

### Case Initiation

**Which filing type should I use to initiate an appeal in the Court of Appeals?**

In the Court of Appeals, use these Filing Types and Subtypes to initiate a new appeal:

<b>If you are:</b>	<b>Use Filing Type:</b>	<b>And Filing Subtype:</b>
Appealing a decision made by the district court. Standard appeal (not an emergency). For emergency situations, call the Clerk's Office for guidance 651-296-2581.	Notice	Appeal (only choice for filing type Notice)
Appealing a decision of a State agency, county board, or local unit of government.	Petition	Certiorari
Submitting a Declaratory Judgment filing.	Petition	Declaratory Judgment
Submitting a Discretionary Review filing.	Petition	Discretionary Review
Submitting a Mandamus filing.	Petition	Mandamus
Submitting a filing that does not fit under any other filing type.	Petition	Other
Submitting a Prohibition filing.	Petition	Prohibition

If you have questions about how to file the initiating document, see the demo, [Creating a Filing on a New Case on the Appellate eFiling tab on the Clerk's Office web page](#). If you have further questions, call the eFS Support Center at 612-902-9585 or 1-844-918-1724.

The filing type must be a Notice or Petition in order to generate a filing fee and to access the payment application. If you select the incorrect type, but pay the filing fee, the Office of the Clerk of the Appellate Courts (Clerk's Office) can always modify the filing type based on the uploaded documents.

**When initiating an appeal in E-MACS, do I have to enter all of the parties and attorneys for both sides?**

No. You do not have to enter all of the parties involved in the appeal, but doing so may simplify your filing. Adding parties during case initiation that are already registered in E-MACS allows you to e-serve them through E-MACS at the time of submitting your e-filing. If you don't add the other parties, you will need to make copies of your filing and serve the copies on all of the other case participants via conventional means (i.e., by mail, by email with the consent of the other party, or in person). Add as many parties as possible at case initiation. After case initiation, only Clerk's Office staff can add or delete parties.



PARTY INFORMATION		
Parties		
Name	Type	Involved in Appeal
Doe, John	Person	✓

1 to 1 of 1 records

**Add Another Party**

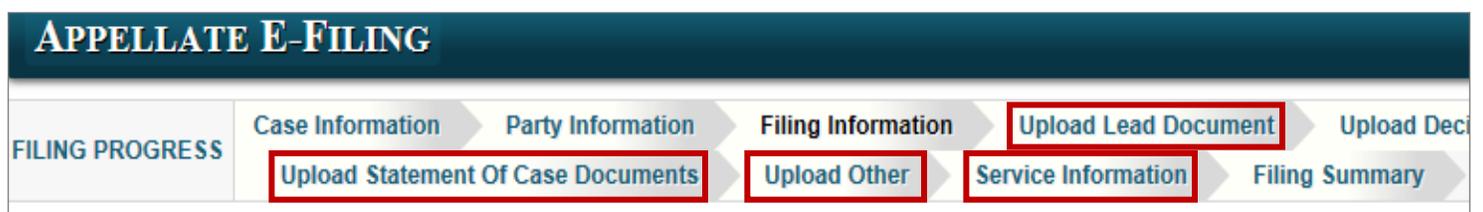
**Documents - Uploading**

**Does my document have to be a searchable PDF?**

No, the E-MACS system converts documents to searchable PDFs.

**Is it ok if I upload all of my documents as one PDF?**

No. With the exception of an agency record, each document must be uploaded as an individual PDF in E-MACS. Follow the tabs across the top of the page to see which documents are expected for a filing type. The tabs across the top of the page change depending on the filing type, but each filing type has tabs to Upload Lead Document and Upload Other. Filers may upload more than one document under a tab. Be sure to upload Proof of Service for conventional service (not required for service via E-MACS) on the Service Information screen, and **not on one of the upload documents screens**, unless Proof of Service is the only document you are filing.



**APPELLATE E-FILING**

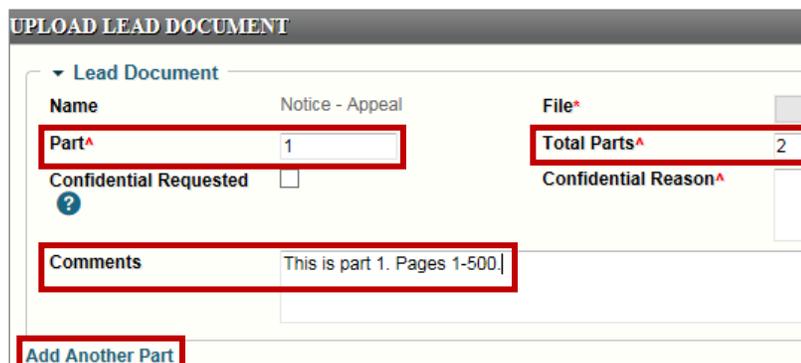
FILING PROGRESS

Case Information Party Information Filing Information **Upload Lead Document** Upload Dec...

**Upload Statement Of Case Documents** **Upload Other** **Service Information** Filing Summary

**I tried uploading my document, but it says the file size is too big, what should I do?**

E-MACS allows a maximum file size of 25 MB per document, or about 750-1,000 pages of text. To upload a document that exceeds 750 pages, break the document into parts, and upload them as separate parts by clicking **Add Another Part**. Be sure to label each part and **include a number in the Part and Total Parts fields**. For more information about uploading documents in E-MACS, see [Preparing Documents for E-MACS](#).



**Documents - Viewing**

**Why can't I open any filings or upload documents in E-MACS?**

Sometimes E-MACS does not work well with the Safari internet browser (the browser used by Apple computers and iPads). Try using Firefox or Internet Explorer as the internet browser. If changing Internet browsers does not resolve the issue, call the eFS Support Center at 612-902-9585 or 1-844-918-1724.

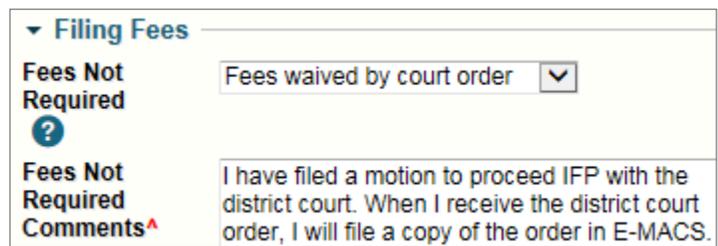
**I received an e-service notice in an appeal I am working on. When I click on the link in the document, nothing happens/it won't open/I get an error message.**

If you support more than one attorney in an office, and your email is the secondary email address for more than one attorney, be sure that you are logged in using the correct attorney's credentials. Log out of E-MACS and log back in with the e-served attorney's credentials. If this does not resolve the issue, call the eFS Support Center at 612-902-9585 or 1-844-918-1724.

**Filing Fees**

**I want to proceed In Forma Pauperis (IFP) in the appellate courts. Can I e-file my appeal, without paying a fee, before the district court grants my motion to proceed IFP?**

Yes, you can initiate your appeal in E-MACS before a district court judge grants your motion to proceed IFP. On the Filing Information screen, select **Fees waived by court order** from the drop-down. Put a note in the **Fees Not Required Comments** indicating that you have filed a motion with the district court requesting to proceed IFP in the appellate courts. If available, file a copy of the order granting or denying IFP with the initial appeal filing. Otherwise, return to E-MACS later and file the order; **the district court does not send a copy of the order to the appellate courts on your behalf.** If IFP is denied, you must pay the appellate filing fee via cash or check, by mail or in person, at the Clerk’s Office. You cannot use E-MACS to pay the filing fee with a credit card after the initiation of the appeal.



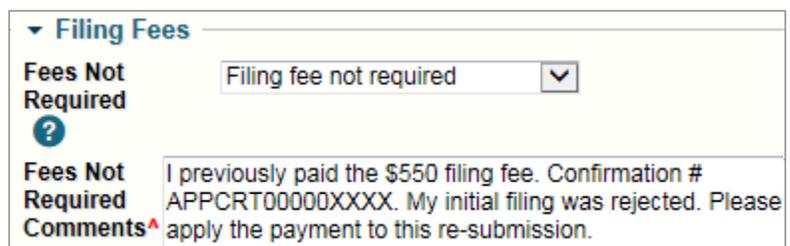
▼ Filing Fees

Fees Not Required  ▼

Fees Not Required Comments<sup>A</sup> I have filed a motion to proceed IFP with the district court. When I receive the district court order, I will file a copy of the order in E-MACS.

**I paid the filing fee and received payment confirmation, but the Clerk’s Office rejected my filing. I am now ready to resubmit my filing, do I have to pay the filing fee again?**

No, do not pay the filing fee a second time (as long as it was not refunded yet by the Clerk’s Office). On the Filing Information screen, select **Filing fee not required** from the drop-down. Add a note in the **Fees Not Required Comments** indicating that you previously paid the filing fee, but the filing was rejected. You **MUST** include your payment confirmation number in the comment box and request that the Clerk’s Office apply the previous payment to this re-submission.



▼ Filing Fees

Fees Not Required  ▼

Fees Not Required Comments<sup>A</sup> I previously paid the \$550 filing fee. Confirmation # APPCRT00000XXXX. My initial filing was rejected. Please apply the payment to this re-submission.

**Awarded Costs and Disbursements**

**Can I use the E-MACS filing type: Other - Payment to pay the judgment on appeal?**

No. Money judgments (awarding costs, disbursements, filing fees, or other amounts) from the Minnesota Supreme Court and the Minnesota Court of Appeals are enforceable in the district courts, pursuant to Minn. R. Civ. App. P. 137. Collection assistance is not available from the clerk of the appellate courts.

All payments should be made to the attorney for the party awarded judgment, not to the clerk of the appellate courts. Any refund of payments made in error to the clerk of the appellate courts may take up to six months to process; credit card processing fees incurred in the submission of payments made in error cannot be refunded.

The appellate courts will accept and docket a satisfaction of judgment, after payment has been made or the parties have reached an agreement, but the filing of a satisfaction of judgment is not required by the appellate rules.

**General**

**Why isn't my name listed as a party or participant to "File on Behalf of" on an existing case in E-MACS?**

If this is the first time you have filed in this appeal, type your name in the **Filed on Behalf of Other** field and the Clerk's Office will add you as a party to the case upon receipt of the e-filing. If you have previously filed in this appeal, put a comment in the Comments section asking the Clerk's Office to add you as a case participant when the new e-filing is processed and your name will appear on the list of parties in the future.

**Why did I receive an error message for my filing in the Court of Appeals or Supreme Court?**

There are several reasons why you may receive an error message. Some of the most common issues include:

**Attempting to add a pro hac vice attorney as a party to a new appeal:** Attorneys who are not licensed in Minnesota and are not already admitted by the appellate court to the filing that is being submitted cannot be served via E-MACS until they are added to the case by the clerk's office. Remove the pro hac vice attorney(s) and attempt to resubmit your filing. The Office of the Clerk of the Appellate Courts will add pro hac vice attorneys as parties to the appeal after the motion to participate pro hac vice has been filed.

**Using a web browser other than Chrome:** Trying switching to Chrome and attempt to resubmit your filing.

**The PDFs that you are uploading are not "flat" PDFs (they contain hyperlinks or third-party digital signature programs):** If the PDFs are already "flat," trying uploading the document as a Word document instead of a PDF; if the PDFs are not "flat," print the PDF and rescan it to create a "flat" image.

**Attempting to file a Petition for Review as a new case rather than filing it into the existing case in the Court of Appeals:** Rather than creating a new case, try e-filing the PFR into the existing Court of Appeals case in E-MACS – be sure all of your documents are captioned in the Supreme Court before you upload them and the clerk's office will change the jurisdiction on your filing to the Supreme Court once the filing is received.

**Why am I getting an error message when creating a new filing in an existing CAP case?**

Be sure to select **Appeal Panel** from the menu, and not Supreme Court. Changing the selection in the Court Level field should resolve the problem.

**I am filing a motion to accept a late document.  
Do I file the motion and the document in the  
same e-filing?**

No, submit two separate filings:

1. Motion - Accept Late Filings
2. Late documents as a separate filing (e.g., Appellant's Brief)

The Clerk's Office will docket the Motion to Accept Late Filings and route it to the court. The Clerk's Office will hold the second e-filing that contains the proposed late filing and the e-filer will receive a Filing Received Notice rather than a Filing Approval Notice. The Clerk's Office will wait for the court to issue an order either granting or denying the request to accept a late document. If the court grants the request, the e-filing will automatically be accepted and moved from the hold to the docket.

**What other resources are available to answer  
questions about E-MACS?**

For additional help, see [E-MACS Online Help](#).