UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ECF ADMINISTRATIVE PROCEDURES

Procedures for Filing, Signing, Verifying, and Maintaining Pleadings and Other Papers in the Electronic Case Filing (ECF) System

Revised May 2, 2016

These procedures are subject to revision at any time without prior notice. A judge of this Court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate for the just, speedy, and inexpensive determination of a pending matter.

Table of Contents

I. ELECTRONIC CASE MANAGEMENT / ELECTRONIC CASE FILING – OFFICIAL RECORD 3

II. DEFINITIONS 3

A. CM/ECF 3

B. Conventionally Filed Document 3

C. Court 3

D. Electronic Document 3

E. Electronically Filed Document 3

F. Electronic Filing 3

G. Electronic Signature 4

H. Filing User 4

I. Notice of Electronic Filing (NEF) 4

J. PDF (Portable Document Format) 4

K. Pro Se Litigant / Filer 4

L. Scanning 4

M. System 4

III. SCOPE OF ELECTRONIC FILING 5

A. Designation of Cases 5

B. Participation in Electronic Filing 5

IV. ENROLLING IN THE CM/ECF SYSTEM 5

A. Registration 5

B. Submitting Registration Forms 6

C. Logins and Passwords 7

D. Changes 7

V. ELECTRONIC FILING AND SERVICE OF DOCUMENTS 8

A. General Provisions 8

B. Civil Complaints 8

C. Miscellaneous Cases and Sealed Civil Cases 9

D. Criminal Charging Documents, Warrants, and Grand Jury Proceedings 9

E. Issuance of Summons 9

F. Service 10

G. Formatting Within a Document 11

H. Voluminous Documents 12
I. Administrative Records 12
J. State Court Records 12
K. Magistrate Judge Consents 13
L. Exhibits 13
M. Transcripts 13
N. Signatures 13
O. Orders and Proposed Orders 15
P. Docket Entries 16
Q. Fees Payable to the Clerk 16
R. Emergency Filings 16
VI. PRIVACY AND CONFIDENTIALITY 17
A. Sealed Cases 17
B. Sealed Documents 17
C. Privacy Concerns 17
VII. TECHNICAL FAILURES 18
A. On The Part of the Court 18
B. On The Part of the Filer 18
VIII. PUBLIC ACCESS TO DOCKET INFORMATION 18
A. At the Court 18
B. Through the Internet 18
C. Social Security and Immigration Cases 19
D. Conventional and Certified Copies 19

I. ELECTRONIC CASE MANAGEMENT / ELECTRONIC CASE FILING – OFFICIAL RECORD

The United States District Court for the Eastern District of Washington (hereinafter "court") has assigned all of its pending and future cases to the electronic Case Management/Electronic Case Filing (CM/ECF) system (hereinafter "System").

The official record of the court shall be the electronic file maintained on the court's servers. This includes information transmitted to the court in electronic format, as well as in paper. The Clerk's Office shall not maintain a paper court file in any case begun on or after October 12, 2004, except as otherwise provided in these procedures.

II. DEFINITIONS

A. CM/ECF

Case Management/Electronic Case Filing System, the docketing and filing system used by the Eastern District of Washington.

B. Conventionally Filed Document

A document filed with the court in paper form, deemed filed when it is date-stamped by the Clerk's Office.

C. Court

United States District Court, Eastern District of Washington

D. Electronic Document

An electronic version of information otherwise filed in paper form. An electronic document has the same legal effect as a paper document.

E. Electronically Filed Document

An electronic document deemed filed when received by the court's CM/ECF system. Unless otherwise ordered by the court, filing deadlines shall be Midnight Pacific Time on the day the documents are required to be filed.

F. Electronic Filing

The electronic transmission of a PDF document to the court for case processing by uploading the document directly from the user's computer, using the court's CM/ECF system, to file that document in the case file.

G. Electronic Signature

An electronic document is deemed signed when filed by an attorney, pro se litigant, judicial officer, or deputy clerk using a valid Eastern District of Washington login and password. See Section V at subsection N for detailed information regarding signatures.

H. Filing User

A registered user of the court's CM/ECF system with electronic filing permissions.

I. Notice of Electronic Filing (NEF)

An e-mail verification of the court's receipt of the electronic document, as well as official notice of the filing to all other parties. The Notice includes the text of the docket entry, as well as a link to the filed document(s).

J. PDF (Portable Document Format)

A document created with almost any word processing program converted to a PDF file type or scanned by a printer/scanner and converted to a PDF file type. The PDF conversion program, in effect, takes a picture of the original document so the converted document can be opened across a broad range of hardware and software, with layout, format, links, and images intact.

K. Pro Se Litigant / Filer

A person proceeding in a cause/proceeding without representation of an attorney, representing his/herself.

L. Scanning

Use of electronic device to take a picture of an existing document in paper format. When scanning documents to be subsequently filed electronically, filing parties are encouraged to configure their scanners for black and white at 300 dpi, rather than color scanning, unless color is an important aspect of the document. The filing party is responsible for the legibility of the scanned image.

M. System

The court's CM/ECF system.

III. SCOPE OF ELECTRONIC FILING

A. Designation of Cases

The court has designated that all criminal, civil and miscellaneous proceedings shall be assigned to the System. Except as otherwise provided by these procedures, all pleadings or other papers required to be filed with the court in connection with a case assigned to the System must be electronically filed. Section V of these procedures specifically identifies those documents that will be accepted through conventional means only.

B. Participation in Electronic Filing

1. **Attorneys** admitted to the bar of this court (including those admitted *pro hac vice*) **shall** register as Filing Users of the System. Filing Users Registered with the System are required to electronically file documents into the System and accept electronic service of pleadings and other papers through the System.

2. **Attorneys** required to register as Filing Users of the System, who are experiencing exigent circumstances that preclude their effective/efficient use of the System, may petition the court for relief from participation as a Filing User. The court will address these petitions/requests on a case-by-case basis.

3. **Self-represented filers (pro se)** may, but are not required to, electronically file documents and register in the System. Pro se litigants wishing to file in paper, and receive notice electronically, may waive their right to receive service of documents by first class mail.

Once registered, an attorney or pro se litigant may withdraw from participation in the System only for cause, on order of the court.

IV. ENROLLING IN THE CM/ECF SYSTEM

A. Registration

Registration constitutes consent to electronic service of documents.

1. Attorney procedures

Prior to participating in electronic filing, attorneys must register to become Filing Users in the System. Forms are available on the court's website www.waed.uscourts.gov.

Attorneys admitted pro hac vice must register for a login and password within ten days of the filing of their Motion to Appear.

2. Pro se (non-prisoner) procedures

a. Filing and Service Option

A non-prisoner who is a party to a civil action and who is not represented by an attorney may file a motion to obtain an ECF login and password on a form prescribed by the clerk's office. Only after the court has granted such a motion may a pro se party attempt to register for ECF. If during the course of the action the pro se litigant retains an attorney who appears on their behalf, the clerk's office shall terminate the pro se party's registration in that case.

b. Service Only Option

On a form prescribed by the clerk's office, a pro se litigant may waive his/her right to receive service of documents by first class mail. If service of documents by first class mail is waived, service of documents and notice of electronic filings will be served by e-mail through the System. This noticing-only option does not allow the pro se litigant to file electronically. Click here for link to pro se forms and notices.

3. Prisoner procedures

a. A prisoner who is a party to a civil action, is not represented by an attorney and resides in a correctional facility that participates in the prison electronic filing initiative is required to adhere to the procedures established in General Order No. 15-35-1, absent a court order to the contrary.

b. Prisoners who reside in correctional facilities that do not participate in the prison electronic filing initiative are not eligible to register or participate in electronic filing.

B. Submitting Registration Forms

Registration forms may be mailed to:

United States District Court
Attn: ECF Registration
P.O. Box 1493
Spokane, WA 99210

or delivered to:

United States District Court
920 West Riverside, Room 840
Spokane, WA 99201; or

825 Jadwin, Suite 174
Richland, WA 99352; or

25 South 3rd Street, 2nd Floor
Yakima, WA 98901

To ensure that the Clerk's Office has correctly entered a registering a filer's email address in the System, the Clerk's Office will send the filer an e-mail. Once the e-mail address is verified, the Clerk's Office will email the login and password information to the filer.

C. Logins and Passwords

Each person registered to file electronically will be given one System login and password from the court. The login and password permit the person to participate in the electronic filing and retrieval of documents.

Each registered user is responsible for all documents filed with this login and password. No one shall knowingly permit, or cause to permit, a login and password to be used by unauthorized persons. Conversely, no one shall use the login and password of another without explicit authorization.

D. Changes

A participant whose name, e-mail address, mailing address, fax or telephone number has changed from that on the original Registration Form must timely file a notice of change of address (or number) with the court, serve a copy of the notice on all other parties, and update their account in the System.

Participants may change their passwords as they deem appropriate. If a participant believes that the security of an existing login and password has been compromised and that a threat to the System exists, he or she shall notify the Clerk's Office immediately by telephone. Court IT staff will assess the threat and advise appropriately.

An attorney no longer practicing in this court shall withdraw from participating in the System by providing the Clerk's Office with a notice of withdrawal from ECF. Such notice must be in writing, and mailed or delivered to the United States District Court at the addresses listed in Section IV B. Upon receipt, the Clerk's Office will immediately cancel the attorney's login and password and delete the attorney's name from any applicable electronic service list. An attorney's withdrawal from participation

in the System shall not be construed as authorization to file paper documents.

V. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. General Provisions

Effective October 12, 2004, attorneys are required to file all documents electronically through the System. A limited number of exceptions, or those which require special handling, are described in subsections C, D, I, J and K of this section.

B. Civil Complaints

1. Attorney Procedures

Effective March 14, 2014, attorneys are required to electronically file new civil cases, including paying the filing fee online through Pay.gov.

2. Pro Se Filer Procedures

At this time, pro se filers are not permitted to electronically file new cases. Only prisoners assigned to facilities participating in the prison electronic filing initiative are permitted to file new cases electronically.

If using the U.S. mail or personal delivery, the Clerk's Office will scan the civil complaint and cover sheet, upload them to the System, and will discard the paper documents after a holding period established by the court.

If using e-mail, the filing party must submit the civil complaint and cover sheet as separate files in PDF format, each file being under the 20-megabyte size restriction. After e-mailing the complaint and cover sheet, the filer should call the Clerk's Office to make arrangements for paying any required filing fees.

The e-mail addresses for submitting civil complaints by e-mail is: www.newcases@waed.uscourts.gov.

New civil cases received either by mail, in-person or by e-mail, are deemed filed the day the Clerk's Office receives the complaint and any required filing fee is paid.

C. Miscellaneous Cases and Sealed Civil Cases

These types of cases are excluded from the requirement of electronically filing new civil cases.

Case initiating documents will be accepted in person at the Clerk's Office, sent by First Class mail, or by e-mail at newcases@waed.uscourts.gov.

If using e-mail the filing party must submit the documents in PDF format with each PDF being under the 20-megabyte size restriction. The filing party shall contact the Clerk's Office to provide a credit card number for payment of the filing fee. New cases will not be filed until the filing fee has been paid.

The filing fee must accompany a complaint sent through the mail or delivered to the Clerk's Office.

D. Criminal Charging Documents, Warrants, and Grand Jury Proceedings

All charging documents (including the complaint, information and indictment) shall be delivered in person to the Clerk's Office. Electronic filing procedures shall not apply to applications for arrest, search or electronic surveillance warrants; or other orders in aid of or ancillary to a criminal investigation; or to proceedings relating to the grand jury.

E. Issuance of Summons

Summons to be issued may be presented to the court through the System, by e-mail, by U.S. mail, or delivered in person to the Clerk's Office. The party requesting the issuance of summons must complete the summons form.

If the party requesting the issuance of summons presents the form to the Clerk's Office through the System, by e-mail, or by U.S. mail, the issued summons form will be returned to the requesting party via the System, by e-mail or by U.S. mail. If the party delivers the summons form to the Clerk's Office, the party can request to have the issued summons form returned at the Clerk's Office counter.

1. Attorney Procedures for Electronic Issuance

Download and save the civil summons form found on the court's website www.waed.uscourts.gov under "All Forms". Use this form each time you electronically file a summons, and remember to file each summons as a separate pdf document in the System.

2. Pro Se Filer Procedures for Issuance

If sending the summons by e-mail, send them with the complaint to www.newcases@waed.uscourts.gov.

If sending the summons by U.S. mail, also submit a stamped, self-addressed return envelope. Once the summons has been issued, the Clerk's Office will return the summons to the filing party.

F. Service

A party may not electronically serve a summons or original complaint. Other documents may be served electronically pursuant to Fed. R. Civ. P. 5 and LR 5.1.

If the recipient is not a registered participant in the System, service must be made by the filer in paper form in accordance with the Federal Rules.

Certificates of service, which may include executed summons, are to be filed electronically through the System. A certificate of service on all parties entitled to service or notice is still required when a party files a document electronically. See LR 5.1. The certificate will be filed electronically on the document itself, and must state the manner in which service was accomplished on each party. Sample language for a Certificate of Service is as follows:

> **I hereby certify that on (Date), I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for the foregoing specifically identifies recipients of electronic notice. I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:**
>
> **_____**
>
> **s/ Attorney's Name (or Legal Secretary's Name)**
> **Attorney's Name and Bar Number**
> **Attorney for (Plaintiff/Defendant)**
> **Law Firm Name**
> **Law Firm Address /Phone /Fax/ Email Address**

Whenever a document is filed electronically in accordance with these procedures, the System will generate an e-mail "Notice of Electronic Filing" to the filing party and to any other party who is a registered user.

Paper copies for those not registered. A party who is not a registered participant of the System is entitled to a paper copy of any electronically filed pleading, document, or order. The filing party must therefore provide the non-registered party with the pleading, document, or order according to the Federal Rules of Civil Procedure. When mailing paper copies of documents that have been electronically filed, the filing party should include the "Notice of Electronic Filing" to provide the recipient with proof of the filing.

To determine whether another party is a registered user, the filer can select CM/ECF's "Utilities" category, and then click on "Mailing Information for a Case" on the pull-down menu. The filer then enters the case number and the system information will appear, stating whether or not the filer must mail a copy or if the System will electronically generate one. For prisoners participating in the prison electronic filing initiative, the NEF will display non-registered parties along with their mailing address.

Three-Day Service Rule. The three-day rule of Fed. R. Civ. P. 6(d) applies to service by electronic means. See also: Fed. R. Civ. P. 5(b).

G. Formatting Within a Document

Captions on documents: Pursuant to LR 7.1(h), any party filing a motion shall insert the date, time, and place (or phone number if by telephone) for the hearing in the motion's caption.

Documents being submitted in response to, in support of, or in opposition to other documents shall be clearly labeled with the reference to the motion or response included in the caption.

Pagination: All documents, including any exhibits and attachments to the documents, shall be sequentially paginated in their entirety, with the page numbers appearing at the bottom of each page.

Hyperlinks: In order to preserve the integrity of the court record, attorneys wishing to insert hyperlinks in court filings shall continue to use the traditional citation method for the cited authority, in addition to the hyperlink. When cross-document hyperlinks are inserted, the title of the document, the court record number and, if applicable, the page number must be cited. The judiciary's policy on hyperlinks is that a hyperlink contained in a filing is no more than a convenient mechanism for accessing material cited in the document. A hyperlink reference is extraneous to any filed document and is not part of the court's record.

H. Voluminous Documents

An exhibit larger than twenty megabytes in size must be filed in separate segments, with each segment less than twenty megabytes in size. See the court's website at www.waed.uscourts.gov under "Case Info" for additional instructions about filing large documents.

For documents, including exhibits, over 100 pages in length, a courtesy paper copy for the judge must be filed with the Clerk. The courtesy copy shall be clearly marked, "Judge's Courtesy Copy of Electronic Filing," and must be three-hole punched and tabbed (if applicable).

I. Administrative Records

With the exception of Social Security cases, administrative records shall not be filed electronically and will not be scanned by the Clerk's Office, although the other documents and pleadings filed in cases with administrative records must be filed electronically.

Social Security Cases Exception:

The Administrative Record in Social Security cases will be filed in paper or e-filed. If the record is filed in paper, it is not scanned nor otherwise placed into the System. The Clerk's Office will docket a text-only event stating that the transcript is available in paper format at the Clerk's Office. If the record is e-filed, a CD containing the record shall be submitted to the Clerk's Office with a paper courtesy copy clearly marked "Judge's Courtesy Copy of Electronic Filing" and a copy of the NEF.

If the administrative record is e-filed, the PDF record is split into parts so that each part is no larger than 20 megabytes. The first PDF attached is called the "main document", and each additional part of the PDF is e-filed as an attachment. Each attachment must be named noting the page numbers (e.g., first attachment "Pages 93-163", second attachment "Pages 164-236").

J. State Court Records

The record of state court proceedings in habeas corpus cases filed under 28 U.S.C. § 2254 shall not be filed electronically although the other documents in such cases will be maintained in the System.

K. Magistrate Judge Consents

Completed consent forms may be signed and submitted in paper and mailed or delivered to the Clerk's Office, or they may be scanned and e-mailed to consentforms@waed.uscourts.gov. Do not file these forms in the System. If all parties consent to the jurisdiction of the Magistrate Judge, the Clerk will file this form in the System as a public document.

L. Exhibits

Filing parties shall submit only those excerpts of the referenced exhibits that are directly germane to the matter under consideration. Excerpted material must be clearly and prominently identified as such. Parties who file excerpts do so without prejudice to their right to timely file additional excerpts of the exhibit with reply briefs if otherwise appropriate. Responding parties may also timely file additional excerpts of the exhibit that they believe are directly germane.

Paper exhibits must be scanned and saved in PDF files that are less than 20 megabytes in size. Large documents may need to be broken into "chunks" so that each PDF is under the 20-megabyte limit.

The filer shall identify each segment by document page numbers and exhibit number. Each exhibit shall have a face sheet identifying the exhibit number. The face sheet is also numbered. The exhibit number should be clearly marked on each PDF document.

If possible, filing parties should scan documents in black and white, rather than in color, unless the color is an important feature of the information. The filing party is required to verify the readability of scanned exhibits before filing them electronically with the court.

M. Transcripts

Transcripts prepared by court reporters are electronically filed by the court as a Notice of Filing of Official Transcript. The court's transcript policy and redaction procedures are set out on the court's website: www.waed.uscourts.gov/court-reporter-information.

N. Signatures

The login and password required to file documents in the System serve as the attorney's or court-approved pro se filer's signature on all electronic documents filed with the Court, for purposes of Fed. R. Civ. P. 11, the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the local rules of this Court.

Attorney or Court-Approved Pro Se E-Filer Signature: An electronically filed pleading or other document requiring an attorney's or court-approved pro se e-filer's signature shall be signed in the following manner: "s/ (attorney or court-approved pro se filer's name)." The correct format for an attorney or court-approved pro se e-filer signature is as follows:

s/ Attorney's Name or Court-Approved Pro Se E-Filer Name
Attorney's Name and Bar Number
Attorney for the (Plaintiff/Defendant)
Law Firm Name (if applicable)
123 South Street
Spokane, Washington 99201
Telephone: (509) 123-4567
Fax: (509) 123-4567
Email: susan_attorney@law.com

Multiple Signatures: The following procedure applies when a stipulation or other document requires two or more signatures:

The filing party or attorney shall initially confirm that the content of the document is acceptable to all persons required to sign the document and shall obtain either the physical signatures or authorization for the electronic signatures of all parties on the document. For purposes of this rule, physical, facsimile, or electronic signatures are permitted.

The filing party or attorney may then file the document electronically, indicating the signatories, e.g. "s/ Jane Doe" "s/ John Smith," etc. The correct format for the signature block is the same as that previously described for attorneys' signatures.

Non-Attorney Signature: If the original document requires the signature of a non-attorney, the filing party shall scan the original document, then electronically file it in the System.

Retention of Original Documents (original signatures). It is suggested that documents electronically filed and requiring original signatures other than that of the filing attorney/pro se filer be maintained in paper form by the filer until two years after all time periods for appeals expire. The filer must provide original documents for review upon request of the judge.

O. Orders and Proposed Orders

Orders of the court:

The assigned judge or the Clerk's Office shall electronically file all signed orders. An order signed electronically (by either a digital signature or by using the "s/ Judge's Name" convention) has the same force and effect as if the judge had affixed a signature to a paper copy of the order.

It is the responsibility of every System participant, upon receipt of an NEF, to open and view each PDF document to read the substance of each document received from the court.

The assigned judge or the Clerk's staff, if appropriate, may grant routine orders by a text-only entry upon the docket. In such cases, no PDF document will issue, and the text-only entry shall constitute the court's only order on the matter. The System will generate a "Notice of Electronic Filing" as described previously in these procedures.

When mailing paper copies of an electronically filed order to a party who is not a registered CM/ECF participant, the Clerk's Office will include the Notice of Electronic Filing to provide the non-participant with proof of the filing.

Proposed orders shall be submitted as outlined below:

Electronically-submitted proposed orders shall be filed with the motion as an attachment and named "Proposed Order" on the system. This will provide service of the proposed order to all registered parties. All proposed orders must be conspicuously labeled "Proposed." If the judge decides to use the proposed order, s/he will remove the "Proposed" language.

A proposed order shall also be attached as a Word file to an Internet e-mail sent to the e-mail address of the assigned judge. **The subject line of the e-mail shall include the case number and title of the order.** The judges' e-mail addresses for proposed orders only follow this pattern: JudgeLastNameOrders@waed.uscourts.gov.

The judges' e-mail addresses for **proposed orders only** are as follows:

BastianOrders@waed.uscourts.gov

DimkeOrders@waed.uscourts.gov

MendozaOrders@waed.uscourts.gov

NielsenOrders@waed.uscourts.gov

PetersonOrders@waed.uscourts.gov

QuackenbushOrders@waed.uscourts.gov

RiceOrders@waed.uscourts.gov

RodgersOrders@waed.uscourts.gov

SheaOrders@waed.uscourts.gov

SukoOrders@waed.uscourts.gov

VanSickleOrders@waed.uscourts.gov

WhaleyOrders@waed.uscourts.gov

P. Docket Entries

The party electronically filing a pleading or other document is responsible for designating a docket entry title for the document by using one of the event categories prescribed by the court. (See "CM/ECF Civil Menu for Attorneys" or "CM/ECF Criminal Menu for Attorneys" on the court's website www.waed.uscourts.gov). Select the menu choice that most clearly relates to the type of document being filed.

Once a document is submitted and becomes part of the electronic case file, corrections to the docket can only be made by the Clerk's Office.

As soon as possible after an error is discovered, the filer should contact the Clerk's Office with the case number and document number for which the correction is being requested.

The filer should contact the CM/ECF Help Desk (1-866-236-5100 or ecfinfo@waed.uscourts.gov) for direction prior to re-filing a document. If appropriate, the Clerk's Office will make an entry indicating that the document was filed in error. The filer will be advised if the document needs to be re-filed.

Q. Fees Payable to the Clerk

Any filing fee in District Court is payable to the Clerk of the Court by credit/debit card, check, money order, or cash.

R. Emergency Filings

Mandatory electronic filing also applies to emergency pleadings. The filer shall call the Clerk's Office to advise the court of the emergency nature of the filing.

VI. PRIVACY AND CONFIDENTIALITY

A. Sealed Cases

Sealed cases must be filed in paper. There is no electronic access to sealed cases other than by court staff.

B. Sealed Documents

In cases that are not sealed, motions to seal documents, sealed documents and ex parte documents shall be e-filed using the System. Detailed filing instructions are available at www.waed.uscourts.gov under "Case Info". If you have questions, please contact the ECF Help desk 1-866-236-5100 or e-mail ecfinfo@waed.uscourts.gov.

Most sealed documents require leave of the court before being filed. Therefore, a Motion to Seal is e-filed and the proposed sealed documents are e-filed using a special proposed sealed document event. Once the Court rules on the Motion to Seal, the sealed document can be e-filed.

When a sealed document is filed, an NEF is generated. Only counsel for the filing party will be able to view the document PDF. Accordingly, parties may not use the court's electronic notice facilities to serve sealed documents. Service must be in paper.

When an ex parte motion or document is filed, an NEF is generated. Only counsel for the filing party will be able to view the document PDF.

For technical reasons, pro se filers cannot electronically file documents under seal.

C. Privacy Concerns

See Fed. R. Civ. P 5.2 and Fed. R. Crim. P. 49.1. To address privacy concerns created by Internet access to court documents, filers should redact certain personal information from electronic filings, pursuant to the E-Government Act of 2002 and Judicial Conference Privacy Policy.

Unless the court orders otherwise, in a filing with the court that contains an individual's social- security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, a financial-account number, a party or nonparty making the filing may include only:

1. the last four digits of the social-security number and taxpayer-

identification number;
2. the year of the individual's birth;
3. the minor's initials;
4. the last four digits of the financial account number; and
5. in criminal cases – the city and state of the home address

The Clerk is not required to review documents filed with the court for compliance with this rule. The responsibility to redact filings rests with the filer.

VII. TECHNICAL FAILURES

A. On The Part of the Court

A party whose filing is untimely as the result of a technical failure of the court's CM/ECF site may seek appropriate relief from the court.

The court shall consider its CM/ECF site to be subject to a technical failure if the site is unable to accept filings, either continuously or intermittently, for more than one hour after 10:00 a.m. on any given day. Known system outages will be posted on the court's website, if possible.

B. On The Part of the Filer

Problems on the filer's end (such as phone line problems, problems with the filer's Internet Service Provider, or hardware or software problems) will not constitute a technical failure under these procedures, nor excuse an untimely filing.

A filer who cannot file a document electronically because of a problem on the filer's end must immediately contact the Clerk's Office CM/ECF Help Desk at 1-866-236-5100.

VIII. PUBLIC ACCESS TO DOCKET INFORMATION

A. At the Court

Electronic access to the civil and criminal electronic dockets and non-sealed, non-ex parte documents filed in the System are available for viewing at no charge at the Clerk's Office during regular business hours. A copy fee for an electronic or paper copy is authorized by 28 USC § 1914 and the Judicial Conference of the United States.

B. Through the Internet

Remote electronic access to civil and criminal dockets and non-sealed, non-ex parte documents in the System is provided through the Public Access to Court Electronic Records (PACER) system. Registration for PACER can be done through its website www.pacer.gov.

The U.S. Judicial Conference has determined that PACER user fees will be charged for remotely accessing documents and docket sheets. Non-judiciary CM/ECF users are charged a per-page fee access electronic data through the PACER system, with a maximum fee of 30 pages per document.

The standard PACER access fee does not apply to official recipients of electronic documents; i.e., parties legally required to receive service or to whom service is directed.

Official recipients will receive the initial electronic copy of a document free to download.

The exception is for transcripts, which have no free look and no maximum charge. If official recipients remotely access the document again, they will be charged a fee as authorized by 28 USC § 1914 and the Judicial Conference of the United States.

C. Social Security and Immigration Cases

Opinions, orders, judgments and other dispositions issued by the court in Social Security and immigration cases may be viewed remotely by anyone with a PACER account. All other documents are only accessible remotely by the parties and their attorneys.

All non-sealed documents in Social Security and immigration cases may be viewed on the public access terminals in the courthouses.

D. Conventional and Certified Copies

Both conventional and certified copies of electronically filed documents may be purchased at the Clerk's Office. The fee for copying and certifying will be in accordance with 28 USC § 1914.