

# KENTUCKY



Photo courtesy of Kentucky Horse Park

## ECF USER MANUAL

**FOR THE  
UNITED STATES DISTRICT COURT  
EASTERN AND WESTERN DISTRICTS**

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# GETTING STARTED

## INTRODUCTION

This manual provides procedures and instructions for using the Electronic Case Files (ECF) system to file documents with the court, or to view and retrieve docket sheets and documents for all civil, criminal and miscellaneous cases in the system. A Filing User should have a working knowledge of an ECF-compatible web browser and Adobe Acrobat or equivalent software to create and read portable document files (PDF).

## ECF DEFINITIONS

The following definitions are used throughout this User Manual:

- A. **“Electronic Filing System”** refers to the court’s automated system that receives and stores documents filed in electronic form. The program is part of the CM/ECF (Case Management/Electronic Case Files) software which was developed for the Federal Judiciary by the Administrative Office of the United States Courts.
- B. **“Filing User”** is an individual who has a court-issued login and password to file documents electronically.
- C. **“Notice of Electronic Filing”** is a notice automatically generated by the Electronic Filing System at the time a document is filed with the system, setting forth the time of filing, the date the document is entered on the docket, the name of the party and attorney filing the document, the type of document, the text of the docket entry, the name of the party and/or attorney receiving the notice, and an electronic link (hyperlink) to the filed document which allows recipients to retrieve the document automatically. A document shall not be considered timely filed for purposes of the Federal Rules of Civil and Criminal procedures until the filing party receives a system generated Notice of Electronic Filing with a hyperlink to the filed document.
- D. **“PACER”** (Public Access to Court Electronic Records) is an automated system that allows an individual to view, print and download court docket information over the Internet.
- E. **“PDF”** refers to portable document format. A document file created with a word processor, or a paper document which has been scanned, must be converted to portable document format to be filed electronically with the court. Converted files contain the extension “.pdf.”
- F. **“Proposed Order”** is a draft document submitted by an attorney for a judge’s signature. A proposed order shall accompany a motion or other request for relief as an electronic attachment to the document.

- G. **“Technical Failure”** is defined as a failure of court owned/leased hardware, software, and/or telecommunications facility which results in the inability of a Filing User to submit a filing electronically. “Technical Failure” does not include the malfunctioning of a Filing User’s equipment.

## HELP DESK

The court staffs a help desk for telephone assistance with ECF. **Filing Users are strongly encouraged to electronically file during the operational hours of the help desk.**

|                              |                |   |
|------------------------------|----------------|---|
| Western District of Kentucky | 1-866-822-8305 | Monday - Friday<br>8:00 a.m. - 6:00 p.m. ET |
| Eastern District of Kentucky | 1-866-485-6349 | Monday - Friday<br>8:30 a.m. - 5:00 p.m. ET |

## ECF SYSTEM CAPABILITIES

A Filing User with a PACER account, an ECF-compatible web browser, Adobe Acrobat or equivalent software and access to the Internet can use the court’s ECF system to perform the following functions:

- ◆ Open the court’s web page.
- ◆ View, print or download the most recent version of the ECF User Manual.
- ◆ Self-train on ECF using the ECF Tutorial, which is available on the district court’s web site.
- ◆ Electronically file pleadings and documents in cases.
- ◆ View official docket sheets and other documents associated with cases.
- ◆ View reports.

## REQUIREMENTS

### Hardware and Software Requirements

The hardware and software needed to electronically file, view, and retrieve case documents are the following:

- ◆ A computer running a standard operating system such as Microsoft Windows or Macintosh.
- ◆ A word processing software package such as WordPerfect or Microsoft Word.

- ◆ Adobe Acrobat software or some other compatible software to convert documents from the format of their native application to [portable document format](#) (PDF)<sup>1</sup>.
- ◆ A scanner to convert paper documents that are not in a word processing format to digital format for electronic filing in the court's ECF system (*e.g.*, medical records filed as exhibits). Use a scanner **ONLY** if you **cannot** electronically prepare your documents with a word processing software package and convert them to PDF format. When scanning documents for ECF, scan at a resolution of **200 to 240 dpi**. Scanning at resolutions greater than 240 dpi tends to clutter the electronic transfer with unwanted markings and print. All documents should be scanned with a "black and white" setting unless the exhibit is colored.
- ◆ An Internet service provider and web browser. The court has verified that the installed version of ECF is compatible with Netscape Navigator version 4.6x or 4.7x and Microsoft's Internet Explorer version 5.5. The ECF credit card feature, pay.gov, a web based application developed by the U.S. Department of Treasury as a secure government-wide collection portal, is designed to work only with Internet Explorer.

**NOTE:** Users of ECF have experienced some compatibility issues with versions of Netscape Navigator lower than 4.6x, America On-Line's version of Netscape Navigator, and versions of Internet Explorer other than Version 5.5. Any version of Internet Explorer requires the user to clear the temporary Internet files/history of the web browser each time ECF is accessed. This will ensure web pages viewed with ECF display all available options.

## **CLEARING TEMPORARY FILES/HISTORY IN INTERNET EXPLORER**

Follow the steps below before accessing ECF:

- ◆ Open Internet Explorer and select "Tools." Select "Internet Options."
- ◆ In the Temporary Internet Files section, select "Delete Files."

## **CLEARING TEMPORARY FILES/HISTORY IN NETSCAPE NAVIGATOR**

Follow the steps below before accessing ECF:

- ◆ Open Netscape Navigator and select "Edit." Select "Preferences."
- ◆ In the Category section, select "Navigator."
- ◆ In the History section, select "Clear History."

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<sup>1</sup>A document created with almost any word-processing program can be converted to PDF. The PDF program, in effect, takes a picture of the original document and allows anyone to open the converted document across a broad range of hardware and software with the layout, format, links and images intact.

## SCOPE OF ELECTRONIC FILING

All civil, criminal and miscellaneous cases are assigned to the Electronic Filing System. Effective September 1, 2006, all cases, proceedings, motions, memoranda of law and other pleadings or documents filed with the court must be filed using ECF unless otherwise specified herein.

The filing of all civil and miscellaneous initial papers shall be accomplished electronically. In a case removed to the federal court, copies of all documents previously filed in the state court shall be filed as attachments to the Notice of Removal, subject to requirements and limitations set forth herein, or as otherwise ordered by the Court. Service of the summons and complaint must be made under Federal Rules of Civil Procedure 4.

A party proceeding *pro se* may not file electronically, unless otherwise permitted by the court. *Pro se* filers will file paper originals of all documents. The clerk's office will scan these original documents into the court's electronic system, unless otherwise sealed.

Due to the nature of their content, social security cases have restricted status, meaning that remote public access to documents in these cases are limited to Filing Users who are counsel of record. All documents filed in these cases are available for viewing by the public at the clerk's office, unless otherwise sealed.

## SEALED DOCUMENTS

To ensure proper storage of a document, a document subject to a sealing order must be filed with the court on paper in a sealed envelope marked "sealed", citing thereon the style of the case and case number; or by attaching thereto a paper copy of the court's order sealing the document or a copy of the NEF citing the entry of the court's order sealing the document. The clerk may require the document to be accompanied by a disk or CD-ROM containing the document in PDF format.

Only a civil motion to file a document under seal may be filed electronically, unless prohibited by law. **A criminal motion to seal** matters containing personal security concerns as listed in the courts' Joint Notice of Electronic Availability of Criminal Case File Information, the document subject to the motion and any response or reply thereto, **must be filed on paper**. The order of the court authorizing the filing of documents under seal may be filed electronically, unless prohibited by law or otherwise directed by the Court.

## SPECIAL FILING REQUIREMENTS AND EXCEPTIONS

### I. Special Filing Requirements

The documents listed below shall be presented for filing on paper. The clerk may require the document be accompanied by a disk or CD-ROM containing the document in PDF format:

- Sealed
- In Camera
- Confidential Agreements (pursuant to a protective order)
- Ex Parte
- Qui Tam Cases (under seal)

## II. Exceptions

- A. All documents shall be filed electronically unless otherwise ordered by the Court or specifically exempt herein.<sup>2</sup>
- B. Mandatory Exceptions - The following documents are excluded from the Electronic Filing System and shall be filed solely on paper, unless otherwise ordered by the court:

### **ADMINISTRATIVE RECORDS**

### **PLEA AGREEMENTS**

### **GRAND JURY MATTERS:**

The following documents are examples of grand jury matters:

- 1) Minute sheets of swearing in and impanelment
- 2) Grand jury returns
- 3) Voting slips
- 4) Any requests to be excused from grand jury for medical or some other reason and the order appointing an alternate
- 5) Motions to quash subpoenas and orders ruling on them
- 6) Motions to enforce subpoenas and orders ruling on them
- 7) Motions for immunity and orders ruling on them
- 8) Motions for appointment of counsel and orders ruling on them

### **WARRANTS OF ANY KIND (e.g., arrest, seizure, etc.)**

### **CRIMINAL SUMMONS**

### **PEN REGISTERS (wire tap orders)**

### **CRIMINAL SUBPOENAS (issued or returned - executed or unexecuted)**

### **CRIMINAL MOTIONS TO SEAL<sup>3</sup>; THE DOCUMENT SUBJECT TO THE MOTION; and ANY RESPONSE OR REPLY THERETO.**

### **PRE-INDICTMENT/PRE-INFORMATION:**

- 1) Complaints filed by U. S. Attorney on behalf of Federal Agents or by the Federal Agents themselves
- 2) Affidavits accompanying complaints usually signed by the Federal Agent
- 3) Warrants issued by another district for a defendant residing in our district. The Rule 5 (arraignment) hearing is held in our district and then the paperwork is sent to the other district on a Rule 40 transfer.

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<sup>2</sup>Because large documents may not upload properly to ECF or download within a reasonable amount of time, documents over two (2) megabytes will be rejected by ECF and must be broken down into two (2) megabyte segments.

<sup>3</sup>Reference the Eastern and Western Districts Notice of Electronic Availability of Criminal Case File Information dated October 27, 2004, in re: matters containing personal security concerns.



## CONSENT TO PROCEED BEFORE U. S. MAGISTRATE JUDGE

(If not signed by all parties.) Consent signed by all parties may be filed electronically.

## CJA APPOINTMENT VOUCHERS and CJA 23 - FINANCIAL AFFIDAVITS

### ELIGIBILITY, REGISTRATION AND PASSWORDS

If you are interested in registering for ECF in the Western District you may register online at <http://www.kywd.uscourts.gov>, or you may obtain a registration form from any divisional office of the court.

If you are interested in registering for ECF in the Eastern District you may obtain the registration form from the court's web site <http://www.kyed.uscourts.gov> or you may obtain a registration form from any divisional office of the court.

Unless otherwise exempt as set forth herein, an attorney admitted to the bar of this court, including an attorney admitted *pro hac vice*<sup>4</sup>, shall register as a Filing User by completing the prescribed registration form. Registration as a Filing User constitutes consent to electronic service of all documents in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure. **A registration form must be completed in both the Eastern and Western Districts if the Filing User intends to become a Filing User in both Districts.**

By signing the registration form, Filing Users certify that they have read and are familiar with the rules of practice of the court, the Administrative Policies and Procedures and Order governing electronic filing<sup>5</sup>, and they have a PACER account.

When registering, an individual must identify the method through which training will be obtained, *i.e.*, (a) web page tutorial; (b) provided by court personnel; (c) provided by an in-house certified trainer; or (d) training in another court.

An individual may register more than one Internet e-mail address. Once the registration is processed by the clerk, the Filing User will receive notification of the user login and password, via e-mail, U.S. mail, or the attorney may arrange to pick up their login and password at the clerk's office. A Filing User shall protect the security of the User's password. If the Filing User learns that the password has been compromised, they should change their password immediately and notify the clerk. Filing Users may be subject to sanctions for failure to comply with this provision.

Exemptions from mandatory electronic filing may be granted upon submission of a written request to the clerk. The written request shall include a supporting affidavit showing a substantial undue hardship. Final authority to grant such request is vested in the Chief Judge or a designee of the Chief Judge.

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<sup>4</sup>A separate motion shall be filed for each attorney seeking *pro hac vice* admission to the Court. Attorneys admitted *pro hac vice* will be given 30 days to register as an ECF Filing User. Also, see Joint Local Rule 83.2(a) to obtain information regarding permission to practice in a particular case.

<sup>5</sup>Rules of practice and administrative policies and procedures along with tutorials and other information may be found at <http://www.kywd.uscourts.gov> or <http://www.kyed.uscourts.gov>.

If an attorney is leaving a law firm and is the attorney of record on an existing case and representation in the case will remain with the law firm, it is extremely important that a withdrawal and substitution of counsel is made prior to the attorney's termination in the law firm, for the following reason. The attorney leaving the firm has an e-mail address with the law firm they are leaving on record with the court. This e-mail address may be disabled by the law firm as soon as the attorney terminates their employment. The electronic notices in ECF will continue to go to the terminated attorney's e-mail address at the former firm. If the e-mail address is disabled at the law firm, no one will receive the electronic notice. If a withdrawal/substitution of counsel has not been filed prior to the attorney leaving the firm, the law firm should not disable the e-mail account of the attorney leaving the firm until another attorney in the firm enters their appearance. The law firm should designate someone in the firm to check this e-mail account for ECF notices until substitution of counsel has been filed with the court.

If the attorney leaving the firm is taking active cases from the firm, this attorney needs to change their e-mail address as soon as possible, otherwise the attorney will not receive electronic notices from ECF. The e-mail will continue to be sent to the former law firm's e-mail address still on record. Procedures for changing an e-mail address may be found in this manual under [Utilities Feature - Maintain Your Account](#).

An applicant shall return their completed and signed registration for ECF in the **Western District**, by mailing or hand-delivering the form to the clerk's office at any one of the following locations:

|  |   |  |   |
|--|---|--|---|
| <b>Attention ECF Registration</b><br>106 Gene Snyder U.S. Courthouse<br>601 W. Broadway<br>Louisville, KY 40202-2249 | <b>Attention ECF Registration</b><br>Room 120, 241 E. Main Street<br>William H. Natcher U.S. Courthouse<br>Bowling Green, KY 42101-2175 | <b>Attention ECF Registration</b><br>Room 126, 423 Frederica St.<br>Owensboro, KY 42302-3013 | <b>Attention ECF Registration</b><br>Room 127, 501 Broadway<br>Paducah, KY 42001-6801 |
|--|---|--|---|

An applicant shall return their completed and signed registration for ECF in the **Eastern District**, by mailing or hand-delivering the form to the clerk's office at any one of the following locations:

|  |  |  |
|--|--|--|
| <b>Attention ECF Registration</b><br>Room 336 Federal Building<br>1405 Greenup Avenue<br>Ashland, Kentucky 41101 | <b>Attention ECF Registration</b><br>Room 289 U.S. Courthouse<br>35 W. Fifth Street<br>Covington, KY 41012 | <b>Attention ECF Registration</b><br>Third Floor, John C. Watts Federal Building<br>330 W. Broadway<br>Frankfort, KY 40601 |
| <b>Attention ECF Registration</b><br>Room 206, U.S. Courthouse<br>101 Barr Street<br>Lexington, KY 40507         | <b>Attention ECF Registration</b><br>Room 215, U.S. Courthouse<br>310 S. Main Street<br>London, KY 40741   | <b>Attention ECF Registration</b><br>Room 203, Federal Building<br>110 Main Street<br>Pikeville, KY 41501                  |

## PACER REGISTRATION

ECF users must have a PACER account. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may call the PACER Service Center at (800) 676-6856 or (210) 301-6440 for information or to register for an account. Also, you may register for PACER online at <http://pacer.psc.uscourts.gov>.

## ECF TRAINING

To register for classroom training in the **Western District**, please contact court personnel at 1-866-822-8305.

To register for classroom training in the **Eastern District**, please contact court personnel at 1- 866-485-6349.

The following training is available:

- ◆ ECF Tutorial - Computer Based Training (CBT) available on-line at the courts' web site;
- ◆ On-site training at a law firm may be arranged through the clerk's office;
- ◆ Classroom training by clerk's office personnel for attorneys and/or a staff member.
- ◆ You may obtain a training schedule from the web site of each court.  
<http://www.kywd.uscourts.gov> or <http://www.kyed.uscourts.gov>.

## **ELECTRONIC FILING AND SERVICE OF DOCUMENTS**

Electronic transmission of a document to the Electronic Filing System in accordance with these procedures, together with the transmission of a Notice of Electronic Filing from the court with a hyperlink to the electronically filed document, constitutes filing of the document for all purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Joint Local Rules of this court.

E-mailing a document to the clerk's office or to the assigned Judge does not constitute filing of the document. **A document shall not be considered filed until the system generates a Notice of Electronic Filing with a hyperlink to the electronically filed document.**

Before filing a scanned document with the court, a Filing User must verify its legibility.

A document filed electronically **is deemed filed on the date and time stated on the Notice of Electronic Filing from the court.** The official record is the electronic recording as stored by the court whether the document has been filed electronically or on paper and scanned into the system. The filing party is bound by the document as filed.

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight, **EASTERN TIME**, in order to be considered timely filed that day. However, if time of day is of the essence, the assigned Judge may order a document filed by a certain time.

In accordance with Rule 6(e) of the Federal Rules of Civil Procedure and Rule 45(c) of the Federal Rules of Criminal Procedure, service by electronic means is treated the same as service by mail for the purposes of adding three (3) days to the prescribed period to respond.

Upon the filing of a document, a docket entry will be created using the information provided by the Filing User. The clerk will, where necessary and appropriate, modify the docket entry description to comply with quality control standards.

In the event a Filing User electronically files a document in the wrong case or the incorrect PDF document is attached, the Clerk of Court, or his designee, shall be authorized to strike the document from the record. A notice of the action striking a document from the record shall be served on all parties in the case.

By participating in the electronic filing process, the parties consent to the electronic service of all documents, and shall make available electronic mail addresses for service. Upon the filing of a document by a Filing User, an e-mail message containing the Notice of Electronic Filing (NEF), with a hyperlink to the electronically filed document, will be automatically generated by the Electronic Filing System and sent via electronic mail to the e-mail addresses of all parties who have registered in the case. In addition to receiving e-mail notifications of filing activity, the Filing User is strongly encouraged to sign on to the Electronic Filing System at regular intervals to check the docket in their case.

If the filing of an electronically submitted document requires leave of court, such as an amended complaint, the attorney shall attach the proposed document as an attachment to the motion requesting leave to file. If the court grants the motion, the clerk will electronically file the document without further action by the Filing User.

A certificate of service must be included with all documents filed electronically. Such certificate shall indicate that service was accomplished pursuant to the court's electronic filing procedures. Service by electronic mail shall constitute service pursuant to Federal Rules of Civil Procedure 5(b)(2)(D) and shall entitle the party being served to the additional three (3) days provided by Federal Rules of Civil Procedure 6(e).

A party who is not a registered participant in the system is entitled to a paper copy of any electronically filed pleading, document, or order. The Filing User must therefore provide the non-registered attorney or party, including a terminated party or attorney, if appropriate, with the pleading, document, or order pursuant to the Federal Rules of Civil Procedure (Fed.R.Civ.P. 5(b)). Under the rules, they can be served with a paper copy of the electronically filed document or they can consent in writing to service by any other method, including other forms of electronic service such as fax or direct e-mail.

If a Filing User is unable to file a document electronically, the Filing User must serve the document in paper form to all counsel of record.

The following is a suggested certificate of service for electronic filing:

### **CERTIFICATE OF SERVICE**

On [Date], I electronically filed this document through the ECF system, which will send a notice of electronic filing to: [Attorney Name] and I [mailed] [hand delivered] [faxed] this document and the notice of electronic filing to: [Attorney/Party Name], [Address].

s/           [typed name of attorney]          

Attorney's name

Attorney for:

Law Firm Name (if applicable)

Address

Phone Number

Fax Number

Attorney's E-Mail Address

## ENTRY OF COURT ORDERS AND RELATED PAPERS

A document entered or issued by the court will be filed in accordance with these procedures and such filing shall constitute entry on the docket kept by the clerk under Fed.R.Civ.P. 58 and 79 and Fed.R.Crim.P. 55.

All signed orders will be electronically filed and entered on the docket. An order bearing the electronic signature of a Judge shall have the same force and effect as if the Judge had affixed a signature to a paper copy of the order and the order had been entered on the docket in a conventional manner.

A Filing User submitting a document that requires a Judge's signature shall submit the document as an electronic attachment to a motion or other request for relief in accordance with the procedure for a "Proposed Order" as outlined in this manual. See [Proposed Orders](#).

## NOTICE OF COURT ORDERS AND JUDGMENTS

Immediately upon the entry of an order or judgment in an action, the clerk will transmit to Filing Users in the case, in electronic form, a Notice of Electronic Filing. Electronic transmission of the Notice of Electronic Filing **with a hyperlink to the document**, constitutes the notice required by Fed.R.Civ.P. 77(d) and Fed.R.Crim.P.49(c). The clerk must give notice in paper form to a person who has not consented to electronic service to the extent notice is required.

## SIGNATURES

The user login and password required to submit documents to the Electronic Filing System serve as the Filing User's signature on all electronic documents filed with the court. They serve as a signature for purposes of Fed.R.Civ.P. 11, all other Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Joint Local Rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court.

Each document filed electronically must indicate in the caption that it has been electronically filed. An electronically filed document must include a signature block in compliance with Joint Local Rule 5.2(b), and must set forth the name, address, telephone number, fax number and e-mail address. In addition, the name of the Filing User under whose login and password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear. No Filing User or other person may knowingly permit or cause to permit a Filing User's password to be used by anyone other than an authorized agent of the Filing User.

A document containing the signature of a defendant in a criminal case shall be electronically filed as a scanned document in PDF format that contains an image of the defendant's original signature. The Filing User is required to verify the readability of the scanned document before filing it electronically.

A document requiring signatures of more than one party must be filed electronically either by: (1) electronically filing a scanned document containing all necessary signatures; (2) representing the

consent of the other parties on the document; (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than three business days after filing; or (4) in any other manner approved by the court.

A non-filing signatory or party who disputes the authenticity of an electronically filed document with a non-attorney signature, or the authenticity of the signature on that document, or the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves, must file an objection to the document within eleven (11) days of service of the document.

Any party challenging the authenticity of an electronically filed document or the attorney's signature on that document must file an objection to the document within eleven (11) days of service of the document.

If a party wishes to challenge the authenticity of an electronically filed document or signature after the eleven (11) day period, the party shall file a motion to seek a ruling from the court.

## **SERVICE OF DOCUMENTS BY ELECTRONIC MEANS**

Nothing in these procedures shall eliminate the responsibility of a party to make service in accordance with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and the Joint Local Rules of court.

Federal Rule of Civil Procedure 5(b) and Federal Rule of Criminal Procedure 49(b) do not permit electronic service of process for purposes of obtaining personal jurisdiction, *i.e.*, Rule 4 service. Therefore, service of process must be effected in the traditional manner.

Upon the electronic filing of a pleading or other document, the court's Electronic Case Filing System will automatically generate and send a Notice of Electronic Filing (NEF) to all Filing Users associated with that case. **Transmission of the Notice of Electronic Filing, along with a hyperlink to the document, constitutes service of the filed document.**

The NEF must include the time of filing, the date the document was entered on the docket, the name of the party and attorney filing the document, the type of document, the text of the docket entry, and an electronic link (hyperlink) to the filed document, allowing anyone receiving the notice by e-mail to retrieve the document automatically. If the Filing User becomes aware that the NEF was not transmitted successfully to a party, or that the notice is deficient, *i.e.*, the electronic link to the document is defective, the Filer shall serve the electronically filed document by e-mail, hand, facsimile, or by first-class mail postage prepaid immediately upon notification of the deficiency of the NEF.

A non-registered participant is entitled to receive a paper copy of any electronically filed document from the party making such filing. Service of such paper copy must be made according to the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Joint Local Rules.

In accordance with Rule 6(e) of the Federal Rules of Civil Procedure and Rule 45(c) of the Federal Rules of Criminal procedure, service by electronic means is treated the same as service by mail for the purposes of adding three (3) days to the prescribed period to respond.

A certificate of service is still required with an electronic filing. This may be included as part of the document. You may use the “[Mailing Information For a Case](#)” feature in ECF under “Utilities,” to obtain information regarding those individuals who require service by electronic and regular mail. Please remember that electronic service is not authorized for service under Fed.R.Civ.P. 4.

## **RETENTION REQUIREMENTS**

A document that is electronically filed and requires an original signature other than that of the Filing User must be maintained in paper form by counsel and/or the firm representing the party on whose behalf the document was filed until **one year** after all periods for appeals expire. On request of the court, said counsel must provide the original document for review.

The clerk’s office may choose to discard certain documents brought to the clerk’s office for filing in paper form after those documents are scanned and uploaded to the System. Therefore, counsel shall provide the court with a copy of the original documents with intrinsic value for scanning and maintain the original signature. See [Signatures](#).

Pursuant to Fed.R.Civ.P. 5(d) disclosures under Rule 26(a)(1) or (2) and discovery material must not be filed until they are used in the proceeding or the court orders filing. Pursuant to Joint Local Rule 26.1(b), the party responsible for service of a discovery document not filed of record, including disclosures, notices, interrogatories, requests and answers or responses thereto, shall be the custodian and must retain the original document. The custodian must provide access to all parties of record during the pendency of the action.

## **TECHNICAL FAILURE**

If the site is unable to accept filings continuously or intermittently for more than one (1) hour occurring after 12:00 noon Eastern Time that day, the clerk shall deem the court’s Electronic Case Filing web site to be subject to a technical failure.

If a Filing User experiences a technical failure as defined herein, the Filing User may submit the document to the clerk of court, provided that the document is accompanied by a certification, signed by the Filing User, that the Filing User has attempted to file the document electronically at least twice, with those unsuccessful attempts occurring at least one (1) hour apart after 12:00 noon Eastern Time that day. The clerk may require the document to be accompanied by a disk or CD-Rom which contains the document in PDF format.

|   |
|---|
| <p><b>NOTE:</b> Filing Users experiencing difficulty with ECF should contact their internal system support staff prior to contacting the Court.</p> |
|---|

The initial point of contact for a Filing User experiencing technical difficulty filing a document electronically will be the court's ECF [Help Desk](#) at the numbers listed on the court's web site and in the ECF User Manual.

A Filing User who suffers prejudice as a result of a technical failure as defined herein or a Filing User who cannot file a time-sensitive document electronically due to unforeseen technical difficulties, such as the malfunctioning of a Filing User's equipment, may seek relief from the Court.

## **PREPARATION**

### **SETTING UP ADOBE ACROBAT PDF READER**

A Filing User must install [Adobe Acrobat Reader](#) in order to **view** documents that have been electronically filed with the clerk's office.

### **PORTABLE DOCUMENT FORMAT (PDF)**

Only documents in PDF format may be filed with the court using its ECF System. **Before sending the document to the court**, Users should preview the actual PDF document to ensure it is complete, legible and in the proper format.

A Filing User must install the full version of Adobe Acrobat software or some other compatible PDF writer to convert electronic files from their native word processing application format to portable document format (PDF). All new documents prepared for ECF cases must be converted to PDF before entering them into ECF or transmitting them to the court. After installing these products, review and follow Adobe's directions for using Acrobat or Acrobat Reader or a compatible PDF writer. **Configure PDF software settings to allow users with earlier versions, i.e., Acrobat 5.0, 4.0 the ability to view and print a PDF file created in Acrobat 6.0 or later.**

#### **Viewing a PDF Document**

- ◆ Open Adobe Acrobat or Acrobat Reader.
- ◆ Select [**File**] on the menu bar and choose [**Open**] from the drop-down window.
- ◆ Click on the location and file name of the PDF document you wish to view.
- ◆ Acrobat loads the file and displays it on your screen. Verify it is the document you wish to send.
- ◆ If the displayed document is larger than the screen or contains more than one page, use the scroll bars and buttons to move within the document.
- ◆ Click on the [**View**] menu to select other options for viewing the document. Choose the option that best suits your viewing needs.



## Converting Electronic Documents to PDF Format

You must convert all of your documents from their native word processing application to PDF format before submitting them to the court through it's Electronic Case Filing System. The conversion process requires Abode Acrobat or a compatible PDF writer.

Use a scanner **ONLY** if you cannot electronically prepare your document with a word processing software package and convert them to PDF format.

## BASICS

### USER INTERACTIONS

A User normally interacts with the Electronic Case Filing System in three ways:

- ◆ Entering information in data fields.
- ◆ Mouse-clicking on hyperlinks.
- ◆ Selecting command buttons to direct system activities.

### CONVENTIONS USED IN THIS MANUAL

- ◆ Hyperlinks are displaced in **underlined boldface type**.
- ◆ Command buttons appear in **[bracketed boldface type]**.

### INCORRECTLY FILED DOCUMENTS

A document incorrectly filed in a case may result from:

- ◆ posting the wrong PDF file to a docket entry
- ◆ selecting the wrong document type from the menu or
- ◆ entering the wrong case number and not discovering the error before completing the transaction.

For assistance in the Western District telephone the Help Desk toll free at 1-866-822-8305.  
For assistance in the Eastern District telephone the Help Desk toll free at 1-866-485-6349.

You will need to provide the case and document number for the document in question. **If appropriate, the clerk's office will make an entry indicating that the document was filed in error. You may be advised that you need to re-file the document or petition the court for other appropriate relief.**

**The ECF system does not permit you to make changes to the misfiled document or incorrect docket entry after the transaction has been accepted.**

## INITIATING DOCUMENTS

The filing of civil and miscellaneous initial papers, e.g., complaint, notice of removal, etc., shall be accomplished electronically as set forth herein. See [Filing Initial Documents](#).

In a case removed to federal court, parties are required to provide electronic copies of all documents previously filed in the state court, which have been served upon them. Electronic copies of the state court record shall be filed as attachments to the Notice of Removal. [Service of the summons and complaint](#) must be made under Federal Rules of Civil Procedure 4.

## FEES PAYABLE TO CLERK

Any fee required for filing a pleading or paper in District Court is payable upon filing of the document. Filing Users will be automatically directed to the Department of Treasury's Internet payment process when filing any pleading or paper which requires a fee. The receipt of the fee will be indicated in the text of the docket entry. The court will not maintain electronic billing or debit accounts for litigants. See [Request for Fee Refund](#).

Credit card transactions may be verified through the Utilities function of ECF. See [Internet Payments Made](#).

A refund of a fee collected upon filing is generally prohibited. In the event a fee is erroneously collected electronically via credit card, the refund will be processed through the electronic credit card system; the court will not issue a refund through a check. A Filing User shall request a refund by written application to the court.

## VIEWING AND DOWNLOADING USER MANUAL

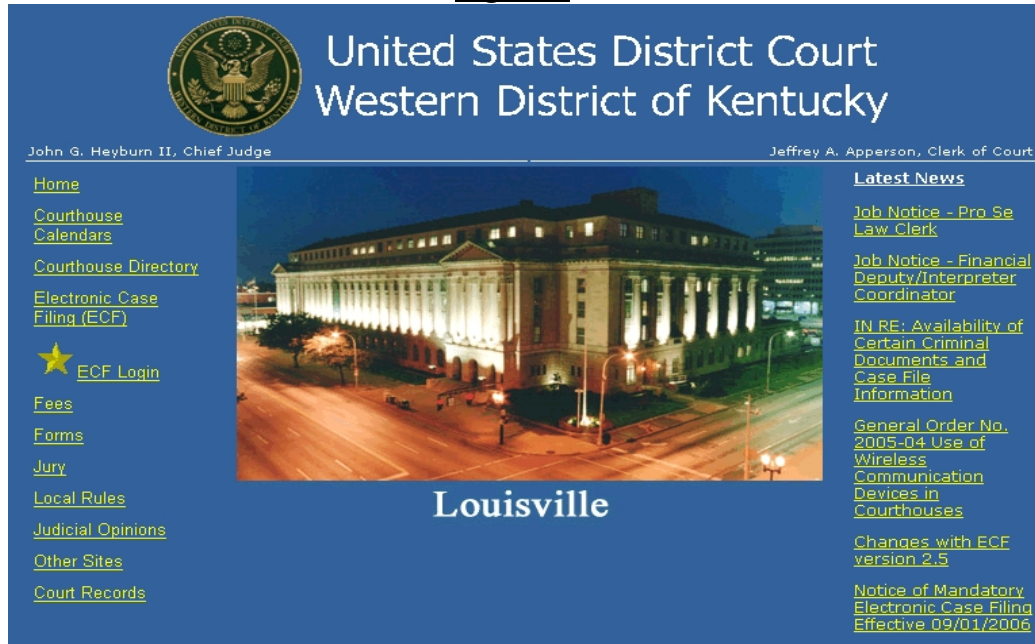
You can view or download the most recent version of this manual (in PDF format) from either of the courts' web sites at <http://www.kywd.uscourts.gov> or <http://www.kyed.uscourts.gov>.

**NOTE:** The ECF User Manual is best viewed using Version 5 or higher of Adobe Acrobat Reader. The electronic version of the User Manual contains bookmarks to help you navigate quickly from one section to another. This bookmarking feature can be viewed only with Acrobat Reader 6.0. Users can download a free copy of Acrobat Reader 6.0 from Adobe's web site at <http://www.adobe.com>.

# ENTERING THE ECF SYSTEM

This section of the User Manual provides instructions for entering the Electronic Case Filing System. You may enter the system to file a document in the Eastern District of Kentucky by going to the court's web page at <http://www.kyed.uscourts.gov>. You may enter the system in the Western District of Kentucky by going to the court's web page at <http://www.kywd.uscourts.gov>. See Figure 1.

**Figure 1**



Click on the **ECF Login** link. See Figure 2.

**Figure 2**



## LOGGING IN

You should have already received a login and password when you registered for electronic filing. If you have not been contacted by the clerk's office with a login and password, you are not officially registered in ECF. Please contact the [Help Desk](#) for assistance. Figure 3 depicts the login screen.

**Figure 3**

**ECF/PACER Login**

**Notice**  
This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

**Instructions**  
Enter your ECF login and password for electronic filing capabilities. If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may register online at <http://pacer.psc.uscourts.gov> or call the PACER Service Center at (800) 676-6856 or (210) 301-6440.

An access fee of \$.08 per page (rate increase effective January 1st, 2005), as approved by the Judicial Conference of the United States at its September 1998 session, will be assessed for access to this service. All inquiries will be charged to your PACER account. If you do not need filing capabilities, enter your PACER login and password. The Client code is provided to the PACER user as a means of tracking transactions by client. This code can be up to thirty two alphanumeric characters long.

**Authentication**

Login:

Password:

client code:

Login Clear

CM/ECF has been tested and works correctly with Netscape 4.7x and 7.0x, and Internet Explorer 5.5 and 6.0

Enter your ECF login name and user password in the appropriate data entry fields. It is important to remember that all ECF login names and passwords are case sensitive. The client code is provided so attorneys may track PACER usage by client. Enter your client's name, law office file number or some distinctive code that will allow you to track transactions by client.

**NOTE:**

**If you are entering the system to file a document or to maintain your account, use your ECF login and password. If you wish to query the database for case information or to view a document, enter your PACER login and password. To access case information or to view a document in cases that have been restricted to only counsel of record, you will need to use your ECF login and password. There is a charge of .08 cents per page for viewing, printing and/or downloading case dockets with the total for any document, docket sheet, or case-specific report not to exceed the fee for thirty pages provided however that transcripts of federal court proceedings shall not be subject to the thirty-page fee limit. No fee is owed under this provision until an account holder accrues charges of more than \$10 in a calendar year.**

**Effective January 1, 2005**

Verify that you have entered your ECF login and password correctly. If not, click on the **[Clear]** button to erase the login and password entries and re-enter the correct information. After you enter the correct login, password and client code information, click on the **[Login]** button to transmit your user information to the ECF system.

- ◆ If the ECF system does not recognize your login and password, it will display the following error message on the screen:

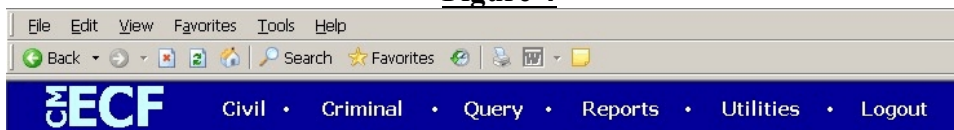
Login failed either your login name or key is incorrect.

- ◆ Click on the browser **[Back]** button and re-enter your correct login and password.

After ECF accepts your login and password, your monitor will display the Main ECF screen with a **BLUE** functional selection menu bar at the top. See Figure 4.

**NOTE:**      **The date and time you last logged into the system appears at the bottom left corner of this screen. You should review this information each time you login. If you believe the date and time of your last login is not correct, or you suspect an unauthorized party is using your login and password, change your password immediately, then telephone the court's [Help Desk](#) with this information as soon as possible.**

**Figure 4**



## SELECTING ECF FEATURES

ECF provides the following features that are accessible from the **BLUE** menu bar at the top of the opening screen.

- CIVIL**      Select **Civil** to electronically file all civil and miscellaneous case pleadings, motions, and other court documents.
- CRIMINAL**      Select **Criminal** to electronically file all criminal case pleadings, motions and other criminal court documents.
- QUERY**      **Query** ECF by specific case number or party name to retrieve information and documents relevant to the case. **Other options are available.** You must login to **PACER** before you can query ECF.
- REPORTS**      Choose **Reports** to retrieve cases-filed reports and docket sheets. You must login to **PACER** before you can view an ECF report, with the exception of the [Written Opinions Report](#).

**UTILITIES** View your personal ECF transaction log and maintain personal account information in the **Utilities** area of ECF.

**LOGOUT** Provides the means to gracefully exit from ECF.

## EVENTS FEATURE

Filing Users will use the Civil and Criminal Events feature of ECF to electronically file and docket with the court a variety of pleadings, motions, and other documents for civil, criminal and miscellaneous cases.

## GENERAL RULES AND MANIPULATIONS

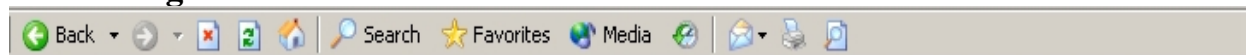
### Manipulating the Screens

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** button to accept entered data, display the next data-entry screen and commit and finalize your transaction.

### Correcting a Mistake



Use the **[Back]** button on the browser toolbar to retrieve the previous screen to correct data entry errors. **Only the clerk's office can make changes or corrections to documents that have already been transmitted to the court.** You may use the **[Back]** button of your browser to correct data entry until you see the **“Attention!!” warning message**. Once you click on the next button after seeing this message you will have no further opportunity to go back and correct any mistakes.

## HOW TO FILE DOCUMENTS

There are nine (9) basic steps for filing a pleading and/or document in ECF.

- 1) Select the Case Type from the blue menu bar at the top of your screen. (Civil or Criminal).
- 2) Select the type of event to file (*e.g.*, motion, notice, etc.).
- 3) Locate the case for which the pleading or document is being filed.
- 4) Designate the parties for whom the pleading or document is being filed.
- 5) Specify the PDF document to file.
- 6) Add attachments, if any, to the document being filed.

- 7) Modify docket text as necessary.
- 8) Submit the pleading or document to ECF.
- 9) Receive Notice of Electronic Filing (NEF).

## Filing Initial Documents

Effective September 1, 2006, a Filing User is required to file a civil or miscellaneous initial pleading electronically. Any fee required for filing a pleading or document (e.g. initiating documents, Notice of Appeal or Motion for *pro hac vice* admission) in District Court is payable upon filing of the document. A valid credit card is necessary to file any pleading or document requiring a fee. After successfully logging into ECF, follow these steps to file a civil or miscellaneous initial pleading (e.g. complaint.)

- ◆ Select **Civil** from the blue menu bar at the top of the ECF screen to file a Civil or Miscellaneous initial pleading. The Civil Event window opens displaying all of the events you may choose to electronically file a pleading or document.
- ◆ Click on **Initial Case Filings and Pleadings** under the **New Case Filings** event group.

**Figure 5**



- ◆ A drop-down menu will appear with the initial pleading types listed. Select the correct event and click on the **[Next]** button.
- ◆ The case type **'mc'** will be used for filing a civil or miscellaneous initial pleading. Enter 06-99999 as the number. The 06-99999 is a fictitious case which will allow the clerk's office to receive an initial pleading electronically.

**On the first working day in January of any new year, the two-digit prefix to the fictitious case number will change. For example: in 2007, the fictitious case number will be 07-99999.**

- ◆ You will be prompted to attach your initial pleading in PDF format as the main document in the fictitious case entry. The summons, civil cover sheet, and any

other document to be filed with the initial pleading shall be an attachment to the main document. [See How to Add Attachments and Exhibits.](#)

- ◆ You will be prompted to type in the appropriate text box the name of the first plaintiff in your civil action, the name of the first defendant in your civil action, and the particular jury division for proper case assignment according to Joint Local Rule 3.2. Click the **[Next]** button.
- ◆ If you chose the event **Complaint**, you will be prompted to enter instructions regarding the return of process issued by the clerk's office. To present a summons to the clerk for signature and seal, a properly prepared summons must be an electronic attachment to the complaint. The clerk's office will return the process via regular mail to the Filing User unless instructions are entered requesting the summons be held at the clerk's office for pick up.
- ◆ When a fee is required, the Filing User will be automatically directed to the Department of Treasury's Internet payment process and required to enter a valid credit card number. American Express, Discover, Master Card, Visa and Diner's Club will be accepted. The receipt of the fee will be indicated in the text of the docket entry.

### **WARNING**

Aborting a transaction after your credit card information has been authorized may debit your credit card in the amount of the fee. Filing Users are advised to track ECF internet payments through the Utilities function of [Internet Payment History](#). Also, see [Fees Payable to the Clerk](#).

- ◆ Once the clerk's office receives the initial pleading, it will be assigned a civil action number and judge, and opened in the CM/ECF system by the clerk's office. If applicable, the clerk's office will print and process the summons, which will be mailed, or, at the Filing User's request, may be picked up. The Filing User will receive an NEF indicating the file date for the case, the case number and other pertinent information.
- ◆ Upon receipt of the NEF, all new filings in the case shall be entered under the new civil action number.

A civil action initiated without payment of a filing fee requires an Application to Proceed In Forma Pauperis. Click on **Initial Case Filings and Pleadings** and choose the event **Application to Proceed In Forma Pauperis**. The initial document, i.e., complaint, and properly prepared process, if any, shall be an electronic attachment to the main document. See [How to Add Attachments and Exhibits](#).

In a case removed from state court to federal court, the Filing User is required to provide electronic copies of all documents previously filed in the state court as attachments to the Notice of Removal.



## Service of Summons and Complaint

Service of the summons and complaint must be in compliance with Rule 4 of the Federal Rules of Civil Procedure. The summons will be issued by the clerk's office and returned to the Filing User via regular mail or, at the Filing User's request, may be picked up at the clerk's office.

## FILING A MOTION OR OTHER TYPE OF DOCUMENT

The process for filing a motion or other types of documents is similar because the screens are basically the same.

**For purposes of describing the electronic filing process and the ECF screens, this section of the User Manual describes the process for filing a civil motion in ECF.**

### Select the Type of Civil Event being filed

- ◆ Select **Civil** from the blue menu bar at the top of the ECF screen. The Civil Event window opens displaying all of the events from which you may choose for your filing. [See Figure 5.](#)
- ◆ Click on **Motions** under Motions and Related Filings.

The **Motions** screen appears and displays a motion selection field with a scroll bar next to it. See Figure 6. Scroll through the menu until you find the type of motion or application you wish to file. For demonstration purposes, highlight **Preliminary Injunction** and click on the [Next] button.

**Figure 6**



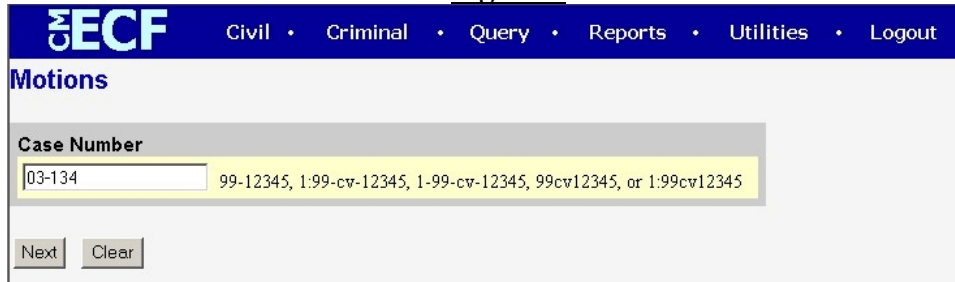
**NOTE:** To select more than one motion, press and hold the **Ctrl** key and click on each of the desired multiple forms of relief.

**TIP:** Type the first letter of the title of your pleading. ECF will scroll within the drop-down box to the first pleading whose title begins with the letter you typed.

## Locate the Case for Which the Document is Being Filed

A new screen (Figure 7) opens with a Case Number field. Enter the number of the case for which you are filing the motion and click on the [Next] button.

**Figure 7**



The screenshot shows the ECF web interface. At the top is a blue navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below this is a section titled "Motions". A "Case Number" field is highlighted with a grey background. The field contains the text "03-134" and a dropdown menu is open, showing a list of case numbers: "99-12345, 1:99-cv-12345, 1-99-cv-12345, 99cv12345, or 1:99cv12345". Below the field are two buttons: "Next" and "Clear".

**NOTE:** ECF defaults to the last case in which you worked. Ensure the proper case number is entered in this field to avoid filing your document in the wrong case. The case number format is Year-Number. The case type is not needed. If ECF finds a civil and miscellaneous case with the same number it will list both cases. The list of cases will display the case number and short title of the case, which will allow you to choose the correct case.

- ◆ If you submit a case number that is formatted incorrectly, ECF will prompt an error message advising you of the correct format for entering the case number.
- ◆ Click [OK] to acknowledge and close the error message. Click the [Clear] button on the screen and re-enter the case number in the correct format.
- ◆ Click on the [Next] button.

## Designate the Parties for Whom the Document is Being Filed

ECF refreshes the screen with a list of parties in the case. See Figure 8.

Highlight the name of the party or parties for whom you are filing the motion. If you represent all defendants or all plaintiffs you may select the entire group by holding down the **CTRL** key while pointing and clicking on each party of the group. When filing a joint pleading, select all pertinent parties as filers.

**Figure 8**

The screenshot shows the ECF Motions interface. At the top is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, and Logout. Below the bar, the page title is "Motions" and the case name is "5:03-cv-00134-KSF Bennett v. UNUM Life Insurance Company of America et al". The instruction "Select the filer." is followed by "Select the Party:". A dropdown menu is open, showing three options: "Bennett, Faithenne [Plaintiff]", "Ohio Casualty Insurance Company, [Defendant]", and "UNUM Life Insurance Company of America, [Defendant]". To the right of the dropdown is a link "Add/Create New Party". At the bottom of the dropdown area are "Next" and "Clear" buttons.

After highlighting the parties filing the motion, click on the [Next] button.

### Specify the PDF Document to File

ECF accepts the party or parties you selected and refreshes the screen to display a new screen depicted in Figure 9. ECF displays a field for locating and entering the PDF file of the document you are filing.

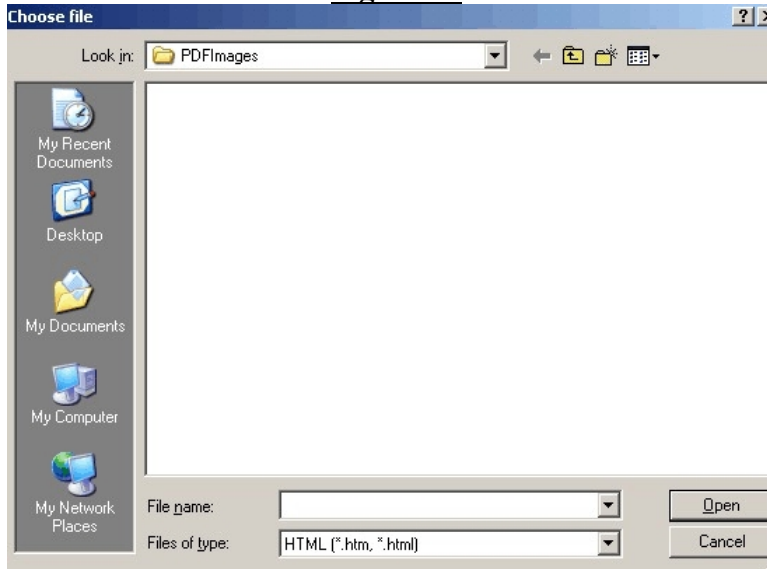
**NOTE:** It is imperative that you attach an electronic copy of the actual motion when prompted by the system. All documents that you intend to file in ECF **MUST** be in PDF format. Otherwise, ECF will not accept the document and Filing Users will be unable to retrieve and read your document from within ECF.

**Figure 9**

The screenshot shows the ECF Motions interface at the document selection step. The navigation bar and case information are the same as in Figure 8. The instruction "Select the pdf document (for example: C:\199cv501-21.pdf)." is followed by a "Filename" label and an empty text input field. To the right of the input field is a "Browse..." button. Below the input field is the "Attachments to Document:" label with radio buttons for "No" (selected) and "Yes". At the bottom are "Next" and "Clear" buttons.

Click on the [Browse] button. ECF opens the screen depicted as Figure 9(a).

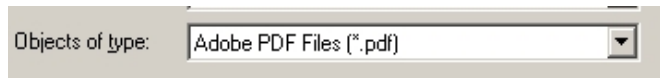
**Figure 9a**



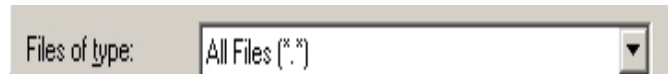
If necessary, change the **Files of type** from:



To:

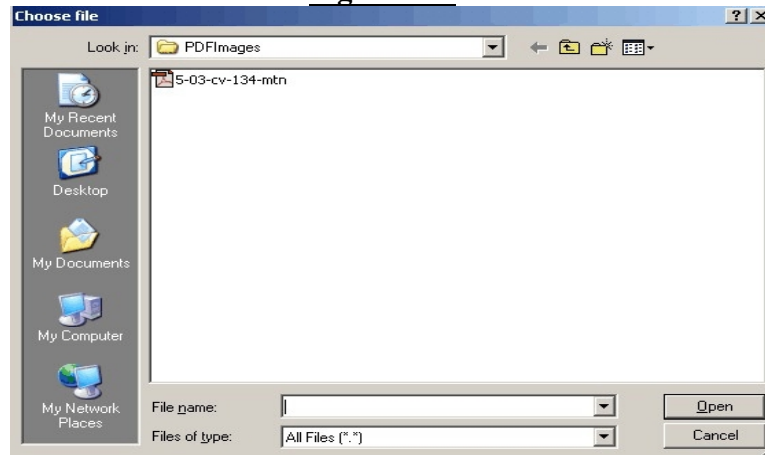


Or:



Navigate to the appropriate directory and file name to select the PDF document you wish to file. Highlight the file to upload to ECF. See Figure 10a.

**Figure 10a**



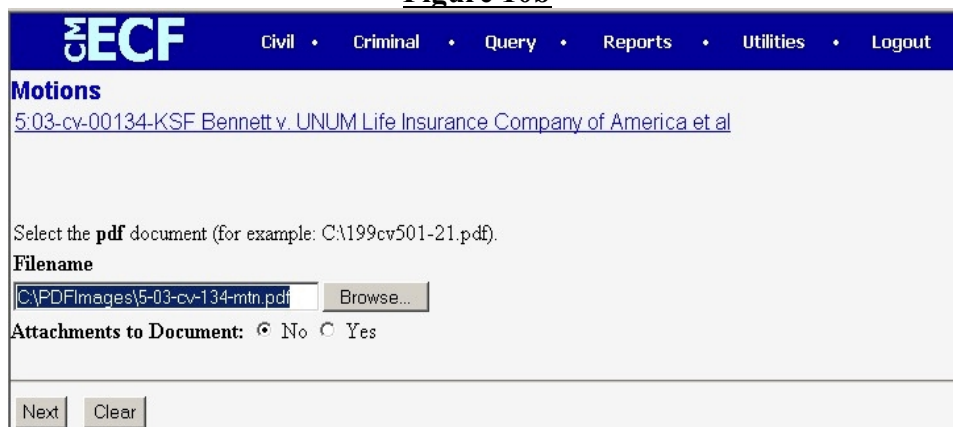
### IMPORTANT!

In order to verify that you have selected the correct PDF document, right mouse click on the highlighted file name to open a quick menu and left mouse click on **[Open]**. Adobe Acrobat or Acrobat Reader will launch and open the PDF document you selected. View the document to verify that it is correct, complete and legible.

- ◆ Click the **[Open]** button from the screen depicted in Figure 10a. ECF closes the **File Upload** screen and inserts the PDF file name and location in the screen depicted in Figure 10b.

**NOTE:** Ensure that the highlighted file name appears in the file name field as depicted in Figure 10b. The court suggests you choose a name for the document file that indicates the case number and document title when you print or publish to the PDF file.

**Figure 10b**



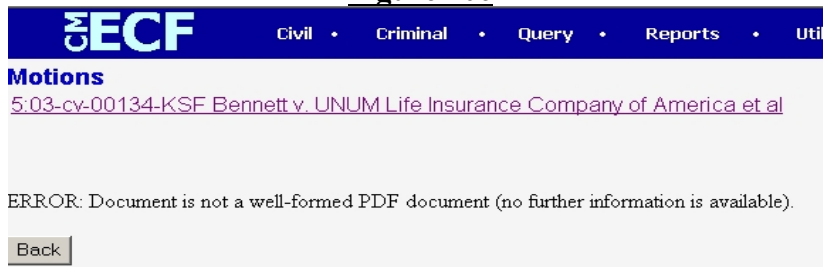
The screenshot shows the ECF web interface. At the top is a blue navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below this is a section titled "Motions" with a link to "5:03-cv-00134-KSF Bennett v. UNUM Life Insurance Company of America et al". The main content area contains the instruction "Select the pdf document (for example: C:\199cv501-21.pdf)". There is a "Filename" label above a text input field containing "C:\PDFImages\5-03-cv-134-mtn.pdf" and a "Browse..." button. Below the input field is the "Attachments to Document:" label with radio buttons for "No" (selected) and "Yes". At the bottom of the form are "Next" and "Clear" buttons.

If there are no attachments, click on **[Next]**.

If you are filing attachments, *i.e.*, a proposed order, see “Filing Attachments and Exhibits” under [“How to Add Attachments and Exhibits to Documents Being Filed \(e.g., Proposed Order\).”](#)

In the event you selected and highlighted a file that is not in PDF format, ECF will display the following error message after you click on the **[Next]** button. (See Figure 10c)

**Figure 10c**



The screenshot shows the ECF web interface. At the top is a blue navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, and Utilities. Below this is a section titled "Motions" with a link to "5:03-cv-00134-KSF Bennett v. UNUM Life Insurance Company of America et al". The main content area displays the error message: "ERROR: Document is not a well-formed PDF document (no further information is available)". Below the error message is a "Back" button.

- ◆ ECF will not permit you to select a file that is not in PDF format.
- ◆ Click on the **[Back]** button and ECF will return to the screen depicted in Figure 10a.

## Failure to Select A Document to File

If you fail to select a document to file, ECF will display the error message depicted in Figure 11.

**Figure 11**



Use the **[Back]** button on your browser toolbar to return to the screen depicted in Figure 10a. Click the **[Browse]** button to find the PDF file name for the document you are filing.

If you have attachments to your motion, you will select **[Yes]** on the screen depicted in Figure 10b. Click on **[Next]** and proceed to [“How to Add Attachments and Exhibits to Documents Being Filed.”](#)

## Filing Attachments and Exhibits

Attachments in the ECF System are any documents you would file as an exhibit or attachment to a paper document. Examples might be memorandums in support, affidavits, exhibits, proposed documents, etc. A Filing User must submit in electronic form all documents referenced as exhibits or attachments in accordance with the court’s ECF User Manual, and the Joint Local Rules of this court, unless otherwise ordered by the court. A Filing User shall submit as exhibits or attachments only those excerpts of the referenced documents that are directly germane to the matter under consideration by the court. Excerpted material must be clearly and prominently identified as such. Filing Users who file excerpts of documents as exhibits or attachments under this rule do so without prejudice to their right to timely file additional excerpts or the complete document. Responding parties may timely file additional excerpts or the complete document that they believe are directly germane. The court may require parties to file additional excerpts or the complete document.

## Exhibits in General

A filing party should electronically image, *i.e.*, “scan” a paper exhibit less than two (2) megabytes and submit the exhibit as a PDF file. However, because PDF files containing scanned documents take up considerably more space on the system than PDF files containing electronically generated documents, filing parties may submit PDF files containing scanned documents of more than two megabytes **only** if they are filed in separate two-megabyte segments.

Because documents scanned in color or containing a graphic take much longer to upload, filing parties must configure their scanners to scan documents at 200 dpi and in black and white, rather

than in color. Documents appearing in color in their original form, such as color photographs, may be scanned in color and then uploaded to the system.

Filing Users are required to verify that scanned documents are legible before the documents are filed electronically with the court.

## Attaching Exhibits

Exhibits must be filed in accordance with Joint Local Rule 83.10(b) and the following procedures:

- ◆ Each separate exhibit must be filed as a separate attachment to the main document.
- ◆ If any particular exhibit exceeds two megabytes, the exhibit must be broken down into separate components of two megabytes or less, and each component must be filed as a separate attachment.
- ◆ A clear and concise description of each exhibit must be typed into the description field of each attachment. The following is a sample of how to describe each attachment.

| <u>Type</u> | <u>Description</u>  |
|-------------|---|
| Exhibit     | A. Affidavit of John Smith  |
| Exhibit     | B. Excerpts from Jane Doe's Deposition                                  |
| Exhibit     | C-1. Contract between XYZ Company and ABC Company (Part 1, Page 1-15)   |
| Exhibit     | C-2. Contract between XYZ Company and ABC Company (Part 2, Pages 16-24) |
| Exhibit     | D. XYZ Company General Ledgers  |

## Notice of Filing Restricted Exhibits

An exhibit which contains personal identifiers may be filed electronically as a restricted document by filing a Notice of Filing Restricted Exhibit and attaching the exhibit. Remote electronic access to the notice and the attached restricted exhibit will be limited to counsel of record and court users. However, the notice and attachment will be available for viewing by the public at the clerk's office.

**An exhibit index listing the "restricted" exhibit(s) MUST be electronically filed as an attachment to the main document it supports as follows:**

- ◆ Prepare an exhibit index setting forth a clear and concise description of each exhibit indicating that the exhibit is restricted. The following is a sample of how to describe each restricted exhibit in the index:

| <u>Exhibit</u> | <u>Description</u>                               |
|----------------|--|
| A              | Affidavit of John Smith (Restricted)             |
| B              | Excerpts from Jane Doe's Deposition (Restricted) |

- ◆ File the index as an attachment to the main document it supports. **Do not file the restricted exhibit with the main document.**

Restricted exhibits must be filed according to the following procedures:

- ◆ Prepare and file a Notice of Filing Restricted Exhibit.
- ◆ Attach each restricted exhibit as a separate attachment to the **Notice**.
- ◆ For instruction on attaching exhibits, see [Attaching Exhibits](#).

**NOTE: You MUST use the event “Notice of Filing Restricted Exhibit” to ensure the exhibits are restricted.**

## Conventional Filing of Exhibits

Exhibits that cannot be made available in electronic form must be filed according to the following procedures.

- ◆ The Filing User must prepare an exhibit index in pleading form. The pleading’s caption shall identify the document to which the exhibits relate (*e.g.*, “Notice of Filing Exhibits in Support of Defendant XYZ Company’s Memorandum in Support of Motion for Summary Judgment”) and must state that “the exhibits are being filed conventionally due to the following reason . . .”
- ◆ File the exhibit index as an attachment to the electronically filed main document it supports.
- ◆ The exhibit index pleading shall accompany the exhibits when filed with the court. The exhibits should be properly identified and marked. The clerk’s office will make an entry on the docket noting the receipt of the index and exhibits.
- ◆ A party must serve conventionally filed materials on other parties as if not subject these electronic filing procedures.

## Proposed Orders

A proposed order shall be electronically filed as an attachment to the main document and should be described as such by selecting the attachment **Type** of “proposed order.” See [How to Add Attachments and Exhibits to Documents Being filed](#).

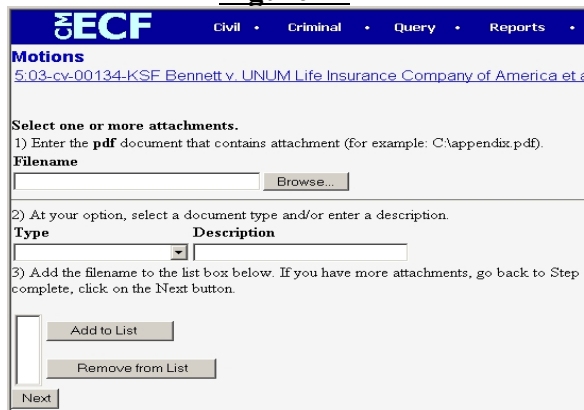
**The proposed order should not contain a date line, signature line or the Judge’s name. You should provide a minimum space of 1½ inches on the proposed order so the electronic signature of the Judge can be inserted thereon should the Judge decide to sign the order.**



## How to Add Attachments and Exhibits to Documents Being Filed (e.g., Proposed Order)

If you acknowledged the need to attach documents to your main document during the previous step, a new screen appears as depicted in Figure 12.

**Figure 12**

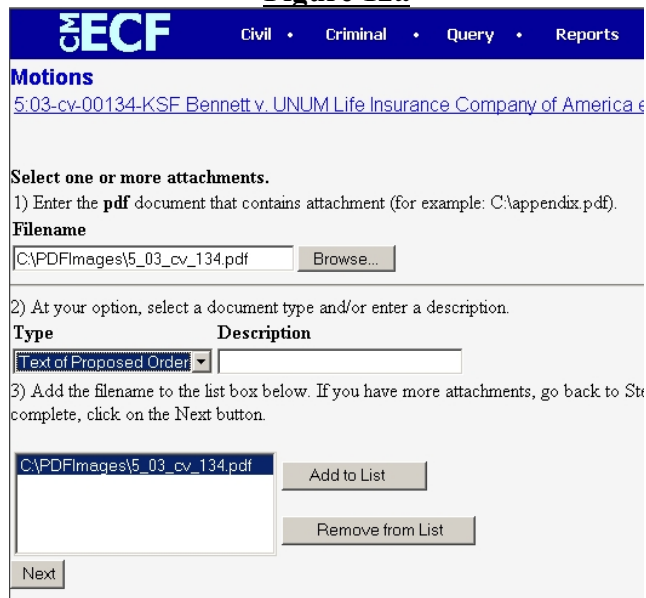


The screenshot shows the ECF Motions interface. At the top, there is a navigation bar with 'ECF' and menu items: 'Civil', 'Criminal', 'Query', and 'Reports'. Below this, the page title is 'Motions' and the case name is '5:03-cv-00134-KSF Bennett v. UNUM Life Insurance Company of America et al.'. The main content area contains instructions: 'Select one or more attachments. 1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).', a 'Filename' input field with a 'Browse...' button, and a 'Type' dropdown menu with a 'Description' input field. Below these are instructions: '2) At your option, select a document type and/or enter a description.' and '3) Add the filename to the list box below. If you have more attachments, go back to Step complete, click on the Next button.' At the bottom, there is a list box with 'Add to List', 'Remove from List', and 'Next' buttons.

Click on **[Browse]** to search for the document file name of the attachment. See Figure 9a. Open the PDF document with the [quick menu](#) to verify the document is correct, complete and legible.

- ◆ Next to the field for attachment **Type**, click on the arrow and ECF opens a drop-down screen. Highlight the type of attachment from the displayed selection if the type of attachment is listed.
- ◆ Describe the attachment more fully in the **Description** box. Click in the **Description** box and type a clear and concise description of the attachment.
- ◆ Click on **[Add to List]**.

**Figure 12a**



The screenshot shows the ECF Motions interface, similar to Figure 12, but with the file 'C:\PDFImages\5\_03\_cv\_134.pdf' entered in the 'Filename' field. The 'Type' dropdown menu is open, showing 'Text of Proposed Order' selected. The 'Description' field is empty. Below the instructions, the file 'C:\PDFImages\5\_03\_cv\_134.pdf' is listed in a box, with 'Add to List' and 'Remove from List' buttons next to it. The 'Next' button is also visible at the bottom.

ECF adds the selected document as an attachment to the motion. A new screen opens to display the file name of the newly attached document.

- ◆ Repeat the sequence for each additional attachment.
- ◆ After adding all of the desired PDF documents as attachments, click on **[Next]**.
- ◆ The previous screen closes and ECF opens a new screen as depicted in Figure 13.

## Refining Docket Text

From the screens depicted in Figures 13 and 14, determine the filing text that will appear on the docket sheet.

- ◆ Click on the button in Figure 13 to open a modifier drop-down list. You may select one of the words in the drop-down list or leave the field blank.

**Figure 13**

The screenshot shows the ECF interface with a blue header containing the ECF logo and navigation links: Civil, Criminal, Query, and Reports. Below the header, the page title is 'Motions' and the case name is '5:03-cv-00134-KSF Bennett v. UNUM Life Insurance Company of America'. The main content area is titled 'Docket Text: Modify as Appropriate.' and features a dropdown menu with a blue background. The selected text is 'MOTION for Preliminary Injunction by Ohio Casualty Insurance Company' followed by '(Attachments: # (1))'. At the bottom of the form are two buttons: 'Next' and 'Clear'.

- ◆ Click on the field by the party's name, and type a description of the document that will appear in the docket report. See Figure 14.

**Figure 14**

This screenshot is similar to Figure 13 but shows the dropdown menu expanded. The selected text is 'MOTION for Preliminary Injunction by Ohio Casualty Insurance Company' followed by '(Attachments: # (1))'. The text 'to cease and desist from' is visible in the input field next to the dropdown menu. The 'Next' and 'Clear' buttons are also present at the bottom.

## Submit Document for Filing

After entering docket text, click on the [Next] button depicted in Figure 14. A new window appears (Figure 15) with the complete text for the docket report.

**Figure 15**

The screenshot shows the ECF (Electronic Case Filing) interface. At the top is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, and Utilities. Below the bar, the page title is "Motions" and the case number is "5:03-cv-00134-KSF Bennett v. UNUM Life Insurance Company of America et al". The main content area displays "Docket Text: Final Text" followed by the text "First MOTION for Preliminary Injunction by Ohio Casualty Insurance Company to cease and desist from (Attachments: # (1))". A red warning message states: "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 the bottom of the form are two buttons: "Next" and "Clear".

**NOTE:** The screen depicted in Figure 15 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 previous screens by clicking on any feature on the **Blue** ECF menu bar *to abort* the current transaction. ECF will reset to the beginning of the process you just selected.

**Aborting a transaction after your credit card information has been authorized may debit your credit card in the amount of the fee.** Filing Users are advised to track ECF internet payments through the Utilities function of [Internet Payment History](#).

- ◆ Review the docket text and correct any errors. If you need to modify data on a previous screen, click the [**Back**] button on the browser toolbar to find the screen you wish to alter.

**NOTE:** Using the [**Back**] button may produce a message "Warning: Page has Expired" and the entry is effectively aborted.

- ◆ Click on the [Next] button to commit the transaction.

**WARNING**

**WHEN YOU CLICK ON THE [Next] BUTTON, YOUR TRANSACTION WILL BE COMPLETED AND THE DOCUMENT IS FILED.**

## Notice of Electronic Filing

ECF opens a new window displaying the ECF filing receipt. See Figure 16.

- ◆ The screen depicted in Figure 16 provides confirmation that ECF has registered your transaction and the document is now an official court record. It also displays the date and time of your transaction and the number assigned to your document.

**REMINDER:**      **The time of filing of the document occurs at such time as the Notice of Electronic Filing appears. IT IS NOT THE TIME YOU LOGIN TO ECF. Please allow yourself sufficient time to complete all filing fields and attach all documents.**

**Figure 16**



**NOTE:**        **The Notice of Electronic Filing represents your electronic file stamp and service for Filing Users associated with the case. You may want to save it to a file on your computer hard-drive, print it, and/or retain a hard copy in your personal files.**

- ◆ Select [**Print**] on the browser toolbar to print the document receipt.
- ◆ Select [**File**] on the browser menu bar, and choose [**Save As**] from the drop-down window to save the receipt to a file on the hard drive of your computer.
- ◆ ECF will electronically transmit the Notice of Electronic Filing to other attorneys in the case who have registered as ECF Filing Users. The ECF filing receipt 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 paper copies of the document to attorneys and parties who are not registered for electronic notification.**

## **E-Mail Notification of Documents That Were Filed**

After a document is electronically filed, the ECF System sends a **Notice of Electronic Filing**, with a hyperlink to the electronically filed document, to the designated attorneys registered as ECF Filing Users. Individuals who receive electronic notification of the filing are permitted “one free look” at the document by clicking on the associated hyperlinked document number embedded in the **Notice of Electronic Filing**. The court strongly urges you to save the document to your hard-drive for future access. Subsequent retrieval of the case docket sheet and document from ECF must be made through your PACER account and is subject to regular PACER fees.

**REMINDER:**        **It is the responsibility of Filing Users to send paper copies of the document to *pro se* parties and attorneys who are not ECF Filing Users.**

## **Filing Other Types of Documents**

If a Filing User prepares a single document containing a motion, response and/or reply, the Filing User must file the document using two or more separate entries, making the appropriate selections from the **Civil Events** or **Criminal Events** menu. For example, “Plaintiff’s Response to Defendant’s Motion to Dismiss and Plaintiff’s Motion to Amend Complaint.” In this instance the Filing User will file the document using the event “Response.” Once you have completed the transaction of filing the Response, file and attach the same document using the event “Motion” as a separate entry.

Reports are generated by the Electronic Filing System from the information entered in regard to motions, responses and replies. The reports are used by chambers for case management. If the

proper information is not entered as stated above, the reports will not properly reflect pending motions, responses and replies.

A Filing User who wishes to file any document should make the appropriate selection from the **Civil Events** or **Criminal Events** menu. The process for other filings is very similar to what has been described in this manual for filing a motion. Choose the event carefully to identify the one which most closely represents the filing you wish to enter.

## **PUBLIC ACCESS**

A person may receive information from the Electronic Filing System at the court's Internet site by obtaining a PACER login and password.<sup>6</sup> A person who has PACER access may retrieve docket sheets and documents (unless otherwise sealed or restricted) in criminal and civil cases, except for social security cases, in which only a Filing User who is counsel in the case may retrieve documents electronically. Documents in social security cases are not available for public view over the Internet in accordance with policy.

If a case or document has been restricted, a PACER user may retrieve the docket sheet over the Internet, but only a Filing User who is counsel of record may retrieve restricted documents electronically. However, a restricted case or document will be available for viewing by the public at the clerk's office.

Electronic access to electronic docket sheets and all documents filed in the System, unless sealed, is available to the public for viewing at no charge during regular business hours at the clerk's office. A copy fee for an electronic reproduction is required in accordance with 28 U.S.C. 1914.

Conventional copies and certified copies of electronically filed documents may be obtained at the clerk's office. The fee for copying and certifying will be in accordance with 28 U.S.C. 1914.

## **SENSITIVE INFORMATION**

Since the public may access certain case information over the Internet through the court's Electronic Filing System, sensitive information should not be included in any document filed with the court unless such inclusion is necessary and relevant to the case. In accordance with the Eastern and Western Districts of Kentucky Amended Notice of Electronic Availability of Civil Case File Information, and the Notice of Electronic Availability of Criminal Case File Information

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<sup>6</sup>Pursuant to the Judicial Conference Electronic Public Access Fee Schedule, non-judiciary CM/ECF users will be charged a fee of eight cents per page obtained remotely through the PACER system, with a total for any document, docket sheet, or case-specific report not to exceed the fee for 30 pages. (Effective January 1, 2005)

The 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 by the filer in the context of service under Federal Rules of Civil Procedure. Official recipients will receive the initial electronic copy of a document free to download as they see fit, but if they remotely access the document again, they will be charged eight cents per page.

dated October 27, 2004<sup>7</sup>, if sensitive information must be included, the following personal data identifiers must be partially redacted from the pleading, whether it is filed on paper or electronically.<sup>8</sup>

- ◆ Social Security Number (Only last four digits should be used.)
- ◆ Names of Minor Children (Only initials of that child should be used.)
- ◆ Dates of Birth (Only the year should be used.)
- ◆ Financial Account Number (Only last four digits of the number should be used.)
- ◆ Home addresses (criminal only.)

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file:

1. An unredacted document under seal. This document shall be retained by the court as part of the record. A redacted copy for the public record must be filed along with the unredacted document under seal.
- OR
2. A reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its (their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier. The reference list must be filed under seal, and may be amended as of right. It shall be retained by the court as part of the record.

**NOTE: It is the sole responsibility of counsel and the parties to be sure that all documents comply with the Joint General Order of this Court, whether it is filed electronically or on paper. The clerk will NOT review any document for redaction.**

**CIVIL.** The court recognizes that parties may need to include in the record a document containing information such as driver's license numbers, medical records, employment history, individual's financial information and proprietary or trade secret information.

**CRIMINAL.** The court recognizes that parties may need to include in the record a document containing information implicating not only privacy but also personal security concerns, such as a driver's license number; medical records, treatment and diagnosis; employment history; individual

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<sup>7</sup>Joint Amended Notice of Electronic Availability of Civil Case File Information and the Notice of Electronic Availability of Criminal Case File Information dated October 27, 2004, can be accessed through the courts' web sites at [www.kywd.uscourts.gov](http://www.kywd.uscourts.gov), [www.kyed.uscourts.gov](http://www.kyed.uscourts.gov), or can be obtained from any division of the court.

<sup>8</sup>Pursuant to the privacy policy of the Judicial Conference of the United States, documents in Social Security cases shall have restricted status, meaning that remote public access to documents in these cases will be limited to a Filing User who is counsel of record. They will be available for viewing at the Clerk's Office.

financial information; proprietary or trade secret information; information regarding an individual's cooperation with the government; information regarding the victim of any criminal activity; national security information; and sensitive security information as described in 49 U.S.C. § 114(s). When filing a document that contains any such information, counsel may want to consider accompanying the filing with a motion to seal. Until the court has ruled on any motion to seal, no document that is the subject of a motion to seal, nor the motion itself or any response or reply thereto, will be available electronically or in paper form.

To avoid unnecessary disclosure of private, personal or financial information, a party may:

- ◆ File a [Motion to Seal](#)
- ◆ File a [Motion to Restrict the Case](#)
- ◆ File a [Notice of Filing Restricted Exhibits](#)
- ◆ File an unredacted copy of the document under seal. A redacted copy for the public record must be filed along with the unredacted document under seal.
- ◆ File a reference list under seal.

## Motions to Seal

File a motion to seal the document or case. The motion must state the reason and show good cause for sealing the document or case. If the motion to seal is granted, the document or case under seal will not be available electronically or through any other means. Also, see [Sealed Documents](#).

## Restricted Case

File a "Motion to restrict case." The motion must state the reason and show good cause for restricting remote access to the case. If the motion is granted, remote access to documents will be limited to Filing Users who are counsel of record. However, **the case will be available for viewing by the public at the clerk's office.**

## QUERY FEATURE

Registered participants should use this feature to query the Electronic Case Filing System for specific case information. To enter the Query mode, click on **Query** from the **Blue** menu bar of ECF which opens up the **PACER login screen**. You must enter your **PACER** login and password before ECF permits you to query the ECF database.



**NOTE:** Use your ECF login and password if you are entering the system to file a document or to maintain your account. If you wish to query the database for case information or to view a document, enter your PACER login and password. To access case information or to view a document in cases that have been restricted to only counsel of record, you will need to use your ECF login and password. There is a charge of .08 cents per page for viewing, printing and/or downloading case dockets with the total for any document, docket sheet, or case-specific report not to exceed the fee for thirty pages provided however that transcripts of federal court proceedings shall not be subject to the thirty-page fee limit. No fee is owed under this provision until an account holder accrues charges of more than \$10 in a calendar year.

Effective January 1, 2005

## SELECTING A CASE TO QUERY

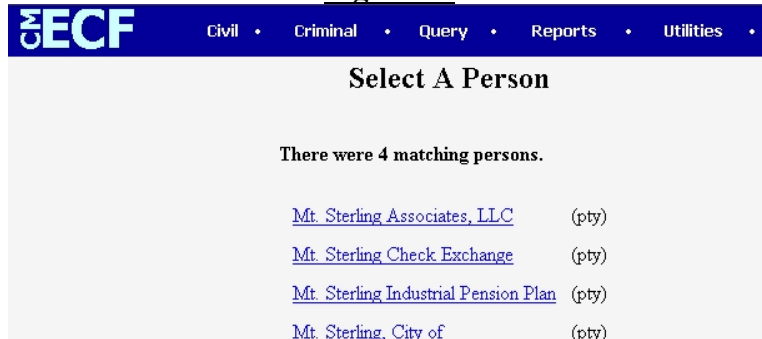
After you enter your PACER login and password, ECF opens a Query data entry screen as depicted in Figure 17. If you know the number that the court has assigned to the case, enter it in the **Case Number** field and click on the **[Run Query]** button. ECF opens the query screen depicted in Figure 19.

Figure 17

The screenshot shows the ECF Query interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', and 'Reports' options. Below this is a 'Query' header. The main area is titled 'Search Clues' and contains several input fields: 'Case Number' with a text box and examples (99-500, 1:99cv500); 'Filed Date' and 'Last Entry Date' with date range pickers; 'Nature of Suit' with a dropdown menu showing options like '0 (zero)', '110 (Insurance)', and '120 (Contract: Marine)'; 'Last Name', 'First Name', and 'Middle Name' with text boxes and examples (Desoto, Des't); and 'Type' with a dropdown menu. At the bottom of the search area are 'Run Query' and 'Clear' buttons.

Also, you may query the ECF database by the name of a party or an attorney to the case. Enter the last name of the party in the appropriate field in Figure 17. If more than one person with that name is in the database, ECF returns a screen from which to select the correct name (Figure 18).

**Figure 18**



If you click on the name of the party, ECF will open the query screen depicted in Figure 19. If the individual is a party to more than one case, ECF will open a screen listing all of the party's cases. Click on the case number hyperlink and ECF opens the query screen depicted in Figure 19.

After querying the database by case number or by name, ECF opens the **Query** window for the specific case you selected. See Figure 19.

**Figure 19**



At the top of the window, ECF displays the case number, parties to the case, presiding Judge, date that the initial claim was filed, and date of last filing for the case. You may choose specific case information from a large list of query options by clicking on the appropriate hyperlinked name on the screen depicted in Figure 19. The following paragraphs describe several of the available case-specific query options.

## QUERY

### Attorney

Displays the names, addresses, and telephone numbers of the attorneys who represent each of the parties to the case.

## Docket Report

When you select Docket Report, ECF opens the Docket Sheet screen as depicted in Figure 20.

**Figure 20**

**ECF** Civil • Criminal • Query • Reports •

**Docket Sheet**

Case Number  
5:03-cv-00140-JMH Mac's Convenient Stores, LLC v. Mt. Sterling Associates, LLC

Filed  to   
 Entered  to

Documents  to

Include terminated parties  
 Include links to Notice of Electronic Filing  
 Include List of Parties and Counsel

Sort by

You may select a date range for your docket report as well as a range of docket numbers. If you leave the range fields blank, ECF will default to print the entire docket report. After you have selected the parameters for your report, click on the **[Run Report]** button. ECF will run your custom docket report and display it in a window as depicted in Figures 21a and b.

**Figure 21a**

**ECF** Civil • Criminal • Query • Reports • Utilities • Logou

**U.S. District Court  
Eastern District of Kentucky (Lexington)  
CIVIL DOCKET FOR CASE #: 5:03-cv-00140-JMH**

Mac's Convenient Stores, LLC v. Mt. Sterling Associates, LLC  
Assigned to: Joseph M. Hood  
Referred to:  
Demand: \$  
Lead Docket: None  
Related Cases: None  
Case in other court: None  
Cause: 28:1331 Fed. Question: Breach of Contract

Date Filed: 03/24/03  
Jury Demand: Both  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

**Plaintiff**  
-----  
Mac's Convenient Stores, LLC

represented by **Robert Y. Gwin**  
Frost Brown Todd LLC  
400 W. Market Street  
32nd Floor  
Louisville, KY 40202-3363  
502-589-5400  
Fax: FAX 502-581-1087  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven M. Crawford**  
Frost Brown Todd LLC

**Figure 21b**

| ECF Civil • Criminal • Query • Reports • Utilities • Logout |                   |   |
|---|-------------------|---|
|   |                   | (JMA) (Entered: 03/27/2003)   |
| 03/27/2003  | <a href="#">2</a> | AMENDED COMPLAINT against Mt. Sterling Associates, LLC , filed by Mac's Convenient Stores, LLC. (Attachments: # <a href="#">1</a> additional summons)(JM) (Entered: 03/28/2003)       |
| 03/28/2003  | <a href="#">3</a> | SUMMONS Returned Executed by Mac's Convenient Stores, LLC. Mt. Sterling Associates, LLC served on 3/26/2003, answer due 4/15/2003. (Attachments: # receipt)(JM) (Entered: 03/28/2003) |
| 04/03/2003  | <a href="#">4</a> | SUMMONS Returned Executed by pla Mac's Convenient Stores, LLC. Mt. Sterling Associates, LLC served on 3/31/2003, answer due 4/21/2003. (JM) (Entered: 04/03/2003)                     |
| 04/08/2003  | <a href="#">5</a> | AMENDED GENERAL ORDER IN CIVIL CASES distributed to all counsel. (Entered: 04/08/2003)  |
| 04/15/2003  | <a href="#">6</a> | RULE 7.1 DISCLOSURE STATEMENT OF PLAINTIFF by pla Mac's Convenient Stores, LLC (JM) (Entered: 04/15/2003)   |
| 05/09/2003  | <a href="#">7</a> | ANSWER to Amended Complaint by dft Mt. Sterling Associates, LLC. (JM) (Entered: 05/09/2003)   |

The document numbers in the middle column of Figure 21b are hyperlinks to PDF files of the actual documents. Place your pointer on the silver button next to the document number and click to display the **Notice of Electronic Filing** for the document. Make sure the box next to “Include links to Notice of Electronic Filing” is selected in the criteria for your docket report in order to obtain the link to the Notice of Electronic Filing.

## Related Transactions

This selection queries the database for each event and the documents associated (linked) to that event. After you click on the **Related Transactions** hyperlink, ECF opens the screen depicted in Figure 22. You may select the sort order for the query report and choose to view all events or only specific event types and subtypes. ECF also offers you the option to display pending or terminated events in the report.

**Figure 22**

ECF Civil • Criminal • Query • Forms • Reports • Utilities • Logout ?

Related Transactions

Sort by

Filed [ ] to [ ]

Documents [ ] to [ ]

Document type [ ]

Pending

Terminated

Filed Date [ ]

Run Query Clear

- ◆ After making your selections, click on the **[Run Query]** button. ECF queries the database and builds your report. Figure 22a depicts a portion of a typical Related Transactions Report.

**Figure 22a**

| Doc. No. | Event Name                  | Event Filed | Event Terminated |
|----------|-----------------------------|-------------|------------------|
| <u>1</u> | Complaint                   | 03/24/2003  |                  |
| <u>2</u> | Amended Complaint           | 03/27/2003  |                  |
| <u>6</u> | Answer to Amended Complaint | 05/09/2003  |                  |
| <u>3</u> | Summons Returned Executed   | 03/28/2003  |                  |
| <u>4</u> | Summons Returned Executed   | 04/03/2003  |                  |
|          | Docket Annotation           | 04/08/2003  |                  |
| <u>5</u> | Disclosures                 | 04/15/2003  |                  |
| <u>6</u> | Answer to Amended Complaint | 05/09/2003  |                  |
| <u>2</u> | Amended Complaint           | 03/27/2003  |                  |

You may view a PDF file of actual documents by clicking on the document number. If the document number is not highlighted and underlined, a PDF document has not been created and is not available for electronic viewing.

## Other Queries

The process to select and run other queries in the **Query** feature of ECF is similar to what has been described above.

## REPORTS FEATURE

The Reports feature of ECF provides the user with report options. After selecting the **Reports** feature from the **Blue** menu bar, ECF opens the **Reports** screen depicted in Figure 23.

**Figure 23**



## DOCKET SHEET REPORT

Click on the **Docket Sheet** hyperlink in Figure 23.

If you are not already logged into PACER, enter your PACER login and password. Click on the **[Login]** button and ECF will open the Docket Sheet Report query window depicted in Figure 24.

Figure 24

The screenshot shows the ECF web interface. At the top is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, and Logout. Below the navigation bar is the 'Docket Sheet' section. It contains a 'Case number' input field with the value 'E-03-cv-140'. There are two radio buttons: 'Filed' (selected) and 'Entered'. Below these are two 'to' input fields. A 'Documents' section has two input fields with 'to' between them. There are three checkboxes: 'Include terminated parties' (checked), 'Include links to Notice of Electronic Filing' (unchecked), and 'Include List of Parties and Counsel' (checked). A 'Sort by' dropdown menu is set to 'Oldest date first'. At the bottom are 'Run Report' and 'Clear' buttons.

This is the same query window that ECF displays when you select **Docket Report** from the **Query** feature (Figure 20). Enter the case number for your docket sheet in the **Case Number** field. Select parameters for the remainder of the data entry fields and click on the **[Run Report]** button. ECF will display a full docket sheet for the case you select. See Figures 21a and 21b (**Query feature**) for a depiction of a partial docket sheet report. If you do not need a complete docket sheet, you can narrow the query using the date fields. ECF also offers various sorting options from the Docket Sheet query screen.

## WRITTEN OPINIONS REPORT

Written Opinions filed by the Court after April 16, 2005, are now searchable and available at no cost to ECF and PACER users. Click on the [Written Opinions](#) hyperlink as seen in [Figure 23](#). You will not be prompted to enter your PACER login and password. Enter search parameters by case number, party name, Nature of Suit or Cause of Action.

## UTILITIES FEATURE

The **Utilities** feature provides the means for Filing Users to maintain their account in ECF and to view all of their ECF transactions. Figure 25 depicts the opening screen for the ECF Utilities feature.

Figure 25

The screenshot shows the ECF web interface. At the top is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, and Utilities. Below the navigation bar is the 'Utilities' section. It contains two columns of links. The left column is titled 'Your Account' and includes links for 'ECF Login', 'Maintain Your Account', 'View Your Transaction Log', 'Change Client Code', 'Change Your PACER Login', 'Review Billing History', and 'Show PACER Account'. The right column is titled 'Miscellaneous' and includes links for 'Internet Payment History', 'Mailings...', and 'Verify a Document'.

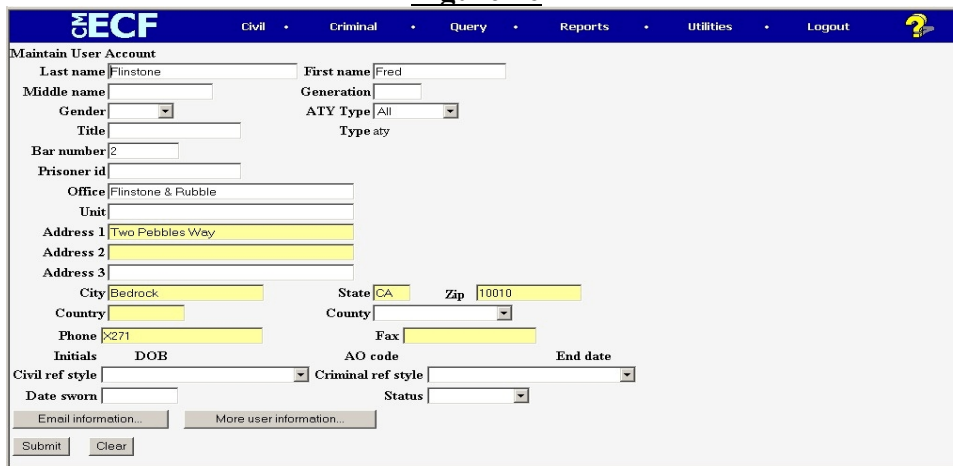
## YOUR ACCOUNT

This section of the **Utilities** feature allows you to maintain certain aspects of your ECF account with the court and to view a log of all your transactions within ECF.

## Maintain Your Account

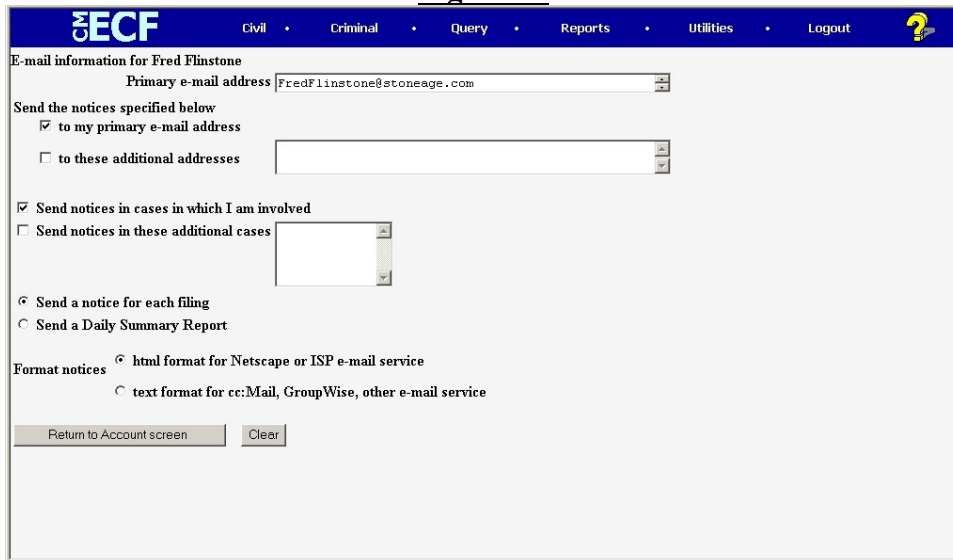
Click on the [Maintain Your Account](#) hyperlink to open the **Maintain User Account** information screen. See Figure 26.

**Figure 26**



This screen displays all of the registration information that is contained within the ECF database. This includes bar identification and bar status. Clicking on the **[E-mail information]** button opens a screen as depicted in Figure 27.

**Figure 27**



- ◆ ECF will e-mail to parties their **Notices of Electronic Filing** based upon the information entered in this screen. Perform the following steps to enter additional e-mail addresses for individuals that you wish ECF to notify.
- ◆ From the screen depicted in Figure 28, enter a checkmark by clicking on the box to the left of the line, which reads **“to these additional addresses.”**
- ◆ Enter the e-mail addresses of those individuals you wish to notify concerning ECF activity. This data entry field has a capacity of 250 characters for approximately ten (10) e-mail addresses.

**Figure 28**

- ◆ Designate the format of the ECF notices by selecting your choice from the bottom of the screen.
- ◆ If you wish to enter completely new information about your account, use the **[Clear]** button to clear the fields on this screen.
- ◆ After updating your account information, click on the **[Return to Account screen]** button to return to your **Maintain User Account** screen (Figure 26).
- ◆ To edit or view login information about your account, select the button labeled **More user information**, from the **Maintain User Account** screen. ECF opens the screen depicted in Figure 29.

**Figure 29**

This screen displays user login information and provides the means to change your ECF password. Notice that ECF displays a string of asterisks in the **Password** field.

- ◆ To change your ECF password, place your cursor in the **Password** field and delete the asterisks.
- ◆ Type in your new password. ECF displays the actual characters of your new password as you type.
- ◆ When you have completed your interface with ECF from this screen, click on the **[Return to Account screen]** button to reopen the **Maintain User Account** (Figure 26) screen.
- ◆ When you are satisfied that all of your account information is accurate and up-to-date, click the **[Submit]** button at the bottom of the **Maintain User Account**



(Figure 26). The screen will refresh and allow you to click the [**Submit**] button again to finalize the changes to ECF.

ECF will notify you onscreen that your updates were accepted. If you do not receive the notification page, the user changes have not been completed. If you change passwords, you may begin using the new password during your next ECF session. Please be advised that if you change your password, then forget the password, you must contact the court's [Help Desk](#) to request a new password. Passwords will **not** be assigned over the phone by the clerk's office.

**WARNING**

**ANY ADDITIONS, DELETIONS OR CHANGES UNDER MAINTAIN YOUR ACCOUNT SHOULD BE REVIEWED CAREFULLY PRIOR TO FINAL SUBMISSION.**

**INACCURACIES WILL AFFECT ELECTRONIC SERVICE!**

## View Your Transaction Log

From the **Utilities** screen, click on the **View your Transaction Log** hyperlink. ECF opens a screen with two fields for entering the Date Selection Criteria for a Transaction Log Report.

- ◆ Enter the date range for your report and click on the [**Submit**] button. ECF displays a report of all your transactions in ECF within the date range you specified for Date Selection Criteria.

See Figure 30 for a sample transaction log report. This feature, allows you to review all transactions ECF has processed with your login and password. If you believe or suspect that someone is using your login and password without your permission, change your password immediately, then telephone the ECF [Help Desk](#) as soon as possible.

**Figure 30**

| <span style="font-size: small;">Civil • Criminal • Query • Reports • Utilities • Logout </span> |                     |              |   |
|---|---------------------|--------------|---|
| Transaction Log   |                     |              |   |
| Report Period: 01/01/1996 - 10/07/2003  |                     |              |   |
| Id  | Date                | Case Number  | Text  |
| 160605  | 10/03/2003 09:03:44 | 5-03-cr-50-1 | NOTICE OF ATTORNEY APPEARANCE: Sharon K. Vrolijk appearing for Nevelor Semexan <I></I> (Sharon, Vrolijk)                        |
| 160612  | 10/03/2003 15:49:58 | 5-03-cv-155  | ANSWER to Complaint with jury demand <I></I>, COUNTERCLAIM <I></I> against Ronald Newsome by Lynda Campbell                     |
| 160613  | 10/03/2003 15:50:58 | 5-03-cv-155  | MOTION to Appoint Expert by Lynda Campbell <I></I>  |
| 160614  | 10/03/2003 15:51:50 | 5-03-cv-155  | ANSWER to Complaint <I></I> by Lynda Campbell   |
| 160615  | 10/03/2003 15:52:42 | 5-03-cv-155  | ANSWER to Counterclaim <I></I> by Ronald Newsome.   |
| 160704  | 10/07/2003 08:41:16 | 5-03-cv-134  | First MOTION for Preliminary Injunction by Ohio Casualty Insurance Company <I>to cease and desist from</I> (Attachments: # (1)) |
| Total Number of Transactions: 6   |                     |              |   |

Use this feature of ECF to review your transactions and to verify that:

- ◆ All of the transactions you entered are reflected in the Transaction Log.

- ◆ No unauthorized individuals have entered transactions into ECF using your login name and password.

## MISCELLANEOUS

ECF provides three **Miscellaneous** functions within the Utilities feature of the system.

- ◆ Internet Payment History
- ◆ Mailings
- ◆ Verify a Document

The hyperlink to **Mailings** opens a new screen for making or requesting mailings from ECF. **Mailing Info for a Case** allows you to check a particular case to verify whether participants in the case receive e-mail notification or manual notification.

Select the **Verify a Document** hyperlink to open a query screen and enter data in the screen fields to locate a particular document attached to a specific case number.

## Internet Payment History

From the **Utilities** screen, click on the **Internet Payment History** hyperlink. ECF opens a screen with two fields for entering the Date Selection Criteria for a Payment History Report.

- ◆ Enter the date range for your report and click on the **[Submit]** button. ECF displays a report of all your credit card transactions in ECF within the date range you specified for Date Selection Criteria.

See Figure 31 for a sample payment history report. This feature, allows you to review all credit card transactions ECF has processed. If you believe or suspect that an incorrect credit card transaction has occurred, telephone the ECF [Help Desk](#) as soon as possible. A Filing User is required to make written application to the Court to obtain a credit of a fee erroneously collected electronically via credit card. See [Fees Payable to the Clerk](#) and [Request for Fee Refund](#).

**Figure 31**

| ECF Civil • Criminal • Query • Reports • Utilities • Lo |  |                |           |           |
|---|--|----------------|-----------|-----------|
| 2/6/2006 to 2/8/2006                                    |  |                |           |           |
| Date Paid   | Description  | Payment Method | Receipt # | Amount    |
| 2006-02-06 14:21:35                                     | Petition for Writ of Habeas Corpus(5:06-cv-99999) [misc atypwhe] ( 5.00) | credit card    | 166392    | \$ 5.00   |
| 2006-02-06 14:27:55                                     | Complaint(5:06-cv-99999) [misc atycmp] ( 250.00)                         | credit card    | 166393    | \$ 250.00 |
| 2006-02-06 14:28:56                                     | Petition to Enforce(5:06-cv-99999) [misc atyenfr] ( 250.00)              | credit card    | 166394    | \$ 250.00 |
| 2006-02-06 16:49:13                                     | Motion to Appear Pro Hac Vice(3:03-cv-00100-JMH) [motion phv] ( 65.00)   | credit card    | 166401    | \$ 65.00  |
| 2006-02-06 16:52:54                                     | Complaint(5:06-cv-99999) [misc atycmp] ( 250.00)                         | credit card    | 166402    | \$ 250.00 |

## Request for Fee Refund

In the event a fee is erroneously collected electronically via credit card, the Filing User shall electronically file a **Request for Fee Refund**. The written request shall include an explanation regarding the erroneous transaction. To electronically file a **Request for Fee Refund**, click on the hyperlink **Other Documents** and choose the event **Request for Fee Refund**. See [Fees Payable to the Clerk](#).

## LOGOUT

After you have completed all of your transactions for a particular session in ECF, you should perform a graceful exit from the system.

Click on the **Logout** hyperlink from the ECF **Blue** menu bar. ECF will log you out of the system and return you to the ECF login screen as depicted in Figure 3 of this manual.