DOCKETING BASICS

Civil and Criminal Menus

Registered users will use the **Civil** and **Criminal** docketing menus in to electronically file a variety of pleadings, motions, and other documents. This section of the manual will provide instructions on civil filing procedures. However, the same procedures can also be applied similarly to criminal filings. (See the separate lists of ECF events for criminal and civil).

General Rules and Manipulations

Manipulating the Screens

Each event screen has two buttons associated with data entry:

- Use the **[Clear]** button to remove **all** characters entered in its associated field or box.
- Use the **[Next]** or **[SUBMIT]** button to accept entered data and display the next data-entry screen.

Correcting a mistake

Use caution when using the [Back] button on your browser to correct a mistake on a previous screen; it may force you to start the docket entry over from the beginning. Only the Clerk's Office can make changes or corrections to documents and docket entries that have already been transmitted to the court.

Signatures

Most ECF documents should contain an electronic signature (e.g., /s/ John Smith). However, any documents bearing original (ink) signatures or notary seals (e.g., affidavits, stipulations, etc.) should also be scanned and filed electronically. Such original documents should be retained in the filer's possession should their validity ever come into question.

Filing a Civil Complaint

New civil cases opened with a complaint or notice of removal shall be filed electronically by all registered ECF users. Payment of the $400.00 filing fee can be made with a credit/debit card or check during the filing of the case.

Detailed instructions on how to properly open a new civil case are available on the court's website (http://www.dcd.uscourts.gov/attorney-civil-case-opening-information) and should be reviewed prior to filing a new case.

Filing Other Documents in ECF

There are eight basic steps for filing a civil or criminal pleading in ECF.

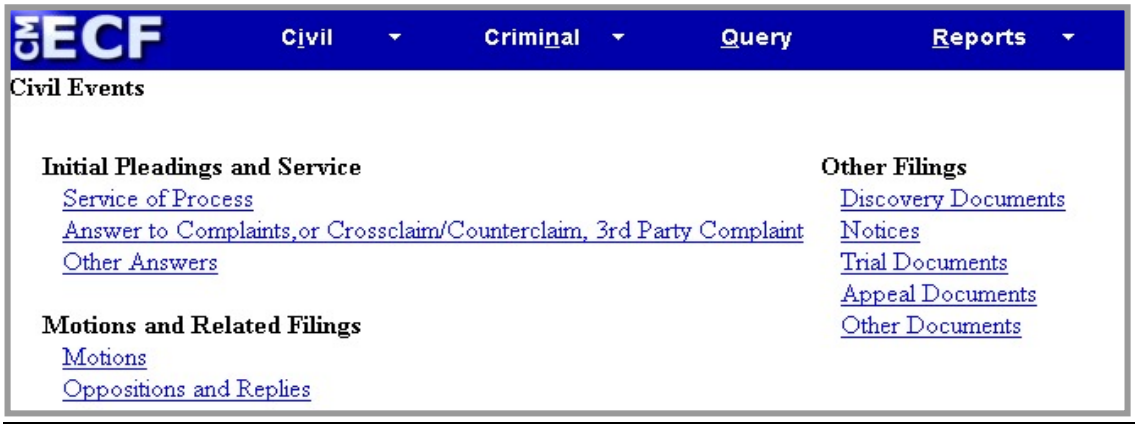
1) Select the type of event being filed (i.e., specific motion, notice, opposition, etc.).
2) Locate the case in which the pleading is being filed.
3) Designate the parties for whom the pleading is being filed.
4) Specify and attach the PDF document being filed.
5) Add exhibits or other attachments, if any, to the document being filed.
6) Refine docket text as necessary.
7) Submit the pleading to ECF.
8) Receive Notice of Electronic Filing confirming the completed and successful docket entry.

After successfully logging into ECF, follow these steps to file a pleading:

1. Select the Type of Event

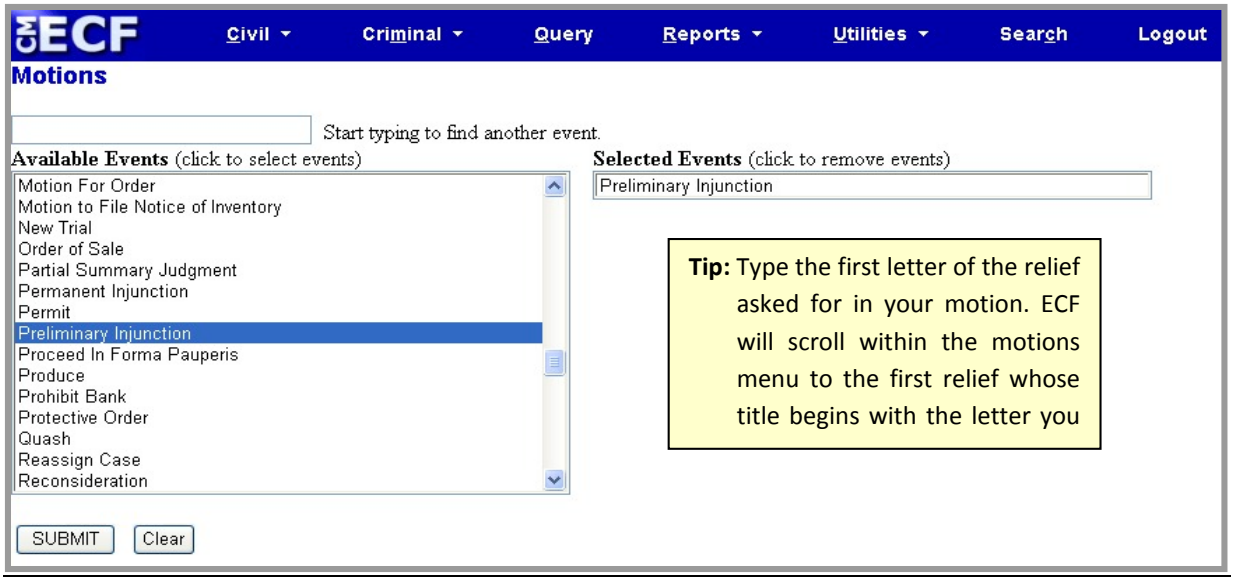
- Select **[Civil]** from the **blue** menu bar at the top of the ECF screen. The **Civil Events** window opens displaying all of the events from which you may choose for your filing (Figure 1). (**Note:** This section of the User's Manual describes the process for filing a **Civil Motion** in ECF. The process is similar for filing criminal motions and other pleadings in ECF).
- Click on **Motions** under **Motions and Related Filings**.

Figure 1



- The **Motions** screen appears and displays a motion relief menu (Figure 2). Scroll through the menu and select the type of motion you wish to file (e.g., **Preliminary Injunction**), then click **[SUBMIT].**

Figure 2

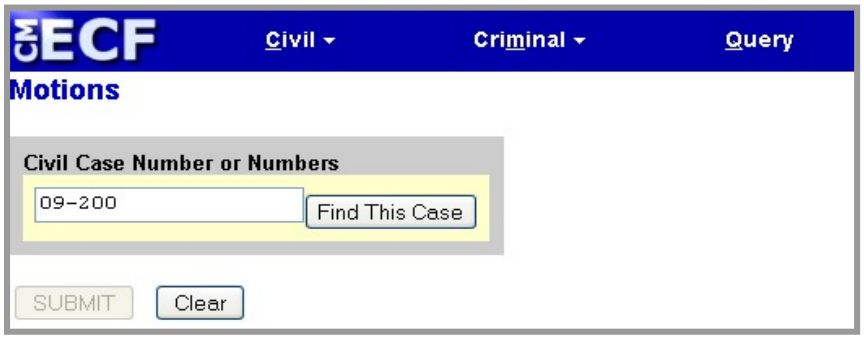


Note: To select more than one relief for a motion, simply click on each desired relief and it will be added to the ***Selected Events*** box. Ensure all reliefs have been selected and click **[SUBMIT].**

2. Locate the Case

- A new **Motions** screen (Figure 3) opens with a ***Civil Case Number*** field. Enter the number of the case for which you are filing a motion and click **[Find This Case]**.

Figure 3



- If a list of different cases that share the same case number (i.e., there is a 09-200 in civil and miscellaneous) comes up, select the appropriate case and click the **[SUBMIT]** button.

Note: In most instances, ECF defaults to the last case from which you worked. *Ensure the proper case number is entered to avoid filing your document in the wrong case.*

3. Designate the Parties Filing the Pleading

- ECF displays the next **Motions** screen with a list of parties in the case (Figure 4).

Figure 4

- On the right side of the **Motions** screen, highlight the name of the party or parties for whom you are filing the motion. If you represent more than one defendant or plaintiff, you should select all parties represented in the filing by holding down the **Ctrl** key and clicking on each party name until all appropriate names are highlighted. After highlighting the parties filing the motion, click **[Next]**.

4. Specify and Attach the PDF Document

- ECF accepts the party or parties you selected and displays the new **Motions** screen shown in Figure 5A, which allows you to locate the PDF file of the main document you are filing and attach it to the ECF system.

Note:	All documents that you intend to file in ECF **MUST** be in **PDF** format. Otherwise, ECF will not accept the document for filing.

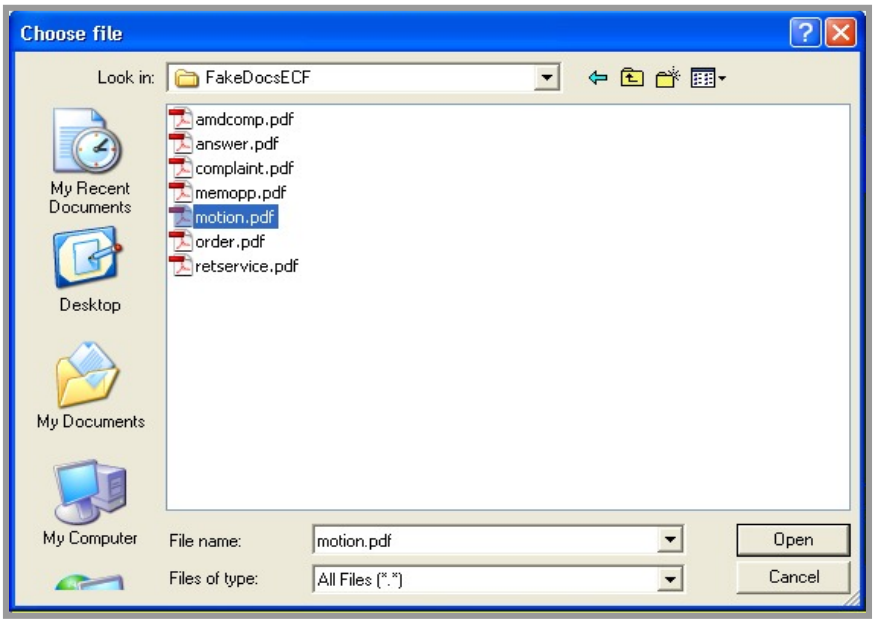
Figure 5A

- Click the first **[Browse]** button to upload your main document (i.e., Motion for Preliminary Injunction). ECF opens the **Choose File** screen shown in Figure 5B.
- Navigate to the appropriate directory and file name on your computer and select/highlight the PDF document you wish to upload to ECF.

Note:	In order to verify that you have selected the correct document, right-click your mouse on the highlighted file name to open a **quick menu** and left-click your mouse on **[Open]**. Adobe Acrobat or Acrobat Reader will launch and open the PDF document that you selected. You should view it to verify that it is the correct document, before attaching it to your entry.

Note:	Ensure that the highlighted file name appears in the **File name** field as shown in Figure 5B. The court suggests you choose a name for the document file that indicates the case number and title of the pleading.

Figure 5B



- Click the **[Open]** button or double-click the file name on the screen shown in Figure 5B. ECF inserts the PDF file name and location in the **Motions** screen shown in Figure 5C.

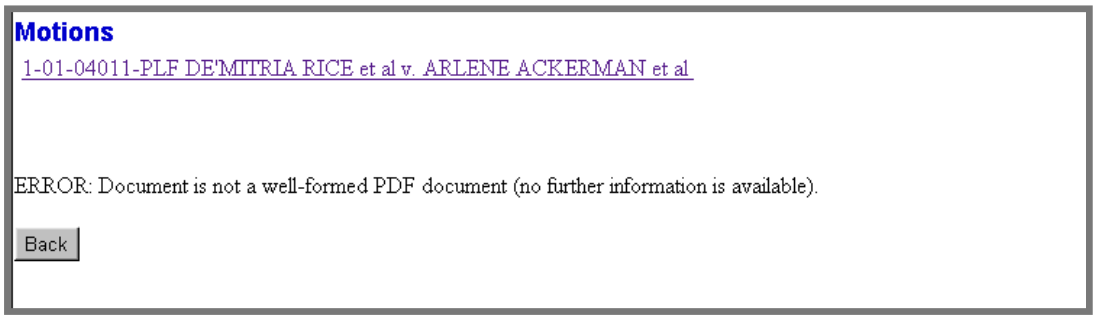
Figure 5C

- If a PDF being uploaded to the ECF system exceeds the size limit of 10MB, an error message will appear and will include the file size of the current PDF for your reference. Please stop and break up your large documents into smaller file sizes so that they can be easily handled by the system.

Failure to Select A PDF Document

- In the event you selected a file for your pleading that is not in PDF format, ECF will display the error message in Figure 6.

Figure 6



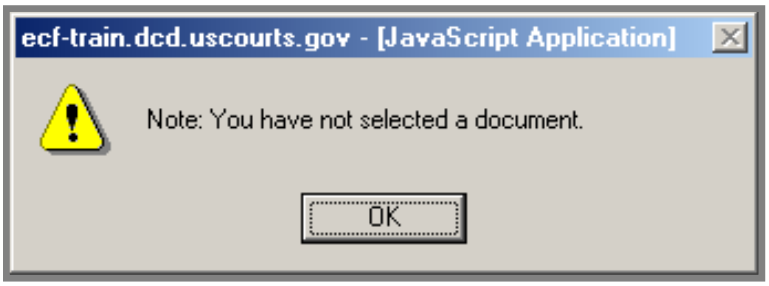
- Click the **[Back]** button and ECF will return to the **Motions** screen shown in Figure 5A. Select and highlight the PDF file of your pleading and proceed as before.

Note:	The motion, memorandum in support of the motion, statement of facts, and other documents directly pertinent to the motion should reside in a single PDF file. Proposed orders, affidavits, and other exhibits should reside in separate PDF files to be included as attachments to the motion. Step 5 describes the method for adding the attachments to your filing.

Failure to Select A Document to File

- If you fail to select a document to attach to your docket entry, ECF will display the error message shown in Figure 7.

Figure 7



- Click **[OK].** The user must enter a PDF document or the filing process comes to a halt.

5. Add Exhibits or Other Attachments (if any)

- If there are no attachments to the motion, click **[SUBMIT]** on the **Motions** screen shown in Figure 5C and a new **Motions** window opens as shown in Figure 9A. Go to Step 6, **"Refine Docket Text,"** to proceed with your filing.
- If you have attachments to your motion, select the next **[Browse]** button under **Attachments** on the screen shown in Figure 8, locate the PDF document of your first attachment on your computer, and select it to be uploaded to ECF as you did with the main document.

Figure 8

- In the field below ***Category***, select the type of attachment from the drop-down menu; **and/or**
- Describe the attachment more fully by clicking in the ***Description*** box and typing a clear and concise description of the attachment. (**Note:** A Category or Description **must** be added before proceeding, or ECF will generate an error message).
- Repeat the sequence for each additional attachment. (**Note**: As soon as you add one attachment, another ***Attachments*** field will appear).
- After adding all of the desired PDF documents as attachments, click **[Submit]**.

  ECF opens a new **Motions** window as shown in Figure 9A.

Filing Attachments and Exhibits that Originate from Paper Documents

The Court encourages you to file **all documents, regardless of size,** in electronic format. If an original attachment or exhibit is in paper format, scan and convert it to a PDF file before attaching it to the entry as described in Step 5. However, if it becomes necessary to submit documents to the Clerk's Office in paper format, please include a PDF version of the document(s) on a gold CD (for long-term archival purposes).

To submit the document in paper format, prepare a one-page PDF document titled ***Notice of Filing***. Attach the PDF Notice to the docket entry as described in Step 5. Then submit the paper Notice and the original attachment to the Clerk's Office **on the day of the electronic filing**. Be sure to include a copy for the judge and serve copies on all parties in the case.

Note: **Sealed documents in completely sealed cases cannot be filed electronically**. Documents in completely sealed cases should be submitted to the Clerk's Office in paper and accompanied by a CD with PDF versions of all documents.

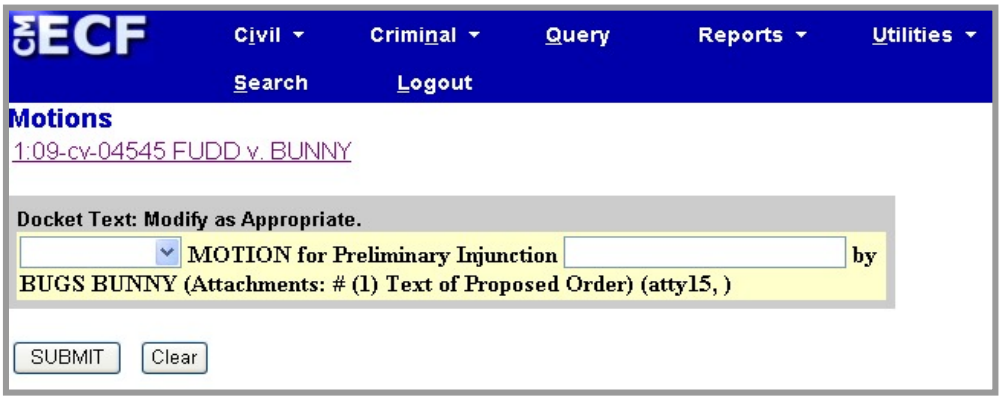
As of May 2013, attorneys are permitted to file sealed documents in **otherwise unsealed cases**. Please refer to our website (http://www.dcd.uscourts.gov/ECFCR) for more detailed information.

6. Refine Docket Text

On the screen shown in Figures 9A and 9B, enter any additional text that you wish to appear on the docket sheet.

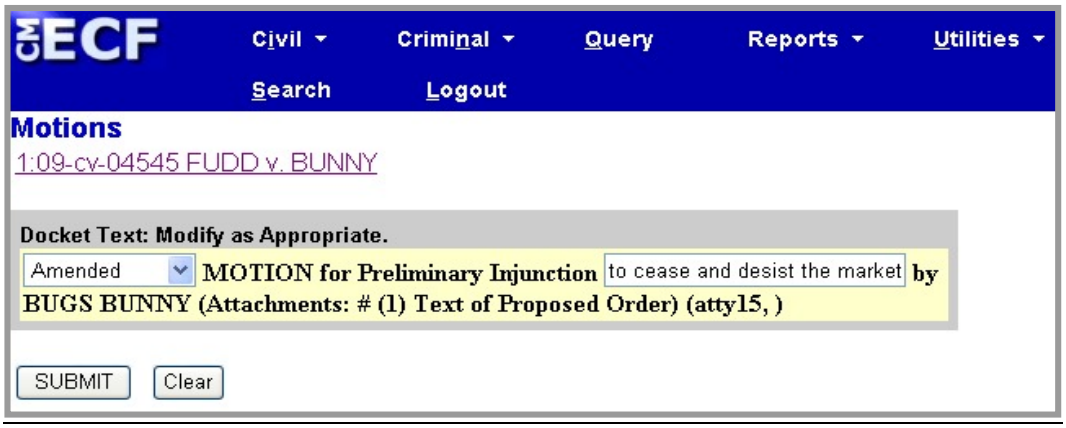
- Select a modifier (if applicable) from the drop-down list shown in Figure 9A to describe your motion, or you may leave the field blank.

Figure 9A



- Enter additional description of the document (if applicable) in the text field provided (Figure 9B). (**Note:** Do not use language redundant of what is automatically included in the docket text). This text field may also be left blank.

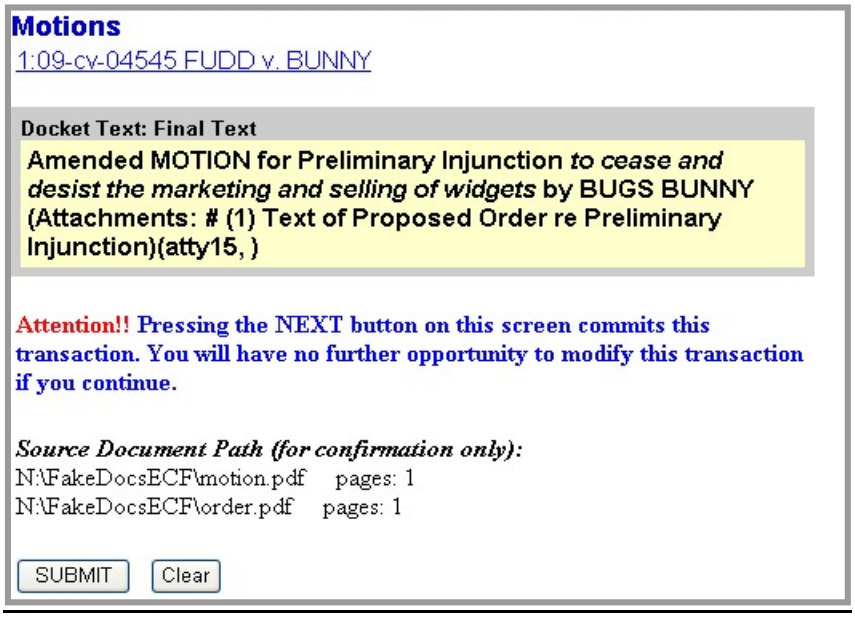
Figure 9B



7. Submit Entry

- After entering additional docket text, click **[SUBMIT]** (Figure 9B). A new **Motions** window appears (Figure 10) with the complete text as it will appear in the docket entry.

Figure 10



- Review the docket text and correct any errors. If you need to modify data on the previous screen and are working in Mozilla Firefox, click the **[Back]** button on the toolbar to find the screen you wish to alter. If you have made an error and are working in Internet Explorer, you can start the docket entry over.

- Click on the **[SUBMIT]** button in Figure 10 to file and docket the pleading.

Note: The screen shown in Figure 10 contains the following warning.

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

At any time prior to this step, you can abort the ECF filing or return to the previous screen by clicking any hyperlink on the **blue** ECF menu bar. ECF will reset to the beginning of the process you just selected.

8. Receive Notice of Electronic Filing

ECF opens a new window displaying the **Notice of Electronic Filing (NEF)** receipt.

- The NEF shown in Figure 11 provides confirmation that ECF has registered your transaction and the pleading is now an official court document. It also displays the date and time of your transaction and the number that was assigned to your document.

Figure 11

Motions
1:09-cv-04545 FUDD v. BUNNY

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered by atty15, on 10/9/2009 at 2:41 PM and filed on 10/9/2009
Case Name: FUDD v. BUNNY
Case Number: 1:09-cv-04545
Filer: BUGS BUNNY
Document Number: 1

Docket Text:
Amended MOTION for Preliminary Injunction *to cease and desist the marketing and selling of widgets* by BUGS BUNNY (Attachments: # (1) Text of Proposed Order re Preliminary Injunction) (atty15,)

1:09-cv-04545 Notice has been electronically mailed to:

Burgess peggy_Obrien_dcd.uscourts.gov@example.com

1:09-cv-04545 Notice will be delivered by other means to::

atty15

The following document(s) are associated with this transaction:

Document description: Main Document
Original filename:suppressed
Electronic document Stamp:
[STAMP dcecfStamp_ID=973800458 [Date=10/9/2009] [FileNumber=2298535-0]
[7c7b9c9487e2579a35180b0036cc070a40d57879788784c7e118051a0c77deba2b49
38547a8c15dd080444fb2bd3219826be347244d770127c277059dbb4f194]]
Document description: Text of Proposed Order re Preliminary Injunction
Original filename:suppressed
Electronic document Stamp:

Note:	The NEF represents your Certificate of Service. The Court strongly urges you to copy it to a file on your computer hard-drive, print it, and retain a hard copy in your personal files.

- ECF will electronically transmit the NEF to the attorneys and/or parties in the case who have registered their email address with the Court. The NEF also displays the names and addresses of individuals who will **not** be electronically notified of the filing. **It is the filer's responsibility to serve hard copies of the pleading and the NEF to attorneys and/or parties who are not set up for electronic notification.**

Email Notification of Documents that were Filed

Individuals who receive an NEF for a document filed in ECF are permitted one free copy of the document by clicking on the associated hyperlinked document number embedded in the NEF. The court strongly urges you to copy the NEF *and* documents to your hard drive for future access. Subsequent retrieval of the case docket sheet and pleading from ECF must be made through your PACER account and is subject to regular PACER fees.

Note:	It is the responsibility of filers to send hard copies of the pleading and NEF to attorneys and pro se parties who will not receive it by email notification.

Filing Other Types of Documents

Registered users who wish to file a document other than a motion should make the appropriate selection from the **Civil** or **Criminal** events menus. The process for other filings (including magistrate and miscellaneous) is similar to what has been described in this manual for filing a civil motion. If you have questions about the type of document you wish to file in ECF, call the Clerk's Office.

Filing Amended Complaints, Third-Party Complaints, Counterclaims, Crossclaims, Motions to Intervene and Motions for Leave to File as an Amicus Curiae

The following civil documents should be filed in accordance with the supplemental instruction manuals available on the Court's website: http://www.dcd.uscourts.gov/ECFCR

- Amended Complaints
- Third-Party Complaints
- Counterclaims and Crossclaims
- Motion to Intervene
- Motion for Leave to File Amicus Curiae Brief

Filing Documents when ECF is Not Accessible

Occasionally, users may be unable to electronically file documents because of problems with the court's ECF system or their own internal computer systems. If you are unable to file electronically, call the Clerk's Office for advice. If it appears that ECF or your own computer system will be inaccessible for an extended period of time, you may email the PDF files of your pleading and exhibits to the Clerk's Office at dcd_cmecf@dcd.uscourts.gov **(civil)** and dcd_cmecf_cr@dcd.uscourts.gov **(criminal).** Include the case number and judge's initials in the subject line of the email and retain copies of all emails sent to the court.

Filing a Notice of Appeal

Registered users may file a Notice of Appeal electronically when using a credit card or ACH payment, or if there is a waiver of the filing fee. **Payment by check or cash must be brought to the Court** with an original Notice of Appeal, the appropriate number of copies, along with a CD with the Notice of Appeal in PDF format.

Pay.gov will accept debit cards, VISA, MasterCard, American Express, Diner's Club/Carte Blanche and Discover Cards. Filing instructions for using a credit card are on the court's website at http://www.dcd.uscourts.gov/ecf-information.

It is important that the Notice of Appeal instructions be read **prior to filing**, as the fee could accidentally be **charged twice**, and refund requests may take up to four (4) weeks to process. Filing errors must be brought to the attention of the appropriate section of the Clerk's Office immediately.

Viewing Restricted Documents

Certain documents and cases that are not necessarily sealed may still be restricted to some PACER users because they contain private/personal information pertaining to a party in the case. Certain documents in all Social Security cases and in some immigration cases (depending on the Nature of Suit) are restricted and can only be viewed by counsel of record in that case. In addition, the following criminal documents are restricted and can only be viewed by counsel of record:

- Draft Presentence Investigation Report
- Final Presentence Investigation Report
- Probation Memorandum
- Probation Petition

In order for counsel of record to view such restricted documents, the filer must first login to ECF, **then** login to PACER. If the filer is not logged into ECF first, PACER will not recognize the filer as counsel of record, and will not allow the PDF to be opened.