

Montana Courts Electronic Filing

How Does E-Filing Work?

Electronic filing (e-filing) provides a secure portal to official court case records for the Montana Supreme Court and trial courts of all levels. It enables filers and courts to efficiently process documents and fees online and manages the flow of information among filers, clerks and judges.

- Filers log onto the secure e-filing website to file case-related documents and pay appropriate filing fees to any participating court.
 - Clerks Accept or Reject Submissions
Court clerks receive the electronically filed documents and associated fees for processing and acceptance, review the documents, accept the filings or return them for correction. The system returns a notification to the filer for the accepted and time-stamped documents.
The clerks may electronically route proposed orders and other documents to judges for their electronic review and signature.
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Access the e-filing portal using this website: <https://mtefile.courts.mt.gov>

- Even if you are logging in with ePass Montana, you must use the website listed here.

Getting Help: Please use our information page for instructions, FAQs, videos and other information before calling: <https://courts.mt.gov/courts/efile>

- To contact the e-filing technical staff, email: efilingtechsupport@mt.gov or call 800.284.6017.

Temporary Electronic Filing Rules are found here:

<https://courts.mt.gov/portals/189/efile/instructions/registration.pdf>.

Participating Courts are those listed in the **Court Policy** document available from the main login page or at this location: <https://courts.mt.gov/portals/189/efile/docs/crt-policy.pdf>

- Consult trial courts' local rules to determine if e-filing is mandatory.

Internet Browser: Chrome is generally preferred. Have only one window open at a time to avoid errors.

- Please log off the system (not merely close the tab or window) when you are through using it.

Who can file: Access to case documents is limited to counsel of record, judges and court staff.

- Filing of transcripts, reports to the court and other documents is available to "case participants."

Registration is a two-step process and instructions are found here:

<https://courts.mt.gov/portals/189/efile/instructions/registration.pdf>

- All attorneys working for government agencies should register in the role of Prosecutor (even those whose practice is exclusively civil).
 - You must have an individual email address for each e-filer.
 - You have the obligation to keep your account password secure; attorney's legal assistants must log in with a separate account which is connected directly to the attorney.
 - We recommend that you complete your registration within a single setting if possible.
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Submitting Filings

Request Emergency Filing: use this only when appropriate. If it is something that you would normally call the judge's chambers about, check this box as well as calling.

Motion – Unopposed: use this label (filing subtype) for the quickest action.

Specific filing requirements at the Montana Supreme Court are detailed in the Electronic Filing Rules and the Technical Policy Manual found on our information page: <https://courts.mt.gov/courts/efile>.

Document Preparation – in general

- If submitting in pdf format, we suggest saving your document in the PDF/X format if that is available. This may be particularly relevant if you are using Mac equipment.
- Scanners have a wide variety of settings: make certain that you are scanning as a single document (as opposed to separate pages) and that all pages are scanned at “Letter” size (not A4). Set the output to pdf and check that the resulting file is not unusually large.
- After combining electronic files (for example when using AdobePro), you may need to use the option to save as an “optimized pdf.”
- Reserved locations on all documents: top right-hand corner and bottom right-hand corner.
- You may or may not find the exact labels (filing types/subtypes) for the documents you are filing. The clerks will correct most of them if necessary, EXCEPT if you are filing a document for which you must pay statutory filing fees. (see note below for civil filing tips).
- If you are filing documents at a trial court which to an exhibit, appendix or other document, these documents should be combined into a single document whenever practicable. Note that filing at the Supreme Court requires these documents to be separate.
- Document size is limited to about 20 mg. If you have a file that is larger than this, you will need to split it into multiple parts and upload the parts as individual documents in the same filing.

Document Preparation – Proposed Orders at trial courts

- Check local rules; what is accepted at one court may be rejected by another.
- Save and submit a proposed order in a .docx format whenever possible. It is recommended that all templates for proposed orders of any kind be saved in .docx format. This allows a judge to modify the document before signing or to copy and paste portions into a new document.
- Remove all headers and footers to eliminate vertical numbering and right-hand vertical lines, as well as the areas on which file stamps and judge signatures will go.
- File stamp is in the upper right-hand corner; judge signature occupies the bottom right corner.
- Remove the date/signature line. It is generally acceptable to replace these lines with the following:
ELECTRONICALLY DATED AND SIGNED BELOW
- Remove all metadata. It is your responsibility to deliver a proposed order to the court without metadata attached.
- Note that there are special instructions for preparing documents at the Supreme Court. See the Temporary Electronic Filing Rules and Technical Operations Manual.

Filing on Civil Cases at trial courts

- Instructions: <https://courts.mt.gov/portals/189/efile/instructions/EfilingCivilCases.pdf>.
- It is your responsibility to select a label (filing type/subtype) that will result in the correct fee being charged. If you do not see a fee assessed on the Filing Information page, stop, and try again with a different filing type.
- If you submit a filing with a fee and the filing is rejected, resubmit the filing with a fee waiver and make a comment of the original receipt number of your payment.
- Summonses are electronically available on the case after the clerk has accepted and processed the filing. Give the clerk about a half hour to finish issuing the summons(es) after you get the approval notification and then view the case from the e-filing system and print the issued summons(es) and serve as usual.