Filer Manual Update Table			
Changes	Page #	Date	
URL Updated	1	4/6/2023	
Instructions for Manage Users revised	2	2/23/2024	
Document Retrieval within Notification Links added	17	2/23/2024	
Added information regarding Unknown Parties	23	2/23/2024	



# File & Serve UJS Firm/Filer Instructions

April 2024 - HTML5 Version 2022.0.09916

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File & Serve HTML5 Portal is located at https://southdakota.tylertech.cloud/OfsWeb/Home

# Checklist

Below	is a checklist for the Administrator to complete prior to e-filing. Please refer to the
Firm /	Administrator User Guide for a complete overview and instructions.
	Sign up for a Webinar – <u>link</u> on website
	Review the UJS and HTML5 user guides and manuals
	Review the <u>e-Filing Guidelines</u>
	Register your Firm
	<ul> <li>Select a Firm Administrator for your office</li> </ul>
	<ul> <li>Administrators are responsible for managing users, attorneys, payments,</li> </ul>
	and updating firm information
	<ul><li>We recommend selecting 2 admins</li></ul>
	Invite Users to join your firm
	Add Attorneys as Service Contacts
	<ul> <li>Check the "Make This Contact Public" to add your users to the public list.</li> </ul>
	*Required
	<ul> <li>Add support staff/paralegals emails in the Administrative Copy field,</li> </ul>
	*optional
	Add a Payment Account(s) - *Required
	<ul> <li>Credit Card – American Express is not accepted</li> </ul>
	eCheck – checking/savings account     Writing and it and its about
	<ul> <li>Waiver – only if applicable</li> <li>Drawdown Account – county specific</li> </ul>
	Diawdown Account - county specific
	Bookmark pending cases (all users can do this)
	Add Service Contacts to pending cases (all users can do this)
	Whitelist No-reply@efilingmail.tylertech.cloud and IP address 208.64.239.100
	Register for the UJS Attorney Notification site ( <a href="https://ujsattorney.sd.gov/">https://ujsattorney.sd.gov/</a> )
	<ul> <li>Must be the attorney of record</li> <li>SD Bar Number is required</li> </ul>
	<ul><li>SD Bar Number is required</li><li>Registration email must match the SD State Bar email</li></ul>
	Register for eCourts (https://ecourts.sd.gov/)
	<ul> <li>Must be an attorney in good standing with the SD Bar to register and use</li> </ul>
	Registration steps include responding to an activation email within
	5 days
	<ul> <li>Law Firm staff (office staff, paralegals, assistants, etc.) cannot</li> </ul>
	register; staff would need approval from attorney to sign in with
	his/her account
	<ul> <li>Registration email must match the SD State Bar email</li> </ul>
	<ul> <li>No-cost solution for access to case data and does include the ability to</li> </ul>
	purchase documents if you are not attorney of record
	<ul> <li>Access for SD licensed attorneys includes:</li> </ul>

- Open security case data on all publicly available cases; no access to closed security or sealed security cases, contact the clerk's office for these cases
- Open security documents; no access to confidential security or sealed security documents, contact the clerk's office for these documents
  - If you are attorney of record, no fee
  - If you are not the attorney of record, \$.10 per page with max of \$3 per document
- State's Attorney access will include access to criminal case documents (at no fee), even if not the attorney of record on case

#### Firm Administrator Functions

The Firm Administrator is responsible for managing users, attorneys, and payment accounts along with updating contact information.

## Register Firm

#### Detailed instructions can be found in the HTML5 Firm Administrator Guide

# Manage Users

The firm admin is responsible for inviting and approving new users, as well as removing users.

- → From the Actions drop-down list, click Users
- → Click the envelope icon
- → Enter the User's email address
- → The invitation email will be sent to the user
- → The user will click the URL in the email to register
- → Select role(s) for each user
  - o Admin
  - o Filer
  - Attorney, requires verification of South Dakota bar number

#### Service Contacts (aka Master List)

#### Detailed instructions can be found in the <u>HTML5 Firm User Guide</u>

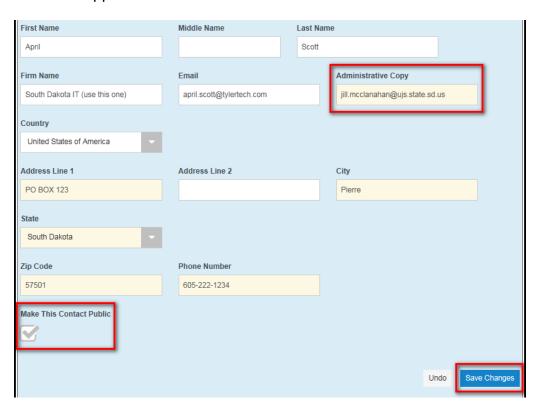
A service contact should be added for every member of the firm that can receive eService on behalf of the firm or its clients. The Service Contacts list is available to all members of your firm and is known as your Master List.

We recommend that the Admin manage the Service Contacts/Master List.

# IMPORTANT: Do NOT add Service Contacts to the Public List that are not a part of your firm.

- → From the Actions drop-down list, click Service Contacts to create your Master List.
- → Click the Add Service Contact button.
- → Complete the required fields.
- → Select Make This Contact Public box to add to the Public List.
- → Save Changes.

The Administrative Copy field can contain multiple email addresses separated by a comma. When an email is added in this field, a copy of the service email notification will be sent to the email address listed when added as a Service Contact. This field can be used for support staff.



#### Deactivate Users

When a user is no longer a member of a firm, their user information must be updated by the Admin in two sections of File & Serve:

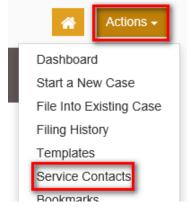
- 1. Remove/Replace the user as a Service Contact (detailed steps below)
  - Option A Remove User
  - Option B Replace User with existing user
- 2. Remove the user as a User (detailed steps below)

#### #1 - Option A - Remove User

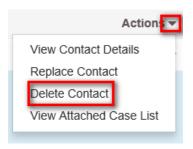
## Remove the User as a Service Contact (not replaced by another Service Contact)

This option **removes** the user as a Service Contact from:

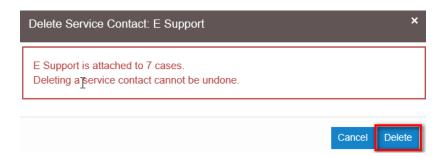
- The Service Contact list
- The attached cases
- The Public List, if marked public
- → Click the Actions dropdown box and select Service Contacts



→ Locate the service contact, from the Actions dropdown box select Delete Contact



- → The dialog box displays that the service contact is being removed from (##) cases and cannot be undone. This is correct and what you want to do.
- → Click **Delete**



#### #1 - Option B - Replace User

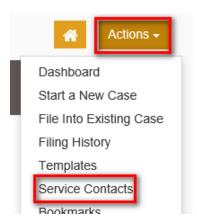
# Remove the User as a Service Contact and Replace with an Existing or New Service Contact

This option *replaces* the user as a Service Contact on:

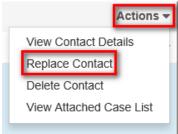
- The Service Contact list
- The attached cases
- The Public List, if marked public

This option does not allow:

- the case list to be split between two or more service contacts
  - If splitting the case list between multiple service contacts follow Option #1 and manually add the service contact to each case.
- Click the Actions dropdown box and select Service Contacts



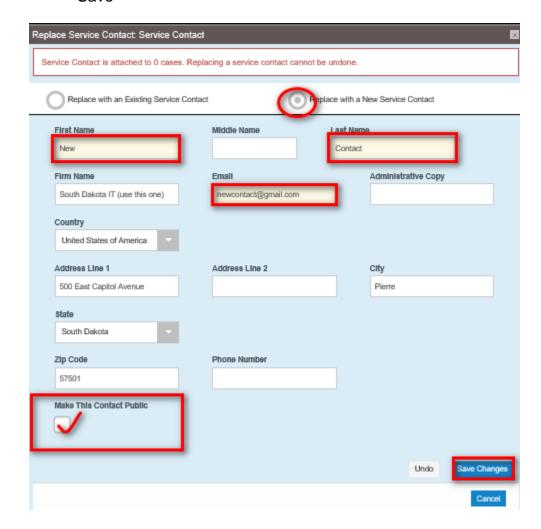
→ Locate the service contact, from the Actions dropdown box select Replace Contact



- → The dialog box informs user of the number of cases the service contact is attached to with the option to either Replace with Existing Service Contact or Replace with a New Service Contact.
  - o To replace with an Existing Contact Select Existing Service Contact
    - Select the contact from the dropdown
    - Save



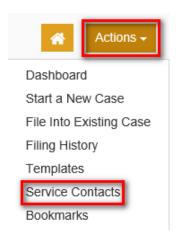
- To replace with a New Service Contact select New Service Contact
  - Add the required information (name, address, email)
  - Check the Make This Contact Public box
  - Save



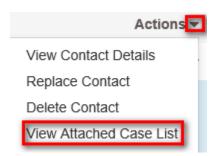
#### **View Service Contact Case List**

The case list displays the cases that the service contact has been attached to.

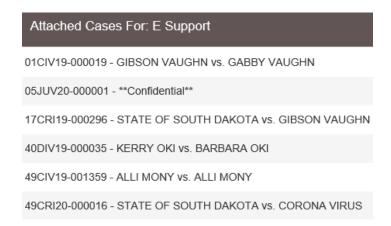
→ Click the Actions dropdown box and select Service Contacts



→ Locate user and from the Actions dropdown box select View Attached Case List



→ A list of the service contact's cases displays



#### #2 Remove User from Firm (for Firm Admins only)

This function allows the Firm Admin to remove users from the firm's User List.

→ Select Users from Actions dropdown



- → Locate user to remove
- → From the User's Actions dropdown, Select Remove User



→ This removes the user from your firm.

# Payment Accounts

File & Serve requires the administrators to set up at least one payment account prior to submitting a filing.

There are four types of payment accounts to select from:

- Credit Card
- Draw Down
- eCheck
- Waiver

#### **Credit Card**

There is a payment service fee of 3.5% when a credit card payment account is used. This fee is a merchant payment card processing fee to Chase. The credit card is charged when the filing is accepted by the clerk.

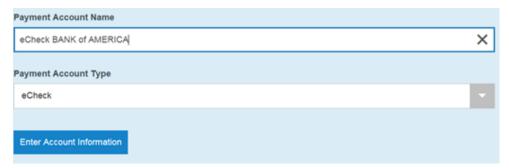
- → From the Actions drop-down, click Payment Accounts, Click Add Payment Account
- → Enter a Payment Account name
- → Select Account Type of Credit Card
- → Click on Enter Account Information
- → Add credit card information
- → Click Continue
- → Save Changes

NOTE: If the credit card expires you must enter a new payment account. You are not able to update an existing payment account. American Express is not accepted. If card is declined, contact the credit card company/bank.

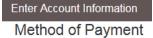
#### <u>eCheck</u>

There is a payment service fee of \$0.25 per transaction when an eCheck payment account is used. The transaction fee is not authorized until accepted by the clerk. To add an eCheck payment account:

- → From the Actions drop-down, click **Payment Accounts**
- → Click Add Payment Account
- → Add Payment Account Name
- → Select eCheck as the Payment Account Type
- → Click Enter Account Information



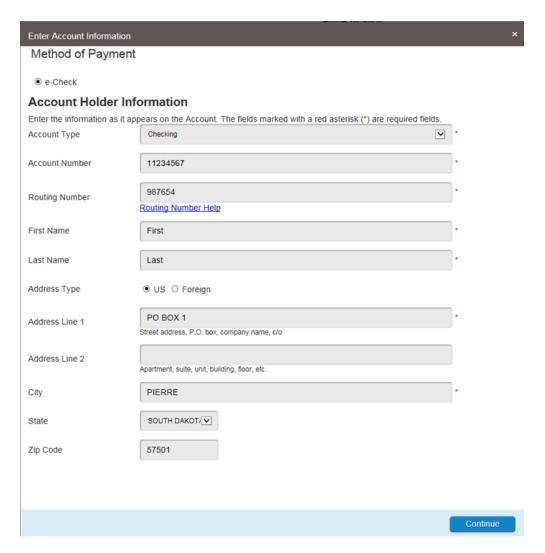
→ Select **e-Check** as Method of Payment



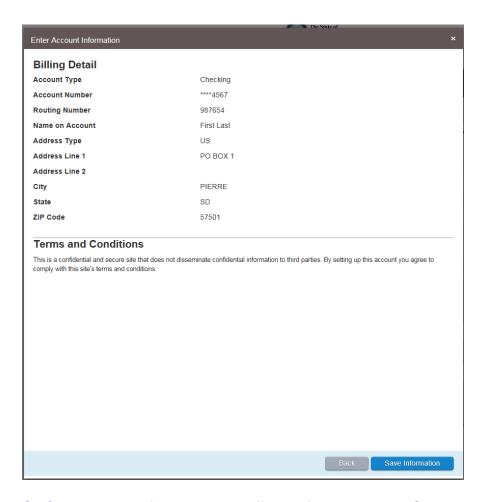


- → Enter Account Information
- $\rightarrow\,$  Account Type select Checking or Savings
- → Enter Account Number
- → Enter Routing Number

- → Name and Address
- → Click Continue



- $\rightarrow$  Verify information is correct
- → Click Save Information



<u>SDCL57A-3-422</u> If there are insufficient funds in your eCheck account, the clerk will send out a notice. The filing fees must be paid within 30 days, plus the additional NSF fee of \$40.

#### **Drawdown Account**

A drawdown account must be set up for each county. There is not a payment service fee for drawdown accounts.

- → From the Actions drop-down, click Payment Account
- → Click Add Payment Account
- → Enter a Payment Account name
  - Important: Use "drawdown" in the account name Example: Hughes County Drawdown
- → Select **Drawdown** as the Payment Account Type
- → Enter Drawdown Account number
  - Example: 1234-32 (account number-county code)
- → Select County Location
- → Click Verify Draw Down Information
- → If correct, click Close
- → Click Save Changes

#### **Check Drawdown Account Balance**

- → Select desired drawdown account
- → Click View Draw Down Information View Draw Down Information
- → Click Close to go back to the Payment Accounts



#### When Email and/or Firm Changes

When your email changes or when your email and firm changes click <u>here</u> for instructions for each system where the changes need to be completed.

#### **Waiver**

Pursuant to <u>SDCL 16-2-29</u>, the State of South Dakota, any foreign state, the federal government or its officers, boards, agencies, and commissions, or its political subdivisions are exempt from the filing fee requirement.

Government entities and court appointed attorneys in criminal cases are the only filers that should use a Waiver account in File & Serve.

- → From the Actions drop-down list, click **Payment Accounts**
- → Click on Add Payment Account
- → Enter a Payment Account Name of Waiver
- → Select Payment Account Type of Waiver
- → Save Changes

**NOTE:** New cases with a request for waiver of filing fees must be filed over the counter with the Clerk of Court.

# eFiling Info

#### Case Number Formats

- Odyssey-initiated cases
  - 13 digits CCTTTYY-XXXXXX
    - CC=County Code (list provided in appendices)
    - TTT=Case Type (CIV, CRI, MAG, etc.)
    - YY=Year Filed
    - XXXXXX=number of case
  - Example 51CRI14-000123 Pennington County Criminal Case for the vear 2014
- Older case numbers
  - o 13 digits

- 32C11000123A0 = Legacy criminal case example
- 32399M11000123 = Legacy magistrate case example
- Searching for cases
  - To search for a case number, type the entire, and exact, case number including all zeros and dashes.

#### **Document Format**

- Must be in PDF format
- Separate PDF for each document
- Searchable PDF is preferred
  - Scanned PDF is not searchable
  - o Word/WordPerfect document converted to PDF is searchable
- Ensure all documents are complete, signed and dated
- Compile documents into a working directory for easy access while uploading to eFile
  - File size should not exceed 25 megabytes see <u>eFiling Guidelines</u> for more information
- · Scan in black and white

#### **Document Troubleshooting**

Click <u>here</u> for detailed information on how to troubleshoot document issues.

## Filing Codes with Fees

If a filing code includes a fee, the fee amount is listed at the end of the filing code name. The fee will not be charged to your payment account until the filing is accepted by the clerk. If the correct filing code is not selected, the filing will be rejected for failure to pay the filing fee.

Filing Code	Case Category
Affidavit of Renewal of Judgment (\$5)	CV FAM PR
Answer/Initial Response (\$25)	CV FAM
Execution Request (\$5)	CV FAM
Motion for Removal to Circuit Court (\$35)	CV
Notice of Appeal (\$150)	CR CV FAM PR
Notice of Appeal and Certificate of Service (\$150)	CR CV FAM PR
Notice of Appeal Magistrate Circuit Court (\$10)	CR CV FAM PR
Notice of Appeal Magistrate Circuit Court & Cert of Service (\$10)	CR CV FAM PR
Petition/Modification of Final Order (\$50)	CV FAM PR

Response to Petition for Modification of Final Order (\$25)	CV FAM
Special Execution (\$5)	CR CV FAM PR
Transcript of Federal Judgment (\$5)	CV
Transcript Request (\$10)	CV FAM

#### Rejection Reasons

- As Directed by Judge
- Color Documents Not Accepted
- Document Exceeds Size Limits
- Duplicate/Already Filed
- Duplicate/Unnecessary Party
- Failure to pay filing fee
- Filing Code/Document caption do not match
- Generally not filed
  - Examples Depositions, Interrogatories, Requests for Documents, Requests for Admission or answers/responses to any of these, attorney's memorandums
- Incomplete
- Incorrect/Missing Case Number
- Needs Redaction
- Not Legible
- Other/See Comment
- Order Imposing Sanction
- Per Rule 13-12
- Wrong Case Type Selected
- Wrong County/Court

#### Not eFiled – File over the counter with the clerk

- Appeal bonds
- Color documents
- Pro Hac Vice documents and fees
- New cases with request for waiver of filing fees

#### Signature

- Use electronic signature "/s/ name" Example: /s/ Jimmy Jones
- Notarized document, per the UJS eFiling Guidelines:
  - #14 If you wish to file a notarized document electronically, you must sign the document before a notary as you would if you were filing the document over the counter. Then scan and file the notarized document. There is currently no electronic process for having a document notarized.

#### Time of Filings

 A document in compliance with rules and submitted electronically to the clerk of court by 11:59 pm CST shall be considered filed on that date.

#### **Password**

- To update your password From the profile drop-down list select Manage Security
- Password is case sensitive and must be at least eight characters with at least one lowercase, one uppercase and one number or symbol
- If locked out, contact your firm admin to reset your password

## **Exemptions**

Submit request for an exemption to the Supreme Court for approval

#### Message of the Day

• Click the **HERE** link for latest updates and information

#### State's Attorneys

Standardized naming - %CountyName% + County State's Attorney's Office.
 Example: Pennington County State's Attorney's Office

#### **Dual Practices**

It is not uncommon in South Dakota for the elected County State's Attorney to also maintain a private practice.

UJS assumes that preferences are to maintain separate practices, receive mail at a single location, and allow the transfer of the State's Attorney F&S firm to a different individual if needed.

Separate practices require creating separate firms in File & Serve. File & Serve requires a unique email for each firm.

There are multiple options and methods to manage multiple email accounts from a single email client. To find the best option, contact your ISP or search Google.

#### **Public List Info**

<u>Supreme Court Rule 13-12</u> indicates that "registration for electronic filing constitutes written consent to electronic service of all documents filed." By registering with File & Serve you are agreeing to accept service by electronic means and have a continuing obligation to update your contact information, including a current email address.

In order to allow other attorneys to serve you electronically through the File & Serve system it is necessary to be added to the public list as a service contact.

# NOTE: Firms should only add their own attorneys to the public list – never opposing counsel.

#### Add Service Contacts to the Public List

- → From the Actions drop-down list, click Service Contacts
- → Click Add Service Contact
- → Complete required fields
- → Add support staff/paralegal emails in the Administrative Copy field, separated by a comma if more than one
- → Check the Make this contact Public box, \*Required
- → Click Save Changes

If listed as a Service Contact but NOT on Public List:

- → From the Actions drop-down list, click Service Contacts
- → Click name of service contact
- → Check the Make this contact Public box
- → Click Save Changes

#### Remove a Service Contact from the Public List

→ From the Actions drop-down list, click Service Contacts



- → Select name
- → Uncheck Make this contact Public box
- → Click Save Changes

#### **Email Notifications**

There are two types of notifications:

- Filer notifications
- Service Notifications

#### Filer Notifications

A filer can select email notifications preferences for receiving filing information. Filer notifications include Submitted, Accepted, Rejected, Service Undeliverable and Submission Failed if marked in Manage Notifications.

→ Select the profile drop-down list

- → Select the check boxes that correspond to the methods by which you want to be notified of filing information.
- → Click Save Changes

NOTE: The Accepted and Rejected notifications may include a comment by the clerk. Email notifications are sent from <a href="No-reply@efilingmail.tylertech.cloud">No-reply@efilingmail.tylertech.cloud</a>. Whitelist <a href="No-reply@efilingmail.tylertech.cloud">No-reply@efilingmail.tylertech.cloud</a> along with IP address 208.64.239.76 to prevent notifications from going into a junk/spam folder. Whitelist Instructions

#### **Service Notifications**

Service email notifications are sent to the selected Service Contacts and the email addresses listed in the Administrative Copies field when the filer clicks the submit button.

Service Contacts (attorney)

- Email notifications sent when Filer clicks submit (service is tracked)
- If rejected the Service Contact receives a "Filing Rejected" email
- If accepted no additional email

Service Contacts Administrative Copy (assistant/paralegal)

- Email notifications sent when Filer clicks submit (service is not tracked)
- If rejected the Service Contact receives a "Filing Rejected" email
- If accepted no additional email

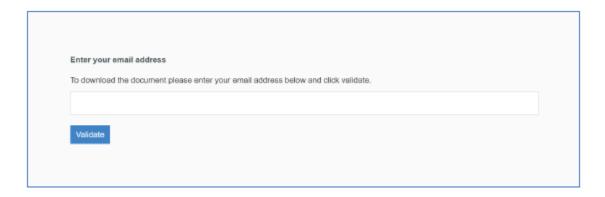
**NOTE:** If using a distribution email list, service cannot be tracked for all parties on the list. This is not recommended for attorneys.

IMPORTANT: Orders issued by the court do not go through the e-filing system. Therefore, order notifications are not emailed to service contacts and administrative copies you have designated in the e-filing system.

If registered with the UJS Attorney Notification System and eCourts you will be notified that an order has been signed and then be able to view the document through eCourts.

#### Notification Links: Document Retrieval and Download

When attempting to download and view a document from a link within an email notification (submitted, accepted, service, etc.) or from within an electronic filing service provider, users will now see a screen asking them to enter their email address. When you encounter this screen, please enter your email address, and click the "Validate" button. The system will confirm your email address before allowing you to download and view the document.

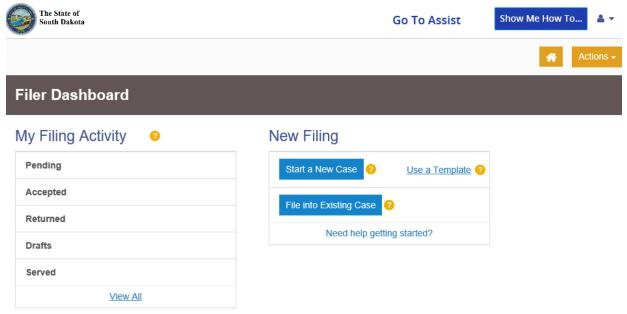


Validating email/send below steps:

- If email notification is sent to the Service Contact email only the Service Contact and their Admin(s) can open the link
- If email notification is sent to the Admin email address only them and their Service Contact can open the link
- If there are multiple Service Contacts listed from the same firm only the Service Contact and their Admin(s) that the notification was sent to can open the link
- If the email is forwarded to another email address the user that it was forwarded to can only open the link using the email address listed in the To: field and the Admin copy/Service Contact emails

#### Filer Dashboard

The Filer Dashboard is the starting page for all filings. From here, you can start a new case, file into an existing case, and check the status of all filings that have been made.



\*

Click the **Home** icon from any page in the system to return to the Filer Dashboard (shortcut g then d)

# **Keyboard Shortcuts**

For a list of Keyboard Shortcuts, hold down the shift key and press the ? key



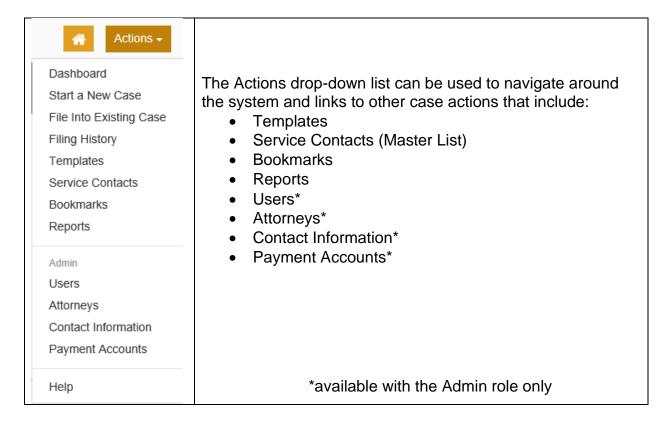
#### **User Account**



Click the down arrow to access your account information

- Update your password and security question
- Manage your notifications
- Sign out

#### **Actions Button**



#### Reports

# Financial Reconciliation Report (use to reconcile credit card statement)

Use when reconciling financial transactions against filings submitted during a specified time frame up to sixty days

- Provides envelope level information specific to fees and their capture date
- Delivered in an Excel spreadsheet to allow filtering and searching

# Filings Report (all filings)

Use when looking for details specific to fees tied to each filing in the envelope Includes a complete breakdown of the filing fees as well as the date the fees were captured.

#### **Bookmarks**

The bookmarks page displays a list of case number, locations, and descriptions for the cases that you have bookmarked. Only you and your firm can see this information.

#### **View Bookmarked Cases**

You can view a list of your bookmarked cases, file into a case, file into case with a template, remove the bookmarked case from the case list, and view/add service contacts to the case using the Bookmarks page.

#### Filing into an Existing Case

To file into an existing case, select File Into Case or File Into Case With Template from the Actions drop-down list on the Bookmarks page.

#### Removing a Case from the Bookmark List

You can remove a case from the bookmarked case list by selecting Remove Bookmark from the Actions drop-down list on the Bookmarks page

#### **Add Service Contact to the Case**

You can add service contacts to the selected case by selecting Service Contacts from the Actions drop-down list on the Bookmarks page. The Service Contacts dialog box for the specified case is displayed. From here, you can add a service contact from the firm's service contact list.

#### **Templates**

Users can establish and manage filing templates that simplify the filings for common parties, events, and documents when filing a new case. This is recommended for firms that may file many cases on behalf of the same Plaintiff. *Detailed instructions can be found in the HTML5 Firm User Guide.* 

#### Case Types/Categories/Security

Click here to view table of available case types, it includes:

- Case type name with fee
- Case Category
- If available for initial and/or subsequent filings
- Security Type
- Party Types

The lines with red text have either closed or sealed security.

- The case types are closed per <u>SDCL 15-15A-7</u> or sealed per <u>SDCL 21-22-28</u>
- The case description displays as "Confidential"
- Only the Party Type populates the envelope (example Plaintiff, Defendant)
- The name of the party does not display
- To submit a subsequent filing into these case types you must search by the case number.
- Closed/Sealed cases cannot be searched by the party information

Note: The open case types could have added case security of Closed or Sealed

# Filing Codes

For a list of filing codes by case category, click <u>here</u>.

#### Initial Filing

#### Detailed instructions can be found in the <u>HTML5 Firm User Guide</u>

Click the button to open the Start a New Case page and to begin the case initiation process for e-filing.

#### Case Information

Complete the Details for the new case from the drop-down lists.

- → Select Location (county)
- → Select Category (criminal cases are not available for initial filings)
- → Select Case Type
- → Save Changes

#### **Party Information**

Enter the parties involved in the case. The party types will default the case party types with the exception of two case types – Administrative Appeals and Other.

When submitting a new case filing, only add the named parties involved. **Do not add** any unknown party types, such as:

- Any Person in Possession
- Any Other Persons
- Unknown Heirs
- Devisees
- Occupants

# IMPORTANT: A case filing statement is required to be submitted for each party/participant with the initial filing. Forms are located at

https://ujslawhelp.sd.gov/CaseFiling.aspx

- → Select the party type from the Party Type dropdown
- → Check box if the party is a Business/Agency
  - There is a maximum character limit of 80 including spaces for the business field.
  - There is a maximum character limit of 40 including spaces each for the First Name and Last Name fields.
- → Enter the party name
- → Enter the address, city, state, and zip code
- → Enter the phone number
- → The Filer ID field is for a UJS Person ID number ONLY; please do not add a SSN or any other number in this field.
- → Save Changes
- → If additional parties are required, select the Add Another Party button and repeat the above steps

Party Type Party Name Lead Attorney

Applicant Harley Black Actions 
Action

Address Line 2

South Dakota

Phone Number

 Note: If filing an Informal Probate, you will need to add a party for each Personal Representative

# **Filings**

The Filings Details screen allows you to enter the filing code, document and optional service fees, if applicable.

→ Select Filing Code

United States of America

PO BOX 123

City

Pierre

Zip Code

- → Add Filing Description (use only to expand Filing Code description if necessary; see #19 of the eFiling Guidelines)
- → Enter a Client Reference Number, optional
- → Enter Comments to the Clerk
  - Add requests for certified copies of Letters of PR for Informal Probate cases here
- → Courtesy Copy field add email addresses to receive copies
  - Email notification is sent when the Reviewer accepts the filing; no email is sent if the filing is rejected

Undo

- → Add the Lead Document (PDF format only)
- → Add Optional Services and Fees, if applicable
- → Save Changes
- → To add additional filings, click the **Add Another Filing** button

**Note:** All documents required to open a case should be filed in the same envelope



#### **Fees**

- → Review Fees
- → Select Payment Account
  - Note: Your credit card is authorized when the filing is submitted; however, the transaction fees will not post to the credit card account until the court accepts the filing
- → Select Party Responsible for Fees
- → Select Filing Attorney
- → Save Changes
- → At this point you can Save as a Draft or proceed to the Summary to Submit

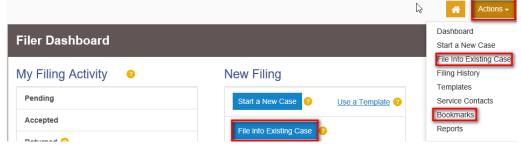
#### Summary

- → Review all of the information that was added for completion and accuracy
- → Edit, if necessary
- → When ready to submit, click Submit

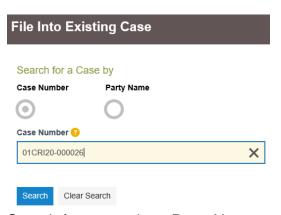
A green confirmation box will appear with the envelope number in the upper right-hand corner. Click the link to print a receipt for the filing. The filing will have an envelope number assigned and will receive a case number when the Clerk reviews and accepts the filing.

# Subsequent Filings

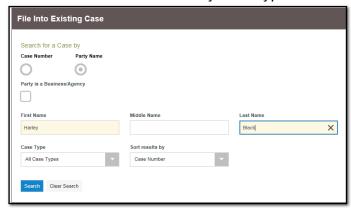
To submit a subsequent filing, click the File into Existing Case button on the Filer Dashboard or from the Actions dropdown.



→ Search for a case by the Case Number



- → Search for a case by a Party Name
  - Closed/Sealed security case types cannot be search by party name



→ The case(s) will display. From the actions dropdown, select File into Case



# **Party Information**

This section populates the parties involved in the case. You don't have to do anything here, just verify you're filing into the correct case.

# **Filings**

When filing multiple documents in a case, we recommend that you add them in one envelope. File each document individually (as its own lead document), unless it is an attachment to a document.

- → Select Filing Type
- → Select Filing Code
- → Add Filing Description (use only to expand Filing Code description if necessary; see #19 of the eFiling Guidelines)

- → Enter a Client Reference Number, optional
- → Comments to the Clerk add any notes for the clerk in this field
- → Courtesy Copy add email address to receive copies
  - Email notification is sent when the Reviewer accepts the filing; no email is sent if the filing is rejected
- → Add the Lead Document (PDF format only)
- → Select Optional Services and Fees, if applicable
- → Save Changes
- → Click the Add Another Filing button to add the next filing, if applicable
- → Continue to click Add Another Filing until all documents are added

#### Service Contacts

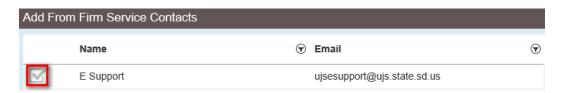
Select Service Contacts to receive service for each party.

To add service contacts from your firm:

→ Select **Add From Firm Service Contacts** from the Party Actions dropdown



- → Click box to select contact
- → Click Close

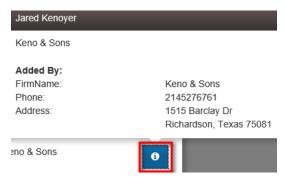


To add service contacts for opposing party from the Public List:

→ Select **Add from Public List** from the Party Actions dropdown



- → Search for contact
- → Click information icon to verify that party was added by their firm



- → Click box to select contact
- → Click Close

**NOTE:** If contact is not found on the Public List, contact the filer and ask them to add themselves to the public list.

If your firm represents more than one party on the case, select the Link Parties With Contact from the Party Actions dropdown, select party and close.



#### Fees

- → Select Payment Account
- → Select Party Responsible for Fees
- → Select Filing Attorney
- → Click Save Changes
- → You can save as a draft or click Summary to proceed to submitting the filing.

# Summary

- → Review all information that was added
- → Edit, if necessary
- → Click Submit
  - NOTE: Service email notifications are sent to the Service Contacts when the filer clicks Submit.

# Initial Case Closed eFilings

# Abuse & Neglect New Case (State's Attorney only)

#### **Select Case Information**

- → Location County
- → Case Category Family

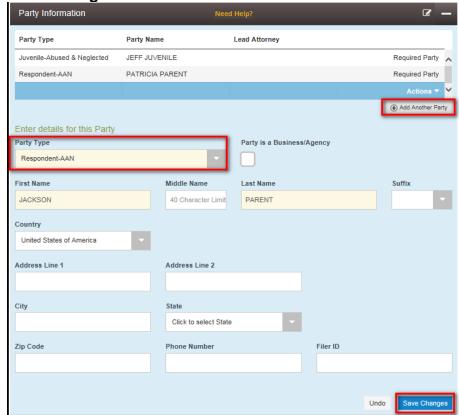
- → Case Type Abuse & Neglect
- → Save Changes

#### **Party Information**

- → DO NOT ADD the Plaintiff of "State of South Dakota"; it is automatically added when the filing is accepted
- → Required Parties:
  - Juvenile-Abused & Neglected
  - Respondent-AAN
- → Enter party information for each default party
- → Save Changes (must save after adding each party)

#### To add additional parties

- → Click the Add Another Party button
- → Select Party Type
- → Add party information
- → Save Changes



- → Add Filings
- → Add Fee /information
- → Submit Filing

#### Adoption - New Case

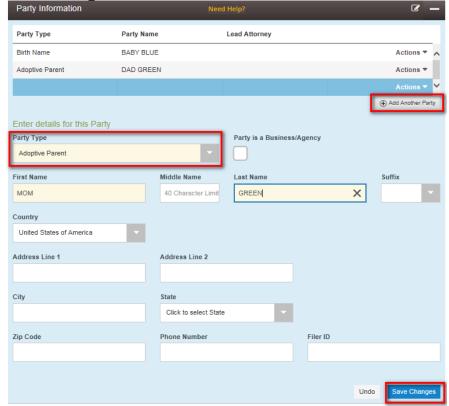
#### **Select Case Information**

- → Location County
- → Case Category Family
- → Case Type Adoption \$70.00
- → Save Changes

#### **Party Information**

- → Required Party Types:
  - o Birth Name
  - Adoptive Parent
- → Enter party information for each default party
- → Save Changes (must save after adding each party)
- → To add additional parties, click the Add Another Party button
- → Select Party Type (ex. Birth Mother, Birth Father)
- → Add Party Information

→ Save Changes



- → Add Filings
- → Add Fee Information
- → Submit Filing

#### Termination of Parental Rights - New Case

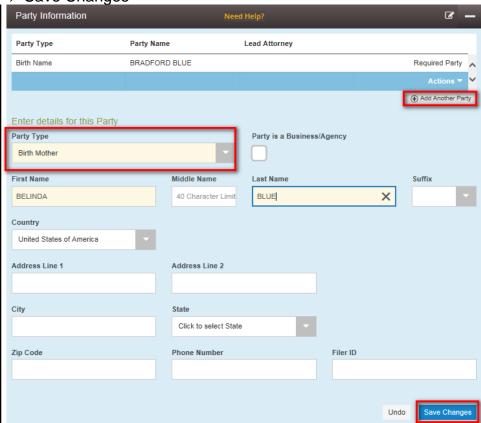
#### **Select Case Information**

→ Location - County

- → Case Category Family
- → Case Type Termination of Parental Rights \$70.00
- → Save Changes

#### **Party Information**

- → Required Party Types:
  - o Birth Name
- → Enter party information
- → Save Changes (must save after adding each party)
- → To add additional parties, click the Add Another Party button
- → Select Party Type
- → Add Party Information
- → Save Changes



- → Add Filings
- → Add Fee Information
- → Submit Filing

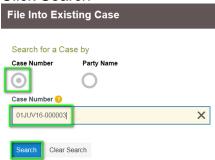
# Subsequent eFilings

The case number is required when filing into a closed or sealed case. The Case Name displays as "Confidential." The party names are masked; only the Party Types will be visible.

→ Click the File into Existing Case button

#### File into Existing Case

- → Enter Case Number
- → Click Search



- → The case will display the Case Description of "Confidential"
- → Click the Actions dropdown and select File Into Case



→ Confirm that you are filing into correct case



#### **Party Information**

- → Party Types display (ex. Plaintiff, Juvenile-Defendant)
- → The Party Names are not visible

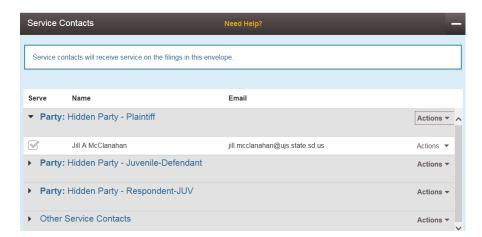


#### **Filings**

→ Add Filing Information and Save

### **Service Contacts**

- → Party Information will display as "Hidden Party"
- → Confirm/Add Contacts, if applicable



#### **Fees**

- → Add Fee Information
- → Save Changes
- → Submit Filing

#### Small Claims Filer Instructions

## **Start a New Case**



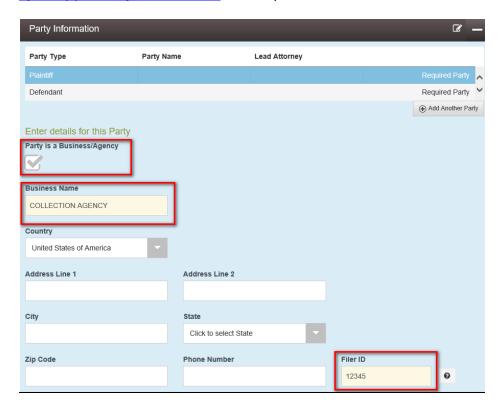
Complete each section and click **Save Changes** before moving to the next section.



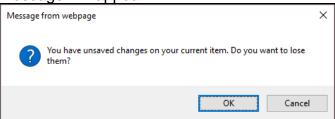
## **Party Information**

→ Select the **Party is a Business/Agency** checkmark box and then enter the Filer ID that has been provided to you by the UJS Help Desk.

If you have not been provided with a Filer ID, please request one from <a href="mailto:ujsesupport@ujs.state.sd.us">ujsesupport@ujs.state.sd.us</a> or complete all of the address fields in this section.



- → Click the **Save Changes** button.
- → Note: If you don't click the Save Changes button after adding each party, this message will appear:



→ Click the Add Another Party button, if necessary, and enter another party.



### <u>Filings</u>

→ Select the appropriate filing code from the dropdown.



→ If the documents are located on your computer or server, click the File System Upload button to upload the PDF document.



- → Click the **Save Changes** button to save the document to the filing envelope.
- → Click the Add Another Filing button.



→ Add the Plaintiff's Statement of Claim and the Affidavit of Non-Military Status filing codes and upload the documents. Be sure to click Save Changes after each document.

### Optional Service - SMC Postage

→ Click the **Add Optional Service** button to add Small Claims postage fees for each defendant. If you are requesting sheriff service only, please skip this step.



→ Select Small Claims Postage from the Optional Service dropdown and then enter the # of defendants.



If you are a **government entity**, please do not select Optional Service and add the Small Claims postage fee. The clerk will add the postage fee and collect it from your agency's drawdown account after accepting the filing.

→ Click the Save Changes button.

### **Fees**

→ Select a payment account, the party responsible for fees, and the filing attorney from the dropdown menus.



- → Click the Save Changes button.
- → Click the Summary button to review the envelope.
- → Click the **Submit** button if your filing is correct.

If you are a **government entity** as defined by <u>SDCL 16-2-29</u>, you will need to select your Waiver account as your Payment Account. You will not be charged the case filing fee.

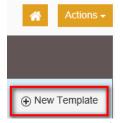
## **Small Claims Initial Filing Template**

Filers can establish and manage filing templates that simplify filings for common case types, parties, and documents when filing new cases. Templates are especially useful for filing new small claims cases, since many of the same document types are filed in each new case.

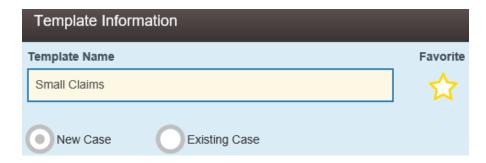
→ To create a new template, click the Use a Template link.



→ Click the New Template button.



- → Enter a name for the template.
- → Select the **Favorite** icon if you plan to create several templates. Having a Favorite list helps to filter your templates.

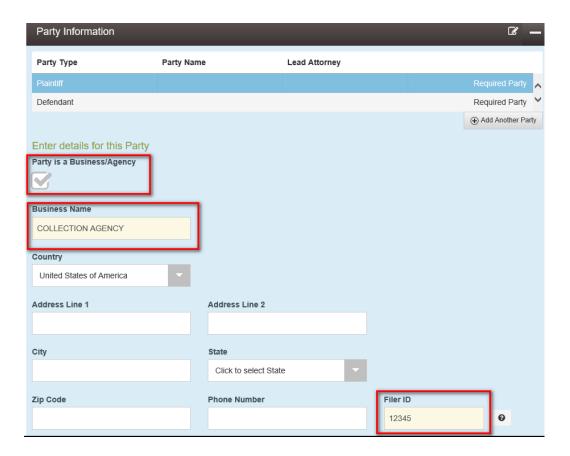


- → Click the **Save Changes** button
- → Select a Location, Category, and Case Type from the dropdowns.

As you use the template, you can select a different location and case type. This takes less time than creating a template for each county or SMC case type.



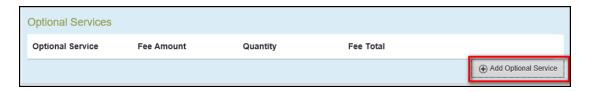
- → Click the **Save Changes** button
- → Enter the Plaintiff information into the template.



- → Click the **Save Changes** button.
- → Select the Filing Codes that you typically use when you are filing a new SMC case. You will attach the documents each time you use the template.



- $\rightarrow$  Click Save Changes.
- → Click the **Add Optional Service** button to add Small Claims postage fees for each defendant.



→ Select Small Claims Postage from the Optional Service dropdown and then enter the # of defendants.



You can remove this or change the # of defendants when you file using the template.

- → Click the Save Changes button.
- → Complete the Payment and Filing Attorney information.



- → Click **Save Changes** and then click the **Continue** button.
- → Review the information in your template. Don't be concerned about the Fees, because those will change from case to case depending on the claim amount and the number of defendants.
- → Click the Save Template button.

The new Small Claims template is displayed under Templates. To use it to file a new case, click **Use Template** in the Actions dropdown.



→ Change the location, case type, etc. if necessary, and then continue through the usual steps to create a new small claims case.

### File into existing SMC Case Using Template

→ Click the File into Existing Case button

## File into Existing Case

- → Search for a case by Case Number or Party Name.
- → From the case Actions dropdown, select file into case with template
- → Search and select the template to use
- → From the template Actions dropdown, Select Use Template
- → Add/update information/document(s)
- → Save Changes
- → Select Summary and confirm info is correct
- → Submit envelope

# Small Claims removal to Circuit/Magistrate Court

When filing a Motion to transfer Small Claims proceedings to Circuit/Magistrate Court, select the Filing Code of MOTION FOR REMOVAL TO CIRCUIT COURT (\$35). The filing code will assess the \$35 filing fee. Also submit the proposed document for the judge's signature.

NOTE: The \$250 bond payment must be submitted to the clerk's office via US Mail or over the counter.

#### **Processes**

## Answer/Response Fee (\$25)

Effective July 1, 2017, a \$25 fee is required for an answer or initial responsive pleading to any petition or motion to modify final orders for child support, child custody, child visitation, or spousal support.

A \$25 fee is also required for any answer or initial response pleading in civil court proceedings (excluding small claims and protection/stalking orders).

"Objections" to Petition for Modification is not considered an answer or responsive pleading and will not be assessed the \$25 fee.

Select one of the following events for the fee to be assessed. If one of the codes is not selected the envelope will be rejected for Failure to Pay Filing Fee.

- Answer/Initial Response (\$25)
- Response to Petition for Modification of Final Order (\$25)

# Bankruptcy Discharge

When submitting a bankruptcy discharge, the application, certified copy of the bankruptcy order, and proof of service should be filed in each case that is listed on the application. The documents should be scanned in as one document. On the Filings tab:

→ Select the APP FOR DISCHARGE, ORDER OF DISCHARGE & PROOF OF SERVICE filing code



If no objections are filed, the judgments will be discharged. If objections are filed, the application will be referred to the judge.

## Case Filing Statement

Case Filing Statements are confidential documents.

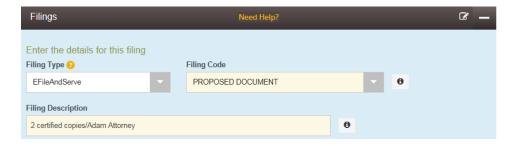
**Important:** When submitting a Case Filing Statement as a subsequent filing, select the Filing Type of EFile so the confidential information is not sent to any service contacts.



## **Certified Copies**

Certified copies of proposed documents can be requested and paid for through File & Serve.

- → Select Filing Code of PROPOSED DOCUMENT
- → Add request in the Filing Description with the name of the requestor



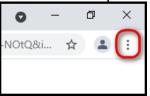
- → Upload Lead Document
- → Select Add Optional Services and Fees button
- → Select Copies and enter quantity of copies
- → Click Save Changes



→ Complete and submit filing Note: Do not select this optional service for initial Letters of Personal Representative

# **Clearing Chrome Cache**

→ Click on the ellipsis on the upper right-hand side of your screen.



→ Select History.

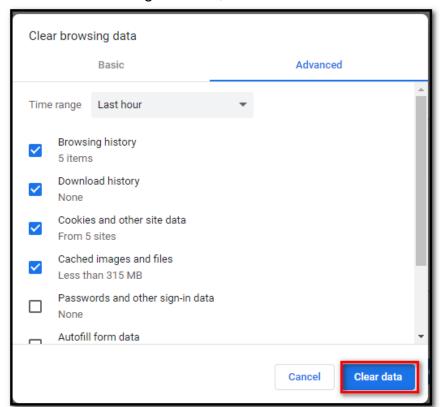


→ Select History.



→ Under History click Clear browsing data on the left side of the screen.





→ In the Clear browsing data box, click the **Clear data** button.

Go back to File & Serve and refresh (F5).

#### Confidential Documents

Filing codes that have (CONFIDENTIAL) after the code name will automatically have confidential security applied to the document when accepted.

If a confidential document should not be served:

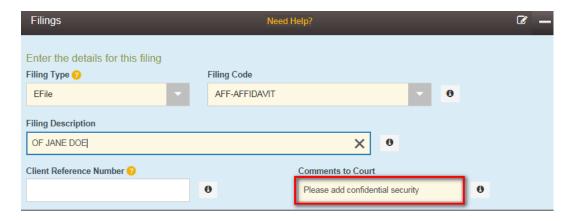
- → Select Filing Type of EFile
- → Select Filing Code
- → Upload document
- → Complete and Submit filing



To request confidential or sealed security to be applied to a document:

- → Select Filing Type of EFile
- → Select Filing Code

- → Upload document
- → Enter request for the Clerk into the Filing Comments field



**NOTE:** This is a request only and security may not be applied. Remember that you must "seek advance approval from the court for submitting a document as sealed or confidential if that document is not already declared confidential or sealed by existing law, court rules, or order" SDCL 16-21A-5(3). Motions requesting that a document be sealed and original sealed documents will not be accepted unless otherwise directed to be filed electronically by the court.

#### **Exhibits**

When filing exhibits, use only white or yellow exhibit stickers and select the appropriate filing code of Plaintiff's, Defendant's, or State's Exhibit(s).

# Proposed Findings of Fact and Conclusions of Law

Opposing parties shall both submit PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW for the consideration of the judge assigned to the case. You will use the PFFCL - PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW filing code and indicate in the Filing Description if it's the PLAINTIFF'S or the DEFENDANT'S. The filing will automatically be filed stamped in File & Serve, unlike a PROPOSED DOCUMENT. When the judge has decided which of the proposals he or she is going to grant, the attorney with the proposal to be granted shall resubmit it in File & Serve as a PROPOSED DOCUMENT so the clerk can forward it to the judge's signature queue.

#### Informal Probates

IMPORTANT: Before the filing will be accepted, the original will must be filed (mailed/over the counter) with the Clerk of Court within 5 business days of submitting the informal probate on File & Serve. Do not mail physical CERTIFIED copies of the will to the clerk; just ensure that the certification stamp is legible when submitting your black and white scan with the initial filing documents. Any certified document may be

submitted in this manner. The filing will be rejected if the original will is not received. Original wills in Probate records may <u>not</u> be returned to the filer without a signed court order directing the clerk to return in; the Document Return Request form may <u>not</u> be used for wills filed in probate records.

- → Click the Start a New Case button
- → Enter the Deceased party's name, Save Changes
- → Click Add Another Party to add Personal Representative, Save Changes
  - Note: A Case Filing Statement is required for each party
- → Select the Filing Code(s) for your filing

**Note:** Do NOT select the filing code of PROPOSED DOCUMENT for the Letters of Personal Representative or the Clerk's Statement; filing codes are available for these documents that require a clerk signature.



- o Add Filing Description, if needed
- Attach documents
   Add request for certified copies in the Comments to Court field. DO NOT select the Optional Service of Certified Copies a fee will be charged and cannot be removed by the clerk.
- → Continue through the filing and submit

#### Modification of Final Orders

When filing a petition or modification for one of the following, a \$50 filing fee is **required**, unless the party is a recipient of assistance benefits pursuant to Title 28:

- Petitions and motions to modify final child support orders
- Petitions and motions to modify final child custody orders
- Petitions and motions to modify final visitation orders
- Petitions and motions to modify final spousal support orders

Select the filing code of PETITION/MOTION FOR MODIFICATION OF FINAL ORDER (\$50).

Enter the type of order being modified in the Filing Description:

- Child Support
- Child Custody
- Visitation Order
- Spousal Support

Note: Failure to select the correct filing code with the attached fee will result in the filing being rejected.

## **Non-Legible Documents**

If eFiling documents from parties that are scanned and are unreadable but represent the original unreadable version, add a description "NON-LEGIBLE" in the filing description field. This will be viewable to the clerks when reviewing the document and the document will be accepted.

- → Add document
- → Add filing description of "NON-LEGIBLE"

#### Pro Hac Vice

Documents and fees for admitting attorneys pro hac vice cannot be submitted through File & Serve. They should be submitted over the counter or through the mail with the clerk's office.

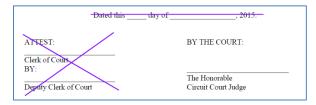
To receive electronic service, the attorney admitted pro hac vice must file a written consent or acknowledgement in each case in which they appear. They should never be added to the public list. The in-state attorney would then have to add the pro hac vice attorney as a service contact on their Master List, making sure to uncheck the "Add to Public List" box.

## **Proposed Documents**

Proposed documents are available for all circuits. If you have large quantities of proposed documents to be filed, please contact the judge prior to filing them. The judge may request these be filed over the counter. Follow current office policy for filing documents for court prior to court days.

Note: For Child Support Referee documents, please see the section specific to referees in this manual.

When submitting proposed documents through File & Serve, you no longer need to include the attest line for the clerks or the dated line for the judge's signature.



Start your filing as you normally would. When you reach the Filings Tab;

- → Select **PROPOSED DOCUMENT** for the Filing Code
- → The Filing Type defaults to EFile and Serve; select Efile only if you do not wish to serve electronically
- → Add the proposed document as a Lead Document

#### Redaction

Attorneys are required to file an original and redacted version of documents.

To submit documents:

- → Select Filing Code for the non-redacted version
- → Add document
- → Add Filing Comment of "Non-Redacted add security"
- → Select Add Another Filing
- → Select Filing Code for the redacted version
- → Add document
- → Add description of "Redacted Version"

Clerk will review documents and if accepted, apply security to the original document.

#### Referee

### **Confidential Filing Codes**

When adding a filing code that is confidential, and is not being served on other parties, select the Filing Type of EFile.



#### Filing Codes

To retrieve the filing codes most used by referees:

- → Click into the Select Filing Code field
- → Type the word "referee"
- → Any filing code with the word referee will be listed in the dropdown

Examples of the referee filing codes:

- Child Support Order Filing Data Form (confidential)
- Exhibits from Referee Hearing (confidential)
- Letter to Clerk with Report of Referee
- Notice of Continued Hearing Before Referee
- Notice of Continued Hearing before Referee & Certificate of Service
- Notice of Entry of Referee's Report & Certificate of Service
- Notice of Hearing Before Referee
- Notice of Hearing Before Referee and Certificate of Service
- Notice of Hearing on Objection to Referee's Report & Certificate of Service
- Notice of Hearing on Remand Before Referee
- Notice of Rescheduled Hearing Before Referee
- Notice of Rescheduled Hearing Before Referee and Certificate of Service
- Notice of Telephonic Hearing Before Referee
- Notice of Telephonic Hearing before Referee & Certificate of Service
- Objection to Referee's Report

- Referee Proposed Order
- Referee's Recommended Order for Dismissal
- Referee's Report
- Referee's Report and Recommended Order
- Report of Referee W/Findings of Fact & Conclusions of Law w/Attachment
- Request for Transcript of Hearing Before Referee

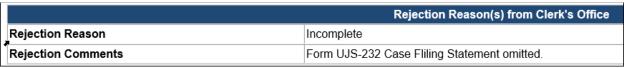
### **Proposed Order**

- → Select Filing Code of "REFEREE PROPOSED ORDER"
- → In the filing description add FOR CHILD SUPPORT in capital letters
- → If submitting an amended proposed order, add "AMENDED" in the filing description

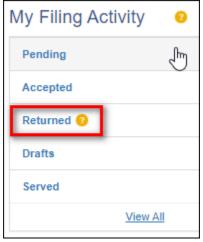


# What to do if your filing is rejected

The reason for rejection and rejection comments can be found in the Rejected notification email:



The reason can also be found in Filing Activity>Returned link



# To view the rejected filing:

- Click the Returned Link
- Locate the rejected envelope number
- From the Actions dropdown, select View Envelope Details



Scroll down to the Filings section and click the plus sign to expand the section



- Click on the filing code to expand to see the details
- The section includes the reason and comment along with the date and time.



#### To update and refile an envelope:

- Click the Returned Link
- Locate the rejected envelope number
- From the Actions dropdown, select Copy Envelope

#### Important Note: you can only copy an envelope if ALL filings have been rejected



- Scroll down to the Filings Section
- From here you can:
  - Select a different filing code, or

o Remove a document and add a new document by clicking the X to remove



Add a document by clicking the upload button



- Add an attachment(s)
- Click the Save Changes button to save.
- To add a new filing, click the Add Another Filing button and complete the fields



When all changes have been made and changes saved, click Summary at the bottom left and then Submit.

**NOTE:** The clerks will see a banner on the filing that indicates that the envelope has been copied due to a previous rejection.

# Support

Support for File & Serve is provided from 7:30 am to 5:00 pm Central Time.

Please email questions and/or issues to our UJS eSupport Help Desk at UJSeSupport@ujs.state.sd.us.

When emailing, please include your name, phone number, available times for call back, case number (if applicable), envelope number, questions and any screen shots. Screenshot HotKeys:

Copy: Alt+PrintScreen (PrtScn)

Paste: Shift+Insert OR Right click->Paste