



Tip of the Month April 2018

Creating an Electronic Filing and Service (eFS) Account for Individual Attorneys with a Pro Bono Only Practice

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Minnesota state trial courts now use an Electronic Filing and Service System (eFS).¹ While eFS has revolutionized court filings and hastened the demise of the fax machine, it has also made filing on behalf of pro bono clients slightly more complicated for attorneys who are not accustomed to filing with the court. The days when hard copy documents could be mailed, faxed or walked over to the courthouse are long gone. Now, all attorneys must electronically file all documents even when only filing on behalf of pro bono clients. Understandably, the eFS system can be confusing, particularly for non-firm attorneys using it only for pro bono purposes.

It is very possible (and doable!) for individual attorneys to create an eFS account just for filing documents as part of their representation of pro bono clients. Please note that this tip is not meant to include all the information needed to create and use an eFS account. The Minnesota Judicial Branch provides that level of detailed training on their website. However, this tip is meant to address some of the unique issues that individual attorneys might face when trying to set-up an eFS account they plan to use for representing pro bono clients only.

Below are a few tips on how to set up such an account:

1. Read/Watch the online training materials: Yes. You need to do this. The Minnesota Judicial Branch website has extensive training materials online for creating and using eFS accounts. While these training materials do not directly address setting up individual accounts for attorneys only doing pro bono, all the necessary information for creating and using these accounts is available on-line. See <http://mncourts.gov/File-a-Case/File-in-A-District-Trial-Court.aspx>.
2. While the training materials make this very clear (and this is not unique for pro bono only accounts), it bears re-mentioning. It is recommended that you use Internet Explorer Version 9 or higher and download Silverlight to access the eFS website.²
3. Register as a firm: Individual attorneys who want to create an eFS account for their personal filing purposes only should NOT register as an "Independent" user. The "Independent" user accounts are for non-attorney, pro se filers. All attorneys, whether you are with a firm or not,

¹ eFS is only for filing within Minnesota state trial courts. Minnesota's state appellate courts use E-MACS, a separate filing system. Information about E-MACS is available at: emacs.courts.state.mn.us.

² There is also an option to use other browsers (such as Chrome and Firefox) by "accessing the eFS portal through HTML5". But if this second option sounds like a foreign language to you, Internet Explorer is your best option.

MUST register under a “firm” account. You will also need to provide a name for your firm that will easily identify the firm as connected with you. Most likely, your firm name will just be your name.

4. You will be the “Firm Administrator”: When you register yourself as a “Firm”, you will register as the “Firm Administrator”. You will be the only person who has access to the account, unless you choose to add someone. There is no need to have multiple people as administrators on your account, just you.
5. You must have a separate email account that is not already registered to an eFS account: To create an account, you need to use an email address that is not already associated with an eFS account. If you work at a firm that uses your firm email for its eFS account and you want to create a separate account for your pro bono work that only you control, you will need to register your second account under a different email address. You will also need an address and telephone number connected to your account. The mailing address and phone number does NOT need to be unique from any other account that might be registered under your name. It is only the email address that must be unique.
6. Set up a fee waiver account: If you will only be filing documents for clients with IFP waivers (or in which you expect IFP waivers to be granted), you can create your payment account as a waiver account which does not require a credit card.

It is likely that setting up and using your eFS account for the first time will be the most difficult part of using the account. After using it once or twice, it does begin to seem a bit more intuitive. Hopefully, these instructions will provide a little guidance on some of the unique issues for creating an eFS account for pro bono purposes only.

If you would like even more detailed step-by-step instructions for setting up your account for pro bono purposes only for the first time, please contact curia@vlmn.org or 612-752-6647.