ECF Administrative Procedures Manual

Electronic Means for Filing, Signing, and Verifying Documents

October 2008

United States District Court Northern District of Texas Office of the Clerk

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ADMINISTRATIVE PROCEDURES

I. THE ELECTRONIC CASE FILING SYSTEM ("ECF")

A. Introduction

Under LR 5.1(e) and LCrR 49.2(f), unless the presiding judge otherwise directs, you must file any pleading (except a complaint in a civil case, or an indictment or information in a criminal case), motion, or other paper by electronic means. Under LR 3.1, you are permitted, but not required, to file a complaint by electronic means.

NOTE: You may, for cause, move to be excused from the requirement of electronic filing. See LR 5.1(e), and LCrR 49.2(f).

B. Registration As an ECF User Required

- 1. Registration is required within ten days of the date you appear in a case. See LR 5.1(f) and LCrR 49.2(g).
- 2. To register, you should follow the steps listed below:
 - ✓ Review the Local Rules.
 - ✓ Review the ECF Administrative Procedures Manual.
 - ✓ Complete the <u>electronic</u> User Registration Form.

Alternatively, you may complete a <u>paper</u> User Registration Form and mail or fax it to the Clerk's Office at:

> Clerk, U.S. District Court 1100 Commerce Room 1452 Dallas TX 75242-1003 214.753.2266 (FAX)

3. Upon receipt of a completed User Registration Form, the clerk's office will verify that you are admitted to practice (including admission *pro hac vice*) and currently in good standing in the U.S. District Court for the Northern District of Texas, or you are a *pro se* party in a case. Upon verification, the clerk's office will issue you a login and password and email the information to the e-mail address you specified in the User Registration Form.

- 4. After receipt of your login and password, you should follow the procedure on the court's website under <u>Maintaining Your Account</u> to change your password to something known only to you.
- WARNING: If you believe your password has been compromised, you should change it immediately. You may also use <u>Forgot Your ECF Login</u> <u>and/or Password?</u> to receive a new password.
 - Maintaining your current contact information is important. To change information covered by LR 83.13(b) or LCrR 57.13(b)—your business address, e-mail address, telephone number, facsimile number, or name—you should follow the procedure on the court's website under <u>Maintaining Your Account</u>.

C. Registration as a PACER User Required

You must have a PACER account to use the "Query" and "Report" features of the ECF system and to view electronically stored document images. To obtain a PACER login, you may contact the PACER Service Center at (800) 676-6856, or register online at <u>http://pacer.psc.uscourts.gov</u>.

D. Portable Document Format (PDF) Required

Except for proposed orders, documents must be filed in Portable Document Format (PDF). Before filing, you should preview each PDF file to verify you have selected the correct document.

E. Accessing the ECF System and Menu Features

You may file a pleading, motion, or other paper, or view or print a docket sheet or a previously filed document, by connecting to ECF at <u>https://ecf.txnd.uscourts.gov</u>.

The following features are accessible from the blue menu bar at the top of the opening screen to enable you to navigate within ECF.

- ✓ Civil Select "Civil" to electronically file all civil documents.
- ✓ Criminal Select "Criminal" to electronically file all criminal documents.
- ✓ Query Select "Query" to obtain specific case information.

- ✓ Reports Select "Reports" to obtain cases-filed reports and docket sheets.
- ✓ Utilities Select "Utilities" to view your personal transaction log and maintain personal account information.
- ✓ Logout After completing your transactions for a particular session, select "Logout" to exit.

II. ELECTRONIC CASE FILING AND SERVICE OF DOCUMENTS

A. Filing a Civil Complaint

To file a civil complaint, you should follow the procedure on the court's website under <u>Opening a Civil Case / Filing a Complaint</u>.

B. Filing a Pleading, Motion, or Other Paper

To file a pleading, motion, or other paper, you should follow the procedure on the court's website under <u>Filing a Pleading, Motion, or Other Paper</u>.

- 1. When you file a pleading, motion, or other paper, ECF will generate a Notice of Electronic Filing. This notice will be e-mailed to each attorney in the case (including a non-prisoner *pro se* party) who is a registered user. You should review the Notice of Electronic Filing to determine who received electronic service and who you must serve by other means.
- 2. A certificate of service is required even though you file a pleading, motion, or other paper electronically. Sample language for a <u>certificate of service</u> is available on the court's website.

C. Judge's Copy

A "judge's copy" is a paper copy of an original pleading, motion, or other paper submitted for use by the presiding judge. To comply with LR 5.1(b) and LCrR 49.2(b), you must provide the judge's copy according to the requirements found at <u>Judges' Copy Requirements for Electronic Filing</u>.

D. Signature

An example of a signature block that complies with Form 2 of the Fed. R. Civ. P. and our local civil and criminal rules is:

<u>s/ John Doe</u> John Doe Bar Number: 12345 123 Main Street Dallas, TX 75201 E-mail: john_doe@lawfirm.com Telephone: (214) 123-4567 Fax: (214) 123-4567

If you fail to include an "s/" followed by your typed name or graphical signature, it is a deficiency under LR 11.1(b) and LCrR 49.5(b). You can correct this deficiency by filing a <u>Notice of Correction of Signature</u> <u>Omission</u>. The docket event for this notice may be found on both the Civil and Criminal pages of ECF, under "Notices."

E. Fee Payable to the Clerk

To pay a filing fee by credit card or debit card, you should follow the procedure on the court's website under <u>Online Filing Fee Payment Guide</u>.

F. Proposed Order

To satisfy the requirement of LR 7.1(c) or LCrR 47.1(c), you must use the "Proposed Order" event found under "Motions and Related Filings." You must submit a proposed order in word-processing format (e.g., Word or WordPerfect, not PDF).

To serve a copy of the proposed order, you may attach a PDF version as an exhibit to the motion, but this does <u>**not**</u> satisfy the requirement to submit a proposed order to the judge.

G. Selecting an Event Consistent With the Title of the Document

When you file a pleading, motion or other paper, on the Civil menu or Criminal menu, you must select the appropriate category (e.g., "Initial Pleadings and Service," "Motions and Related Filings," "Other Filings"), and then select the event that is most consistent with the title of your document (e.g., Motions, Notices, ADR Documents).

H. When ECF is Down and Other Technical Failures

If you are at risk of missing a deadline because ECF is down, follow the procedures under <u>Emergency Filing Information (if our system is down)</u>. If you are at risk of missing a deadline because your system is down, follow

the procedures under <u>Emergency Filing Information (if your system is</u> <u>down)</u>.

III. FILING OF DOCUMENTS WITH SPECIAL CONSIDERATIONS

A. Document to be Filed Under Seal

To file a pleading, motion, or other paper under seal, you should follow the procedure on the court's website under <u>Filing a Document Under Seal</u>. Access to the document will be immediately restricted consistent with the choices you make when filing the document.

B. *Ex Part*e Document

To file a pleading, motion, or other paper *ex parte*, you should follow the procedure on the court's website under <u>Filing an Ex Parte Document</u>. The Notice of Electronic Filing for an *ex parte* document will be sent only to the presiding judge and the party who submitted the *ex parte* document.

C. Document Granted Leave to File

If you are granted leave to file a document, you must electronically file the document even if it was previously attached as an exhibit to a motion.

D. Non-Documentary or Oversized Object

If you are unable to submit a non-documentary or oversized object electronically because it cannot be converted to PDF due to the physical size or character of the object, you must submit it to the clerk's office for filing.

NOTE: The Clerk's Office will docket a text-only event that describes the non-documentary or oversized object filed. This will generate a Notice of Electronic Filing to all ECF users in the case.

E. Document Larger than the Electronic File Size Limit

The maximum file size for any file is five megabytes. To file a pleading, motion, or other paper larger than five megabytes, you should follow the procedure on the court's website under <u>Filing Large Documents and Adding Attachments</u>.

F. Document to Be Issued by the Clerk

To request the clerk to tax costs, you should use the Bill of Costs event. To request the clerk to issue a clerk's entry of default, you should use the "Request for Clerk's Entry of Default" event and attach the proposed entry of default form to the request. To request the clerk to issue any other type of document (e.g., summons, abstract of judgment, writ of execution, clerk's judgment of default), you should use the "Request for Clerk to Issue Document" event. All of these events are found on the Civil Events page, under "Other Filings," "Other Documents."

G. Consent to Proceed Before a United States Magistrate Judge

To consent to the disposition of a civil case by a United States Magistrate Judge, you must complete the "Consent to Proceed Before U.S. Magistrate Judge" event found under the category "Other Filings." After the event is completed, you and any other party who is set up to receive electronic notice will receive a Notice of Electronic Filing, but the information will not be displayed on the docket sheet unless the presiding judge reassigns the case.

IV. AMENDMENT OF THIS MANUAL

The clerk's office may amend this ECF Administrative Procedures Manual at any time, without prior notice.

V. ECF HELP DESK

If assistance is needed please contact your <u>local clerk's office</u>, or contact the Amarillo ECF Help Desk at 1-800-596-9414, the Dallas ECF Help Desk at 1-866-243-2866, or the Fort Worth ECF Help Desk at 1-800-240-7240.