



Efiling in Utah's State Courts

Frequently Asked Questions For Attorneys

March 2013

GENERAL INFORMATION

What setup do I need to efile?

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.

What are the most important things I should know about efilings?

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 must be submitted in rich text format (RTF).
3. The filer must retain the original document.
4. All efilers 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 efiled 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.
6. It is important that you accurately enter data in efilings. For example, be sure to select the correct document type when efilings a document. The document type selected determines how the document is routed for follow-up by the court; choosing the correct document type ensures that your document will be processed as efficiently as possible. Reference sheets to match your documents with the correct document type are available at: www.utcourts.gov/efiling/

What hours is efilings available?

You may use efilings 24 hours per day.

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

Yes.

What types of cases can be filed electronically?

As of April 1, 2011, any general civil case may be efiled. As of April 1, 2013, e filing will be mandatory for domestic and civil cases. E filing will be mandatory for probate cases on July 1, 2013 (See [UCJA Rule 4-503](#)). For criminal cases, e filing is available statewide for defense counsel; it will be implemented statewide for all attorneys when available.

Can any document in these cases be efiled?

Yes

Will anything be accepted by mail or over the counter when e filing is mandatory?

Filing fees – Attorney’s filing fees are required to be submitted with the electronic filing. If a waiver of fees application submitted electronically is denied, the filing fee must be submitted by mail or over the counter.

Trust monies – Trust monies cannot be submitted electronically at this time. Trust monies may be submitted over the counter or through the mail. Any documents associated with a trust deposit must be filed electronically. Courtesy copies may be submitted with the deposit. Please add the case number to any check submitted over the counter or by mail.

Civil bench warrants – Process servers may file civil bench warrant paper work and deposit funds over the counter or by mail.

Exhibits – Exhibits submitted to the court and received into evidence are not electronically filed.

As a practical matter, some “things” cannot be electronically filed and will be accepted at the front counter. Some examples are: 1) oversize documents that need to remain larger than 8 1/2x 11 in order to be readable, 2) plat maps, 3) stock certificates, 4) compact disks or DVDs, or 5) high quality photographs that lose too much resolution in scanning to 8 1/2 x 11 format. JSRs typically receipt “things” like this and store them in the file room with the case number. Please avoid filing "things" unless they are required to support a motion. Original wills are no longer required to be filed in probate matters. See HB 327, 2013 General Session. Please contact the court to determine whether local general orders provide direction for these items.

Sealed cases – Documents cannot be electronically filed in sealed cases. These must be submitted over the counter or by mail.

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. Best practice is to allow adequate time to file a time-sensitive document. If a technical failure of the e filing system interferes with a case deadline,

you may wish to file a stipulation or motion. Contact the e-filing specialist at the court for direction.

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 efilers. 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 the filer to use another method of service. Please note this process is considered the same as service by another other means; it 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 communicate with 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

Can I file using the e-filing account of an attorney who isn't counsel of record?

No. The electronic filer shall be an attorney of record and shall use a unique and personal identifier with the filer's interface. Electronically filing a pleading or other paper is a certification under Utah Rule of Civil Procedure 11 that the filer is an attorney of record. Attorneys who are not members of the Utah State Bar, but are attorney of record on a case (pro hac vice) must electronically file through local counsel.

PREPARING DOCUMENTS FOR EFILING SUBMISSION

In what format must documents be efiled?

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.

Are there guidelines for the formatting I use in my documents?

The documents you efile must still comply with [URCP Rule 10\(d\)](#). Additionally, using a standard font, like Times New Roman, decreases the likelihood of technical problems with your document. Wherever possible, try to avoid the use of drawing tools, special tabs, or headers and footers in your document. These elements can cause problems with the way your document appears in efilings, especially if the document is being submitted to the court for signature. Additionally, the Court has identified the following recommendations:

- Do not include punctuation or special characters (§) in entry of document titles
- Use tables (instead of tabs) for document setup and formatting
- Disable "auto date" feature in word processing software
- Properly create RTF documents (Do not scan and "save as")

Can I submit color documents?

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

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. Similarly, name changes should be reported to the Bar and your EFSP as soon as possible.

Do efiled documents need the case number in the caption?

Yes. Case numbers are required on efiled documents. 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.

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

The court efilings system will accept documents with an electronic file size of up to 7 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 7MB, split the document into sections less than 7MB 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 and document title in the "Additional Docket Text" box (ex: Part 2 of 3, Memorandum in Motion for Summary Judgment).

Documents larger than 8 ½" X 11" should not be efiled. If you must efile an exhibit that is larger than 8 ½" X 11", keep in mind that the Court cannot print these documents, and you may be asked to file a courtesy copy conventionally.

How do I file a document with exhibits?

Efiling does not currently allow you to associate separate exhibits to a particular document. For this reason, it is best to submit your document with the exhibits already attached, as you would typically file a paper document. If exhibits cause your document to exceed the 7 MB file size limit, follow the procedure outlined in the FAQ above for splitting large documents. If there is a compelling reason to separate your exhibits from the document they support, please use the following procedure:

- File the document itself as you normally would, with the appropriate document type and title (e.g. "Complaint")
- File each exhibit with the document type "Other," with a complete and accurate document title (e.g. "Exhibit to Complaint, 1 of 4")

Note that if you follow this procedure, each exhibit will appear as a separate document on the court's docket.

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)

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, 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\(9\)](#).

PREPARING DATA FOR EFILING SUBMISSION

Why have I been asked not to use punctuation when entering data for party names?

Data entry standards are needed to assure the accuracy of the court docket and to make records searches simple and effective. One of these standards is to omit punctuation when entering party names and addresses. The only 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 [EFILING DATA ENTRY STANDARDS](#). If case initiating data (i.e. party name) is entered incorrectly, you may encounter problems with your case.

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. Be sure to add party information for any DBA or AKA when initiating a case. Note: DBAs and AKAs should be added as separate party types, not added to a party name as in "John Smith dba JS International."

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. For 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 efiled document. Please do not shorten, abbreviate or summarize the document title.

Please note that using special characters in the title (e.g. §) can cause technical problems in e-filing that may delay the processing of your document. Avoid special characters wherever possible. Similar issues result from copying and pasting a document title into the Additional Docket Text field. To avoid these issues, type your document title rather than pasting it in.

The "Additional Docket Text" box may also be used to alert the court to special circumstances. 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. When adding additional docket text all caps should not be used, entries should be created using proper case. (See the section on [Special Notes, page 10](#))

When should I use the Jury Demand checkbox?

The jury demand checkbox signals to the efilings system to collect the jury demand fee. If you have already paid the jury demand fee, do not select the jury demand checkbox. For example, if you are filing an amended complaint and paid the jury demand when the original complaint was filed, please do not select the jury demand checkbox again.

AFTER YOU'VE SUBMITTED YOUR DOCUMENTS

Is my efilings automatically approved when it is received?

Barring any technical issues, all documents bearing the signature of the filer (filed in PDF) are automatically approved and entered into the court record. Draft documents, such as orders, to be signed by the court (filed in RTF) are automatically converted to PDF and entered into the court record as "Proposed" Orders. The court order is not automatically entered into the court record; they must be reviewed and entered by the court.

Once an efilings is approved, a notification receipt is generated and emailed to the filer. Please review these receipts. They may contain information affecting this filing or future filings, such as a notice of a judicial declination to sign, interlineation, or a change that must be made on future filings.

What will the filed date of my efiled document be?

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

Will I receive notification if my efilings is rejected?

Efiled documents are occasionally rejected by the system if a serious error is found. For example, your efilings may be rejected if required data is missing, if there is a problem with payment information, if the case has been transferred, etc. If this happens, 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.

Why am I not receiving efilings notices on one of my cases?

You must be attached to a party on a case to receive efilings notices. When you file an appearance of counsel, answer, or motion on behalf of a party, you are automatically attached to that party. If you wish to associate multiple attorneys to a party, be sure to enter all attorney information in efilings before you file your appearance of counsel or other document.

Can the court delete the documents I efiled in error?

The court e-filing system does not have the ability to delete efiled documents after they are approved. Please review your document to ensure it's the correct document, contains the case number, 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.

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

The best practice is to check your document for content and format before e-filing it. If it becomes necessary to correct a document, do not just re-file the document as is. File it with the same name, but add "Corrected" to the title (ex: Corrected Motion to Continue). If your problem requires a more complicated solution (e.g. data is incorrect, document was filed in the wrong case, etc.), consult these FAQs to determine if a remedy is already outlined for you. Otherwise, contact the E-filing Specialist for the court that received your filing.

Can I amend a document I efiled?

An efiled document may be amended through 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.

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

If an e-filing is unsuccessful, the attempted filing date does not carry over. The filed date will be the day the document was resubmitted, if approved.

What if my filing has data errors and is accepted by the court?

When a case with data errors is identified, you may be directed to formally submit corrected data, or the case may be dismissed without prejudice. For example, if you efile a case and spell the defendant's name incorrectly, you will be asked to file a Request for Correction of Data Error, along with a proof of service or mailing certificate (depending on the status of the case). The court will not change incorrect data until this request is filed. This process ensures that neither party is prejudiced in the event that initiating data is entered incorrectly. The court has provided a sample Request for Data Correction form, which you can access at [www.utcourts.gov/efiling/docs/Request for Data Correction.doc](http://www.utcourts.gov/efiling/docs/Request_for_Data_Correction.doc).

What if a case initiation document is submitted multiple times?

If a case is filed multiple times, a motion and order to dismiss the additional cases is required from the e-filer. If a filing fee is paid multiple times, a motion and proposed order to have the filing fee refunded should be submitted to the court.

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 efiled 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. Note: Filing resubmitted documents in this manner will not replace your original document; both the original and resubmitted documents will appear on the court docket.

What are the most common problems with e filings?

1. The submitted document(s) belong to a different case.
2. The e filing submission includes a motion with an embedded order.
3. The filing is a duplicate of a document or case that has already been filed.
4. Party data is entered incorrectly at case initiation. (Common errors include: misspellings, individual's entire name entered in last name field, company titles abbreviated)
5. Document type is not appropriately identified. Please read through the list of available document types and select the one that applies.
6. An overlength memorandum is filed in its own submission, not with the order that grants the memorandum (Note: This is an approved exception to the standard of submitting orders separately).
7. Courtesy copies submitted via e filing. (Note: Courtesy copies should never be e filed)
8. Attorney notes which may be considered ex parte communications are submitted with the filing.
9. A Judgment Information Statement is submitted at the same time as the order.

NOTES & SPECIAL CASES

Filing documents for supplemental/post judgment proceedings

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 efiled. 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.

How should a Request to Submit be filed?

The Request to Submit and the order should be filed as two separate documents in two separate efilings submissions.

How should a Stipulation and Order be filed?

The Stipulation and Order may be submitted as separate documents in one filing. Note: This is an exception to the standard of submitting orders separately (as outlined on [page 3](#)).

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. Please do not submit courtesy copies.

I want to submit a motion and order for an over length memorandum. How do I file it in efilings?

Submit the order for the over length memorandum as a separate document in the same efilings as the over length memorandum. If the order is signed, the memorandum will be filed with the order in the court record. (Note: This is an exception to the standard of filing orders separately, as explained on [page 3](#).)

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.

Why are there multiple document types for proof of service?

The different return document types allow e-filing to gather the appropriate service information for the court docket. (Note: In all cases, please attach the return of service to the document that was served so the court can maintain a clear and accurate record. Do not file a constable's affidavit or other proof of service alone.)

- Return of Service - Garnishment allows you to enter the name of the garnishee along with service information. You should always select this document type when filing a return of service for a writ of garnishment.
- Return of Service - Unserved allows you to indicate that service was unsuccessful (an option you do not have if you simply select "Return of Service"). You should use this document type when filing a process server's affidavit of non-service, or any return where service was not completed.
- Acceptance of Service allows you to enter service information if a party has accepted service. You should use this document type when filing an acceptance of service.
- Summons on Return should be used when filing a return for a summons. This document type triggers the calculation of case timelines in the court's case management system.
- Return of Service allows you to enter service information and select the party that was served from a list of parties that exist for the case. You should use this document type for all documents where none of the special cases listed above (garnishment, incomplete service, acceptance of service, summons) apply.
- Note that Certificate of Mailing/Service does not allow you to enter service information and should NOT be used to file proof of original service of process under URCP 4. This document type should be used only when filing mailing certificates under URCP 5. Note that if you are filing a mailing certificate or similar document, your document must still have the proper heading with case and party information listed.

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

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		