



## US Court of Appeals for Veterans Claims Frequently Asked Questions

The following are frequently asked questions that our Court and others have experienced while implementing E-Filing. If you have any other questions, please e-mail the Court and we'll try to answer your questions in a timely manner.

### Questions:

- 1. Under the newly expanded CM/ECF system, are EAJA applications still e-mailed?**  
No. Under the Interim E-Rules, EAJA applications are filed through the CM/ECF system. See Interim E-Rule 2(c).
- 2. Are Notices of Appeal filed electronically through CM/ECF?**  
No. Initial filing documents such as Notices of appeal are submitted by email to [esubmission@vetapp.gov](mailto:esubmission@vetapp.gov).
- 3. Are Petitions for Extraordinary Relief filed electronically through CM/ECF?**  
No. Initial filing documents such as Petitions for Extraordinary Relief are to be submitted by email to [esubmission@vetapp.gov](mailto:esubmission@vetapp.gov).
- 4. Must I register before I can file through CM/ECF?**  
Yes. You cannot file through CM/ECF until you register and the Court approves you as a filing user.
- 5. How will I register to be a filer?**  
A CM/ECF password and login will be required to file in CM/ECF. All CM/ECF registration will be handled by this Court. In order to register for an account, the online training for e-filing must be completed and then the Filing User Registration form must be completed and e-mailed to the Court. The form will be used to verify items such as phone numbers and current e-mail address.
- 6. Will CM/ECF be mandatory for CAVC?**  
Yes. Use of the CM/ECF system for filing is, as of October 14, 2008, mandatory for all represented parties. Self represented parties may not file electronically without first obtaining Court approval.
- 7. Will there be any additional fees or charges to register for or to use CM/ECF ?**  
No. There are no additional fees to register for or use CM/ECF.
- 8. How long will it take to register for CM/ECF?**  
The CM/ECF registration form can be completed in a few minutes. Once the form has been emailed to the Court, the Filing User's username and password will be generated in a few hours. In exceptional situations it may take a day. When your registration is complete, you will receive an email from the Court confirming your registration. If you have an emergency and need to file immediately, contact the Clerk's Office Helpline for assistance and directions.



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9. **What is a Notice of Docket Activity?**

A Notice of Docket Activity is an electronic notification generated by the CM/ECF system that is transmitted by email to all parties and representatives for that Case. Notices of Docket Activity will be generated when a party or attorney files a document with the Clerk's Office or when the Court enters an Order or takes other public actions in a case. If you are a CM/ECF Filing User, your receipt of the Notice of Docket Activity will be considered service of that document or order, and registration for the CM/ECF system constitutes consent to receive service through the Notice of Docket Activity. Therefore, when filing through CM/ECF, do not include a Certificate of Service unless the Appellant is a ProSe party. Generally, a NoticeDocket Activity contains a hyperlink back to court's docket sheet and the document in question. When parties receive a Notice of Docket Activity they can click on the document link or docket link and view the activity and any documents related to that activity. See Interim E-Rule 1(a)(6)

10. **Is "/s/" ALONE acceptable for electronic filings?**

No. More information is needed. Specifically, the name and authority of the signatory should appear on a separate line, under the line that sets forth the "/s/" adjacent to the typed name of the signatory. See Interim E-Rule 1(a)(2). You must also maintain a signed copy of the filed document until the appellate process is completed in the case.

11. **What equipment and software will I need for filing in CM/ECF?**

You will need a PC with Windows 2000, Xp or Vista, a good internet connection, a web browser (Internet Explorer 6 or higher), *Adobe Writer* (in addition to Adobe Reader), and *Java Version 6* or higher. Please note that your computer equipment must have Java installed. If you do not have Java on your computer (or if you aren't sure if you do) go to [www.java.com](http://www.java.com). Please consult with your IT Professional if you have any questions.

12. **Will there be any special training or bar membership requirements in order to register and file in CM/ECF?**

Yes. You must be a member of the CAVC's bar in order to register or file a document in a case. There will be a mandatory training module that must be completed before you will be allowed to file.

13. **When will the CM/CF system be available?**

Expanded use of the Court's CM/ECF system commences October 14, 2008. The system is available (except for routine or emergency maintenance), and you should be able to file anytime. Please note that routine maintenance will be established by this Court and that information will be posted once it has been finalized. See Interim E-Rule 12. Filings completed before midnight Eastern Standard Time (with DST Considerations) are deemed filed at the time and date stated on the Notice of Docket Activity generated by CM/ECF. See Interim E-Rule 5(c). Filings received on Saturday, Sunday or federal holidays are considered filed on the next business day. If you experience difficulties, please contact the Clerk's office Helpline during normal business hours (202) 418-File (3452).



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14. **What help will be available for CM/ECF and its usage?**

The Court has developed a series of online electronic training modules for the appellate version of CM/ECF. The modules will include an introduction to CM/ECF, information on Docket reports, and specific instructions on how to file specific docket events. The Training Modules will be available on the Court's web site once they are published. You can also contact the clerk's office for assistance with filing.
15. **Will there be a list of events and categories available?**

Yes. The list of Docketing events and categories is available on the Court's website.
16. **Will I need to send the clerk a paper copy of a document filed through CM/ECF?**

No. E-Filing is intended to eliminate paper filings.
17. **How do I start receiving e-mail notices from CM/ECF?**

You will start receiving e-mail notices from CM/ECF once you have received your CM/ECF login and password and have been added as a participant to a new case.
18. **What is CM/ECF?**

In January 1996, the Administrative Office of the U.S. Courts began development of the Case Management/Electronic Case Filing (CM/ECF) system. CM/ECF is a comprehensive case management system that allows courts to maintain electronic case files and offer electronic filing over the Internet. Courts can make all case information immediately available electronically through the Internet. Eventually, CM/ECF will replace the current case management systems used by the federal courts across the country. The United States Court of Appeals for Veterans Claims implemented the Pilot Program for the Court's E Filing System, November 27, 2007. Expanded implementation of E Filing is effective as of October 14, 2008.
19. **Why Electronic Case Files?**

Judges, court staff, and the public now have the capability to access electronic docket information, case management data and legal research materials. As most documents are now initially created first in electronic form, the federal courts can further reduce the reliance on paper records by establishing electronic case file systems. These systems should enhance the accuracy, management and security of records, reduce delays in the flow of information and achieve cost savings for the judiciary, the bar and litigants.
20. **What are the benefits and features of using CM/ECF?**

There are a number of significant benefits and features: Courts can allow registered attorneys to file documents 24 hours a day, 7 days a week. Reduction of paper, photocopy, postage and courier costs. Full case information is available immediately to attorneys, parties, and the general public through the Internet. This includes the ability to view the full text of all filed documents. Attorneys on the system will receive email notices electronically in CM/ECF cases. This greatly speeds delivery and eliminates the costs to both the court and attorneys of handling and mailing paper notices. Multiple parties can view the same case files simultaneously. Since CM/ECF uses Internet



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standard software, the out-of-pocket cost of participation for attorneys is typically very low.

21. **Who developed CM/ECF?**

Case Management/Electronic Case Filing (CM/ECF) has been developed by the Administrative Office of the United States Courts.

22. **How do I get Help?**

1. Email the Court – [efiling@vetapp.gov](mailto:efiling@vetapp.gov)
2. Call the Court's Efiling Desk – (202) 418-File (3453)