ECF NEWS from the Nation's Capital

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ECF INFO:

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Check out old issues of "ECF News from the Nation's Capital" at: www.dcd.uscourts.gov/ECF-Newsletters.html

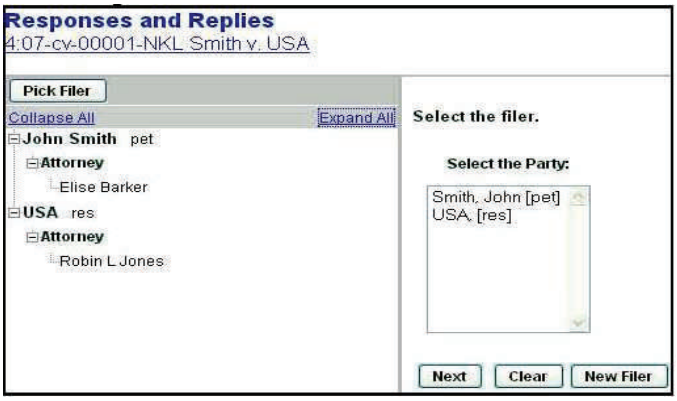
Coming Soon: CM/ECF 4.0

There are a number of enhancements in the upcoming version of the court's filing system, CM/ECF 4.0., which will be implemented in the U.S. District Court later this year. Following is a breakdown of some of the changes users will see in docketing and other features.

Selecting the Filer

A new case participant tree is displayed in the left pane during docketing so users can readily see all case participants during the process of selecting the filers (Figure A). The tree is displayed for reference purposes during docketing. All party selections will be made in the right pane. This procedure has been redesigned to select parties more efficiently, improve speed, and enhance the user's experience.

Figure A

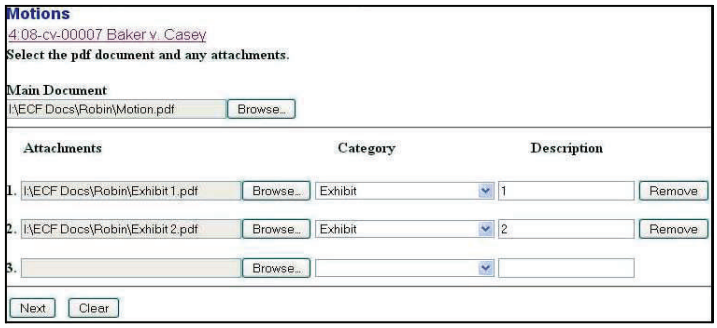


Adding Documents and Attachments

Release 4.0 includes modifications to the way main documents and attachments (affidavits, exhibits, orders, etc.) are added to a docket entry in ECF. The changes include a new single screen for uploading documents during docketing (Figure B).

After browsing and selecting the appropriate **Main Document**, the user should click the **[Browse]** button in the **Attachments** section to add the first attachment. Once the attachment is added, a new row will appear so the user can add a second attachment (if applicable), and so on, for as many attachments as are required. After all attachments have been added, click **[Next]** and all documents will be uploaded to the docket entry from that one screen.

Figure B



Maintain Your Email

The **Email Information** screen under **Maintain Your Account** has been modified to provide more streamlined functionality (Figure C). Cutting and pasting multiple case numbers from one person account to

(continued on page 4)

Two or More Parts

Most of the time one simple docket entry is all you need to file a document correctly. However, there are times when a complex document is filed and a docket entry with multiple parts, or two separate docket entries, is required. Since it is important to capture all parts of such a document, and because this is one of the most common errors we see every day, we'd like to review the proper procedures in handling such a filing.

Often, a motion is filed that asks the court for more than one thing (relief), as in a "Motion to Dismiss, or in the Alternative, Motion for Summary Judgment." In this instance, the user should select **Motions** (from either the **CIVIL** or **CRIMINAL** docketing menus), then select **both** ***Dismiss*** and ***Summary Judgment*** from the menu of reliefs. Simply clicking one or more reliefs on the menu will add them to the docket entry and the document will be filed properly. Judges and chambers staff will be able to track and manage these motions more efficiently and, perhaps, timely.

Sometimes, a combination of a motion, opposition, and/or reply is filed, as in a "Memorandum in Opposition to Defendant's Motion for Summary Judgment and Plaintiff's Cross-Motion for Summary Judgment." In this instance, two separate docket entries are necessary, one for the opposition and one for the motion. The same document and any relevant exhibits and/or orders should be attached to each docket entry. The same would apply to an opposition and reply; there should be one docket entry for the opposition and one for the reply, both with the same document(s) attached.

If, for whatever reason, the appropriate reliefs are not selected, or the additional docket entry is not made, a member of the Clerk's Office staff will have to make a "dummy" docket entry to capture the missing part(s). This docket entry will not include the actual document previously filed, but will include language that links the "dummy" docket entry back to the original docket entry it should be combined with (e.g., See Docket Entry [5] to view document).

LEARN MORE!
ECF Training is available for attorneys and their staff at the courthouse.

For more information, visit our website at: www.dcd.uscourts.gov

Don't Forget!

You can view written opinions and orders at no cost! Just select **Written Opinions** from the **REPORT** menu on the blue toolbar in ECF.

Burning Questions

If I'm an attorney of record, can I view sealed documents in the case?

You can view a paper version of the sealed document but must first file a motion with the court. Once the motion is granted, you will be able to view the sealed documents in the case. Sealed documents cannot be viewed without a court order.

What constitutes an electronic signature?

A document is signed and filed electronically when it is 1) signed with a "/s/ attorney name" or electronic image/scan of the attorney's handwritten signature; **and** 2) filed under that attorney's login and password. Your colleagues should not file documents for you using their login and password.

Should I respond to a document that has been "entered in error?"

NO. Once a document is entered in error, it is no longer considered a valid filing in the eyes of the court. There is no need to respond to it unless and until it is refiled correctly.

Renew Today!

Pursuant to LCvR 83.9 and LCrR 57.21.1(c), "Each member of the Bar of this Court shall renew his or her membership every three years by filing with the Clerk of the Court, on or before July 1st of every third year, a certificate in a form prescribed by the Clerk…"

The Clerk's Office is more closely monitoring attorneys who do not renew their membership with the bar of this court but continue to file pleadings. The initiative will identify those attorneys with "provisional" status who therefore should not be actively participating in a case. Attorneys will be notified and those who do not renew their membership timely will have their ECF login and password temporarily revoked. Once the membership has been upgraded to "active," ECF filing privileges will be reinstated.

If you think you're membership has lapsed, please visit our website to fill out the Attorney Renewal form at www.dcd.uscourts.gov/atty-forms.html. Please also remember to include your $25.00 renewal fee along with the form.

How Do I File...

A document in a multi-defendant case? It is very important that when filing such a document, that you **only** select the defendant(s) to which the filing pertains. Please do not select all defendants in the case unless the document you are filing relates to all of them.

A motion for leave to file? Pursuant to Local Rule 7(i), all motions for leave to file must contain as an exhibit the document for which you are moving for leave to file. This includes amended complaints, sur-replies, and any other documents that require leave to file (because of missed deadlines, etc.). When filing the motion in ECF, be sure to select "yes" where it asks "attachments to document" and attach to the **same entry** the document you are seeking leave to file. The exhibit should not be filed as an independent docket entry until the

CHECK YOUR PDF!

There is a size limit and scanning requirement for all PDFs. The file size of each PDF should not exceed 5MB. Documents should be scanned at 200-250 dpi (dots per inch) and in black and white only.

Just a Reminder

- All documents submitted to the Clerk's Office (electronic or paper format) must contain the correct case number and judge's initials. Documents filed in criminal cases must also contain the correct defendant number and underlying magistrate case number, if applicable. In addition, all documents need to be signed and all paper filings should be accompanied by a PDF version of the document(s) on a disk.
- Sealed documents are **not** to be left in the overnight drop box for filing, nor emailed to the court. They should be brought to the Clerk's Office in paper **and** on disk (PDF format) between the hours of 9 a.m. and 4 p.m., in an **unsealed** envelope (otherwise, they need to be sent through our mail opening/scanning security process, which can delay the filing process). In addition, all sealed documents should contain a certificate of service, and if applicable, names and addresses should be included on the proposed order so that the courtroom clerk knows to whom to send copies.
- Clerk's Office staff members are not able to give any legal advice or help with interpreting local or federal rules. That includes advice on how to execute service or calculate days. All interpretations of the law are the responsibility of the attorney or pro se filer.

CM/ECF 4.0 (Continued from Page 1)

another and/or from one delivery method to another is now allowed.

PACER Billing

When the **Review Billing History** option is selected from the **UTILITIES** menu, a new browser window will open outside of ECF (Figure D). From this screen, the user can search for transactions in recent months for a specific court or all courts in which they file. The **Date Range** box can be used to provide a specific range of dates for which transactions are reported.

Figure C

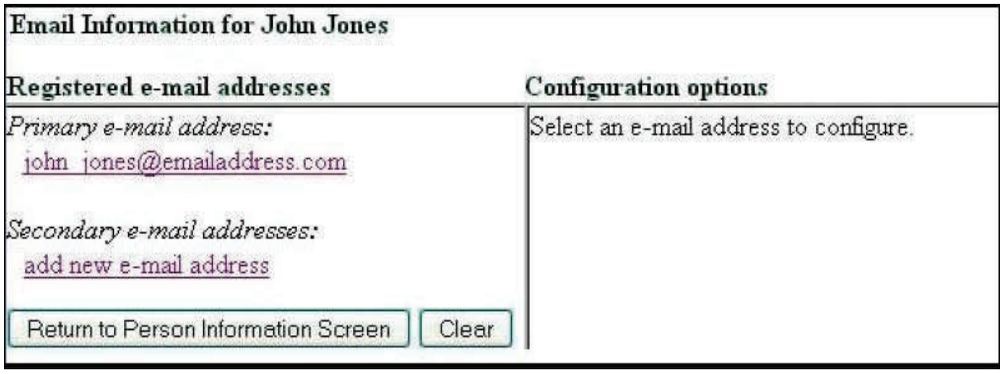
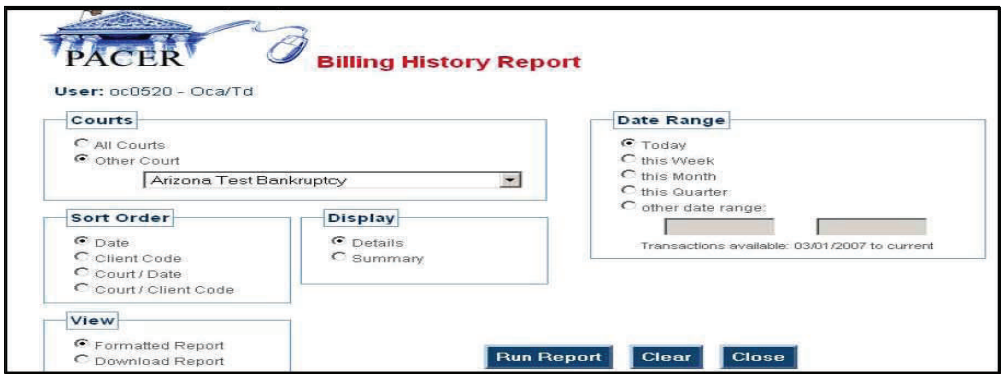


Figure D

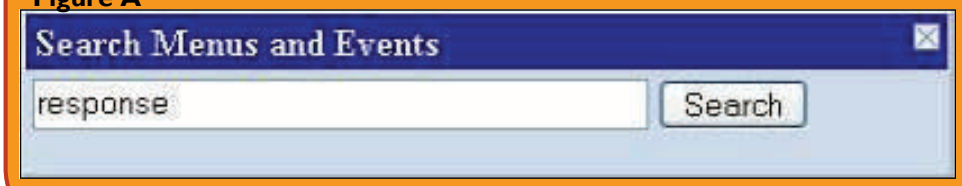


New Search Feature

Did you know there is a new search feature in ECF? It was launched with ECF Version 3.2.2 and may be helpful to users in locating a correct docketing event.

The search feature is available on the blue menu bar at the top of the page when logged in to ECF (not PACER). Simply click **SEARCH** and in the pop-up search window (Figure A), enter all or part of the name of the event to be searched. For example, to find the correct response event, type "response" in the box and click the **[Search]** button. ECF will display a list of events which contain the entered word(s), and will include the appropriate menu(s) on which the event(s) can be found. You can then click on the blue hyperlink for the event you want, and ECF will take you to the proper menu to continue your docket entry from there.

Figure A



NOT SURE HOW TO FILE SOMETHING?

Just call us!

We'll be happy to walk you through the proper steps or event that you need to properly file your document in ECF.

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