	ASSOCIATES	ASSOC
MR. T'S AUTO	MR TS AUTO	ASSOCIATION	ASSN
THE FIRST NATIONAL BANK	FIRST NATIONAL BANK	INTERNATIONAL	INTL
THE STATE OF UTAH	STATE OF UTAH	CORPORATION	CORP
UTAH DEPARTMENT OF HIGHWAYS	UTAH DEPT OF HIGHWAYS	COMPANY	CO
UTAH DEPARTMENT OF LABOR AND INDUSTRY	UTAH DEPT OF LABOR AND INDUSTRY	LIMITED	LTD
DEPARTMENT OF WORKFORCE SERVICES	DWS		
THE OFFICE OF RECOVERY SERVICES	ORS		
THE OFFICE OF STATE DEBT COLLECTION	OSDC		
STATE DEPARTMENT OF CORRECTIONS	DEPT OF CORRECTIONS		
UTAH COMMISSION ON CRIMINAL AND JUVENILE JUSTICE	COMMISSION ON CRIMINAL AND JUVENILE JUSTICE		
COUNTY OF SALT LAKE	SALT LAKE CO		
THE TOWN OF ALTA	ALTA TOWN OF		
THE CITY OF ST GEORGE	ST GEORGE CITY OF		