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S.C. SUPREME COURT

General Information

1. What is E-Filing?

E-Filing is the automated filing of legal documents with the Court using the Internet.

An electronic version of the document is sent to the Court via the Internet instead of delivering or mailing a paper document to the Court.

2. What are the benefits of E-Filing?

E-Filing will reduce the handling of paper documents and files. It will require less time and resources to file documents and will provide quicker access to documents. It will improve efficiency with the capability to submit filings, pay filing fees and check the status of filings, via the Internet, 24 hours a day, 7 days a week, and 365 days a year.

3. When will I be able to use E-Filing?

South Carolina attorneys will be able to E-File in the Court of Common Pleas in a pilot program on a staggered basis in conjunction with a roll-out schedule for the counties. Notifications will be posted on the E-Filing portal (<http://www.sccourts.org/efiling/>), and an electronic notification will be sent to attorneys announcing the start of each county's participation.

4. What cases are currently eligible for E-Filing?

Most Common Pleas cases must be E-Filed, with the exception of (500) Post Conviction Relief, (510) Sexual Predator Actions, (520) Mandamus, (530) Habeas Corpus, and (599) Inmate Petitions/Other.

5. Which counties are eligible for E-Filing?

Clarendon and Greenville counties are the pilot counties, but other counties will join the pilot program. The E-Filing portal, (<http://www.sccourts.org/efiling/>) and the Filer Interface log in page will maintain a list of counties where E-Filing has been implemented.

6. Can I E-File on Saturdays, Sundays, and holidays?

Yes. The Filer Interface is available 24 hours a day, 7 days a week, 365 days a year; however the availability of the E-Filing system does not change any filing deadlines. Additionally, there will be posted times when the System will be unavailable due to scheduled maintenance. The maintenance schedule will be displayed on the Filer Interface and on the E-Filing Portal.

7. When the E-Filing pilot program begins in Clarendon County, will all cases be available for E-Filing or just new cases?

E-Filing will be mandatory, other than in some excluded case types, for all Common Pleas cases commenced or pending in Clarendon County when the pilot begins.

8. During the E-Filing pilot program, if a case is filed in Clarendon County, but the attorneys' offices are located in other parts of the State, are those attorneys required to E-File?

Yes. As each county begins using E-Filing, all filings by all attorneys must be E-Filed, regardless of the location of the attorney. If an attorney anticipates filing any documents in any pilot county, that attorney should register to become an E-Filer as soon as possible.

9. Are there data entry standards for entering party names?

Yes. See Data Entry Standards for Lawyers.

10. Can I access E-Filing anywhere?

E-Filing is a web-based application. In general you can access E-Filing anywhere you have access to the Internet. There are a few countries that are blocked by security software.

11. Are out-of-state attorneys required to E-File?

Attorneys who reside out of state, but who are licensed to practice law in South Carolina will use their (Attorney Information System) AIS user name and password and will E-File. Attorneys admitted pro hac vice cannot E-File, and the associated South Carolina attorney must submit all E-Filed documents on their behalf.

12. Is a new User ID required when an attorney leaves a law firm?

No. But it is critically important that the information contained in the AIS, especially email addresses, be correct.

13. Can Self-Represented Litigants use E-Filing?

Self Represented Litigants, or Pro Se Litigants, may not E-File at this time.

14. When a Self-Represented Litigant files a pleading traditionally, will those documents be scanned by the Clerk of Court and added to the Public Index?

The Clerk of Court should scan the documents so that an attorney may view them in the E-Filing system. Documents which are confidential or sealed will not be displayed on the Public Index.

15. Can I E-File using an Apple computer?

As long as you are able to access and upload PDF documents on your Apple device you may E-File.

16. Will the Filer Interface time out?

Yes. The Filer Interface will time out after 30 minutes of inactivity. There must be activity in the system to restart the time out clock. Browser activity does not affect the time out. When the Filer Interface times out you will be directed to the login screen and a message displayed that you must log in again.

17. What happens to my filing if the Filer Interface times out?

If you have entered at least one plaintiff and at least one defendant before the Filer Interface times out, your work will be automatically saved to draft. If you had not gotten that far in initiating a case you will have to start again.

18. Who can view my document(s) in E-Filing?

Authorized E-Filers may view filed documents via the Case History option in the Filer Interface. Judges, their law clerks and administrative assistants and employees of the Clerk of Court may also view case documents. Non-E-Filers may only view documents using the Public Index.

19. Where are documents that are E-Filed stored?

The document images are stored at the South Carolina Judicial Department.

20. If I E-File at 11:55 p.m. and the clerk accepts the document the next morning at 8:00 a.m., what is the official file date and time?

The file date and time will be the date and time that you submitted your filing, not when the Clerk accepts the filing.

21. If I E-File at 11:55 p.m., the clerk rejects the filing the next morning at 8:00 a.m., and I fix the error and resubmit the filing, what is the file date and time?

The file date and time will be when you resubmit your filing following the rejection.

22. When E-Filing if I use the browser "back" button, does it delete all of the information I have added thus far?

Because different browsers have different features, this question can't be answered. It is important that you always use the 'Back' button contained in the Filer Interface to return to a previous screen.

23. Can I amend a document I E-Filed?

Yes. You must follow the South Carolina Rules of Civil Procedure; however, E-Filing will allow you to E-File amended documents.

24. If I E-File a document and later realize that it is incorrect or illegible, what can I do to correct it?

You can contact the Clerk's office and ask that they reject the filing. If the Clerk has already accepted the document, you can E-File an amended or corrected document.

25. Can the Clerk of Court simply change a scrivener's error that is made by an attorney during data entry? For example, if the attorney misspells a party's name, can the attorney simply call the Clerk of Court and ask him or her to correct the error?

No. A Request to Correct Data Entry Error Form must be filed. The form will specify the data which is to be corrected and the Clerk will correct the entry in the Case Management System if a scrivener's error was made. However, if the name was entered correctly in E-Filing, but misspelled in the document, the document cannot be changed by the Clerk.

26. Are exhibits offered during a trial E-Filed afterwards?

Because the nature of exhibits can vary greatly, scanning may not always be possible or recommended. This will be left to the discretion of the Clerks of Court.

27. When will images be available on the Public Index?

As each county begins using E-Filing, the images will be displayed on the Public Index.

28. With the new search functions on the Public Index, can I search by typing in part of the search term or name? For example, can I search by typing "esta" rather than "estate of"?

Yes. There are new search options which allow a search restricted to results which "Begins With" or "Contains" the search criteria.

29. When will the new Public Index search features be available?

Enhanced Public Index search capabilities were made available in the Case Management System (CMS), Version 6.01.0004, released on November 4, 2015.

30. Does the E-Filing System create an archive like the PACER system for all filed cases?

The South Carolina E-filing System is interfaced with our statewide Case Management System. Cases, documents and filings will be archived as part of the CMS system. You will access cases through the "History" query in E-Filing or through the Public Index Records Search on the SCJD portal.