

United States District Court District of Massachusetts



Attorney Handbook

Prepared by the Clerk's Office
United States District Court
District of Massachusetts
Revised August 2008

TABLE OF CONTENTS

Introduction.....	1
Mission Statement.....	2
Alternative Dispute Resolution.....	3
Appeals.....	3
to the First Circuit Court of Appeals.....	3
to the Federal Circuit Court of Appeals.....	4
Apostille.....	4
Authorization for Electronic Devices and Photographic Equipment	5
Bail.....	5
Cash.....	5
Discharge of Mortgage.....	5
Real Estate or Other Real Property as Surety.....	6
Return of Cash Bail.....	6
Bankruptcy.....	6
Appeals to the District Court.....	7
Motion for Leave to Appeal.....	7
Motion for Stay Pending Appeal.....	7
Withdrawal of Reference.....	8
Bar.....	8
Admission.....	8
Certificate of Good Standing.....	8
Courtroom Opportunities for Relatively Inexperienced Attorneys	8
Other Resources.....	9
Pro Bono Program.....	9
Pro Hac Vice Admission.....	9
Re-registration of Attorneys.....	10
Bill of Costs.....	10
CARE Program.....	10
Case Assignment.....	11
Case Files.....	12
Case Information.....	12
Case Numbers: What They Mean.....	13

Central Violations Bureau.	<u>13</u>
Certificate of Service.	<u>14</u>
Certification of Judgment.	<u>14</u>
for Registration in Another Jurisdiction.	<u>14</u>
for Registration in this District of a Judgment Entered in Another Jurisdiction	<u>14</u>
Change of Address.	<u>15</u>
Civil Actions: New.	<u>15</u>
Criminal Justice Act (CJA).	<u>16</u>
Duty Attorney.	<u>16</u>
Panel of Attorneys.	<u>16</u>
Habeas Corpus.	<u>17</u>
Payment.	<u>17</u>
Clerk’s Office Locations and Hours.	<u>17</u>
CM/ECF.	<u>18</u>
Help Desk	<u>19</u>
Limited Access to Certain Case Types.	<u>19</u>
Training.	<u>20</u>
Copy Requests.	<u>21</u>
Corporate Disclosure Statement.	<u>21</u>
Court Calendar (Daily Docket).	<u>21</u>
Court Directory.	<u>21</u>
Courthouse Facilities.	<u>22</u>
Court Reporters.	<u>22</u>
Default Judgment: Standing Order.	<u>22</u>
Directions.	<u>22</u>
Discovery Documents.	<u>22</u>
The Docket Sheet.	<u>22</u>
E-Government Act of 2002	<u>25</u>

Emergency Business:	25
During Normal Business Hours.	25
Outside of Business Hours.	26
Ex Parte Documents.	26
Exemplification Certification.	26
Exhibits: Trial.	27
Federal Public Defender	27
Federal Records Center.	27
Fees.	28
Acceptable Forms of Payment.. . . .	28
pay.gov.	28
Filing by Fax or Email.	28
Form and Signing of Papers.	29
Forms.	29
General Court Orders.	29
Inclement Weather.	29
Indices.	30
Interest Rates.	30
Post-Judgment.	30
Pre-Judgment.	31
Internet.	31
Internet Access in the Courtroom.	31
Interpreters.	32
Judicial Misconduct.	32
Jurisdiction.	33
Jury Information.	33
for Attorneys.	33
for Jurors.	33
Legal Holidays and Observances.	33

Length of Memoranda.....	34
Liens.....	34
Abstracts of Judgment.....	34
IRS.....	34
Other.....	34
Lobby Box.....	35
Local Rules.....	35
Medical Records.....	35
Miscellaneous Business Docket.....	35
Multidistrict Litigation.....	36
Naturalization.....	37
Opinions Search.....	37
PACER.....	37
Presentation Equipment.....	38
Privacy.....	38
Pro Se Litigation.....	38
Quality Assurance.....	38
Qui Tam (Whistle Blower or False Claim Act) Cases.....	39
Redaction of Hidden Text and Metadata.....	39
Registry Funds.....	39
Deposit of Money into the Registry of the Court.....	39
Requests for Extension of Time.....	39
Requests for Hearing.....	40
Sealed or Impounded Documents.....	40
Purging by the Clerk's Office.....	40
Security.....	41
Summons.....	41
Civil Action.....	41
Service on U.S. Government.....	42

Subpoena.	42
Civil.	42
Criminal.	42
Supersedeas Bond	42
Taxation of Costs.	42
Transcripts.	43
Ordering.	43
Transcript Redaction Policy.	43
Trustee Process.	43
from an Action Filed in Another Jurisdiction.	43
from an Action Filed in this District.	44
U.S. Party Case Index.	44
Writ of Attachment.	44
Writ of Execution.	45
From a Judgment Entered in Another Jurisdiction	45
From a Judgment Entered in This District.	45

APPENDIX

QUICK RULE REFERENCE.	Appendix 1
SAMPLE CIVIL DOCKET.	Appendix 2
TYPICAL PROCEDURES AND REQUIRED FORMS	Appendix 3
2008-2011 LEGAL HOLIDAYS AND OBSERVANCES	Appendix 4
CENTRAL VIOLATIONS BUREAU.	Appendix 5
GLOSSARY OF LOCAL TERMS AND ACRONYMS	Appendix 6
SEARCH GUIDELINES.	Appendix 7

INDEX

INTRODUCTION

This Handbook is intended to provide the public and the Bar of the United States District Court for the District of Massachusetts with information needed to conduct business with the Court. We hope that this reference guide will answer any questions that you may have concerning such areas as preparation of documents, federal holidays, addresses, and contact information for all sections of the Court. We believe that this Handbook, when used in conjunction with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and the Local Rules for the District of Massachusetts, will not only be beneficial to those already familiar with the Court, but also to the paralegals, administrative assistants, and pro se litigants who have had little or no contact with the Federal Court system. Although we have made every effort to provide the most current and accurate information possible, if there is any conflict between this Handbook and the Local or Federal Rules of Procedure, then the Rules shall govern.

My staff and I will do everything possible to ensure prompt and efficient service. We are here to answer any questions that you may have, so please feel free to contact us for assistance. We welcome any comments or suggestions for improving this Handbook.

Please forward your comments to our online comment form at www.mad.uscourts.gov.

Sarah Allison Thornton
Clerk of Court

MISSION STATEMENT

We, the staff of the Clerk's Office, are dedicated to providing access to an impartial forum for the resolution of disputes, through prompt service to the Court, members of the bar, and the public. Our services include processing civil and criminal cases, maintaining records, assembling juries, disseminating information on the activities of the Court, and providing other administrative and management support to the Court and its affiliates.

We take pride in working as a team, and pledge to :

- Perform our duties with courtesy, respect, equality and fairness, in an accurate and knowledgeable fashion;
- Maintain the highest standards of professionalism and ethics, in compliance with the governing rules and regulations;
- Strive to improve the quality of our services, thereby promoting public trust and confidence in the judicial system; and
- Encourage education and pursue training programs to adapt to the growing needs of the Court and the public, in response to technological advances and innovations in the law.

**Alternative
Dispute
Resolution**

The Alternative Dispute Resolution Act of 1998 requires that each district court authorize the use of Alternative Dispute Resolution (ADR) in all civil actions including adversary proceedings in bankruptcy. 28 U.S.C. § 651 *et seq.*

Parties in all civil cases are encouraged to participate in at least one of the ADR programs that are available through this Court. ADR options are designed so that the parties can adopt or adjust an existing program to one which will meet the needs of their dispute. Unless otherwise agreed upon, these programs are non-binding. The parties are not required to accept any results or recommendations. Except for special masters and private providers of ADR services, the programs available through the Court are without cost to the participants.

A majority of the cases referred to ADR are assigned to the Senior Judges and Magistrate Judges of this Court. Documents submitted in conjunction with the ADR process are NOT part of the record, and if submitted through the Clerk's Office, must be identified as ADR-related documents so that the Clerk will not include the filing on the Court's docket.

NOTE: ADR documents are NOT to be filed electronically.

Contact: ADR Program Coordinator at 617-748-4140

**Appeals: to the
First Circuit Court
of Appeals**

The Notice of Appeal is filed with the District Court Clerk's Office. The filing fee (found on the [fee schedule](#)) is paid to the Clerk of the District Court. The filing party is directed to the Court of Appeals' website to obtain the [Transcript Report/Order Form and Instructions](#).

The Clerk's Office is responsible for transmitting the appeal and record to the First Circuit. The Clerk's Office generally transmits the record to the Court of Appeals within 21 days, unless requested earlier by the Court of Appeals.

Contact: Appeals Coordinator at 617-748-9154

Appeals: to the Federal Circuit Court of Appeals

The [Federal Circuit Court of Appeals](#) has nationwide jurisdiction in a variety of subject areas including but not limited to international trade, government contracts, patents, trademarks, certain money claims against the United States government, federal personnel, and veterans' benefits.

Notices of appeal to the Federal Circuit Court of Appeals are processed by the Clerk's Office in the same manner as Notices of Appeal to the First Circuit Court of Appeals, except that the Federal Circuit does not require the transmission of the record from this Court.

The [filing fee](#) is the same amount that is due for appeals to the First Circuit Court of Appeals.

Contact: Appeals Coordinator at 617-748-9154

Apostille

In 1981, the United States ratified the Convention Abolishing the Requirement of Legalization for Foreign Public Documents. The purpose of the Convention is to simplify the procedures by which official documents of one country are authenticated for use in another country. The effect of the Convention is to eliminate the chain of certification, replete with red tape and seals, and to substitute a simple, single certification known as an apostille.

In each country adopting the Convention, an office or authority has been designated to certify documents, for the purpose of the Convention, for use in other countries which have also adopted the Convention. Clerks of Court and deputy clerks are the officials authorized under the Convention to issue certificates in this country relating to the official records maintained in the District Court.

A fee is charged for the apostille in accordance with the Judicial Conference [Schedule of Fees](#). The fee for the apostille is added to any fee imposed for copying and certifying the underlying documents.

Contact: Customer Service staff at 617-748-9152

Authorization for Electronic Devices and Photographic Equipment (Moakley Courthouse)

Persons other than attorneys wishing to bring electronic devices and photographic equipment into the Moakley Courthouse for use in Court proceedings may complete the [authorization form](#) found on the Court's website. The completed form should be forwarded to the courtroom deputy clerk assigned to the presiding Judicial Officer for approval, at least two days prior to the scheduled proceeding. If approved, that deputy clerk will sign the form and deliver it to the Court Security Officers.

Contact: the [docket or courtroom deputy clerk](#) assigned to the presiding Judicial Officer

Bail: Cash

If a cash bail or other form of collateral, other than real property, is set as a condition of release, the courtroom deputy clerk will coordinate with the financial office for the payment of the funds or posting of the collateral and execution of the appropriate forms regarding posting of surety. A person depositing funds on behalf of a defendant will also be required to execute an affidavit (available from the Clerk's Office) regarding the deposit of cash. A deputy clerk, usually from the financial office, will witness the signing and provide a copy of the affidavit, along with a numbered receipt, to the person depositing the funds.

The affidavit also includes information regarding the procedure to be followed for return of the bail money upon completion of the case

The preferred method of payment for a cash bail is a cashier's check. Payment of bail by cash is not encouraged. If the Clerk's Office receives a cash payment over \$10,000, IRS Form 8300 will be executed and filed with the Internal Revenue Service.

Funds deposited into the Registry of the Court in connection with a criminal proceeding will not be invested without an order of the Court.

Contact: Financial Manager at 617-748-9134

Bail: Discharge of Mortgage

Once the criminal case is terminated or the defendant is incarcerated pending trial, the surety may request, by motion, that the bond be exonerated. Upon allowance of the motion, a Discharge of Mortgage will be prepared by the Clerk's Office for the Clerk's signature. This document may then be filed by the surety with the Registry of Deeds.

See also, [Bail: Return of Cash Bail](#)

Contact: Operations Supervisor at 617-748-9179

Bail: Real Estate or Other Real Property as Surety

Real estate may be posted as security for bail when allowed by the Court. Documents ([Procedures for Posting of Real Property](#), and samples of an [Escrow Agreement](#) and [Mortgage](#)) are available in the Clerk’s Office and on the Court’s website detailing the necessary procedures.

In some instances where real property is to be posted as collateral, an Agreement to Forfeit Property (AO100) is executed by the defendant and sureties/owners of the property. This may be the only document to be executed, at the direction of the presiding Judicial Officer, for security of the property or it may be executed to allow the defendant to be released while the parties prepare the papers necessary for recording and filing of the mortgage, escrow agreement, and quitclaim deed.

If collateral other than cash or real estate is posted, an appropriate receipt form will be issued to the owner of the collateral by the deputy clerk accepting it. This security, with approval of the Court, may be in the form of a bank account passbook, certificates of deposit, stock certificates, etc.

Contact: Operations Supervisor at 617-748-9179

Bail: Return of Cash Bail

Upon disposition of the case a Motion for Release of Bail shall be filed with the Court. If a cash deposit is to be returned to someone other than the original depositor, the “assignment of bail” section of the original bail affidavit (signed when the bail was posted) shall be completed, notarized, and filed (electronically) with the motion.

A refund in the form of a U.S. Treasury check should be available within seven (7) working days after receipt of a Court order directing release of funds. The refund will be sent via certified mail to the address indicated on the receipt, or the owner can make arrangements to pick up the check at the Clerk’s Office. Photo identification must be presented if the check is picked up in the Clerk’s Office.

Contact: Staff in the Financial Office at 617-748-9136

Bankruptcy

Matters arising under Title 11 of the United States Code are presented to the Bankruptcy Court, which routinely adjudicates the issues presented. This automatic reference is made pursuant to 28 U.S.C. § 157(a) and Local Rule 201.

**Bankruptcy:
Appeals to the
District Court**

The District Court's jurisdiction over appeals from decisions of the Bankruptcy Court is created by 28 U.S.C. § 158(a). The Notice of Appeal from a ruling of a bankruptcy judge shall be filed in the Bankruptcy Court, along with the filing fee payable to, "Clerk, United States Bankruptcy Court."

The appellant must elect, at the time the notice of appeal is filed, to proceed before the District Court on appeal. If no election is made, then the case shall be transmitted to the Bankruptcy Appellate Panel for further proceedings.

If the appellant elects to proceed before this Court, then the Bankruptcy Clerk shall transmit the record to the District Court Clerk's office where it shall be assigned to a judge by random draw, and given a District Court civil case number. Bankruptcy Appeals are assigned a civil action number in the District Court. Multiple appeals arising from the same bankruptcy action shall be assigned separate case numbers, but shall be assigned to the same district judge, absent an order of the Court.

Contact: Customer Service Supervisor at 617-748-9124

**Bankruptcy:
Motion for Leave
to Appeal**

A Motion for Leave to Appeal shall be filed in the Bankruptcy Court. That Court will forward the necessary record to the District Court. These motions are assigned a civil action number. Should the motion be allowed, all subsequent papers (including the Notice of Appeal) will be filed in that civil action.

Contact: Customer Service Supervisor at 617-748-9124

**Bankruptcy:
Motion for Stay
Pending Appeal**

A Motion for Stay Pending Appeal of a Bankruptcy Court Order is filed with the Bankruptcy Court and then transmitted by that Court to the District Court Clerk, who assigns the motion a civil action number. When the appeal is later transmitted to the District Court, it is assigned the same case number as the previously filed motion for stay.

NOTE: If the motion is an emergency motion, file the original motion in the Bankruptcy Court with a courtesy copy to the District Court. Contact the Customer Service Supervisor prior to filing such an emergency motion.

Contact: Customer Service Supervisor at 617-748-9124

**Bankruptcy:
Withdrawal of
Reference**

In matters in which a statute provides for trial before a district judge, counsel may request that reference to the Bankruptcy Court be withdrawn and that the matter be heard in the District Court. In that situation, file the application or motion with the Bankruptcy Court, which in turn shall transmit it to the District Court. A civil action number shall be assigned and a district judge shall be chosen by random draw. If the District Court grants the motion to withdraw the reference, then the case shall proceed in the District Court in the usual manner.

Contact: Customer Service Supervisor at 617-748-9124

Bar: Admission

[Applications for admission](#) to the bar of this Court are available in the Clerk's Office and on the Court's website. The application fee, found on the [fee schedule](#), is payable at the time of the admission ceremony. The monthly admissions ceremonies in Boston are usually held within 4-6 weeks of the filing of the application and are conducted on a regular basis. Ceremonies are also conducted in Springfield and Worcester, usually twice per year.

The requirements for admission to the Bar of this Court are found in Local Rule 83.5.1(a).

Contact: Bar Liaison at 617-748-9165

**Bar: Certificate of
Good Standing**

Requests for a Certificate of Good Standing shall be made to the District Court Bar Clerk. The fee for a certificate is available on the [fee schedule](#).

Contact: Bar Liaison at 617-748-9165

**Bar: Courtroom
Opportunities for
Relatively
Inexperienced
Attorneys**

Judge F. Dennis Saylor IV and Magistrate Judge Timothy S. Hillman entered a Standing Order on November 2, 2006 regarding the appearance of inexperienced attorneys in proceedings before them. That order states, in part:

"Courtroom opportunities for relatively inexperienced attorneys, particularly those who practice at larger firms, have declined precipitously across the nation in recent years. That decline is due to a variety of factors, but has been exacerbated by the proliferation of rules and orders requiring the appearance of "lead" counsel in many court proceedings.

In an effort to counter that trend, the undersigned District Judge and Magistrate Judge, as a matter of policy, strongly encourage the participation of relatively inexperienced attorneys in all court proceedings."

Bar: Other Resources

The Massachusetts Continuing Legal Education Institution (MCLE) sponsors a seminar and publication titled Federal Court Judicial Forum, which is usually held once a year. Also, the MCLE publishes *The District Court Speaks*, a survey of judicial preferences for the judges of this Court. These reference materials are available through MCLE.

Bar: Pro Bono Program

The Court's *pro bono* program has been in operation since 1982. The *Pro Se* Lead Staff Attorney coordinates this program that secures volunteer attorneys to represent indigent litigants in civil cases when allowed by the Court.

The Court's *pro bono* program continues to be an excellent means by which lawyers can meet their professional obligation to provide *pro bono* services and gain meaningful experience in federal court. Attorneys who accept appointment as *pro bono* counsel in the Court have the opportunity to develop significant case management, discovery, motion practice, and trial skills.

Every year, the Court grants an average of ten motions for appointment of counsel filed by *pro se* litigants in civil actions. The Court's *Pro Bono* coordinators circulate the list of cases available for appointment of *pro bono* counsel among attorneys who have expressed an interest in the program. While most of the cases approved for the appointment of *pro bono* counsel are brought by prisoners, there is also a need for *pro bono* representation in non-prisoner actions.

The Court shall reimburse *pro bono* attorneys up to \$5,000 per case for expenses.

Contact: *Pro Se* Lead Staff Attorney at 617-748-9559

Bar: Pro Hac Vice Admission

Any attorney wishing to be admitted to the bar of this Court *pro hac vice* must first make a motion to do so. This motion shall be filed in each case in which the attorney seeks to be admitted *pro hac vice*. This motion shall be signed by a member in good standing of the bar of this Court. The motion cannot be filed by the attorney seeking admission. The motion must also be accompanied by a certificate stating that he is a member in good standing of the Bar in every jurisdiction in which he has been admitted to practice. A filing fee is required for each attorney seeking admission before the motion will be entertained by the Court. (Refer to Local Rule 83.5.3). The filing fee may be found on the Court's [fee schedule](#), and is not refundable should the motion be denied.

Contact: Bar Liaison at 617-748-9165

**Bar:
Re-registration of
Attorneys**

As part of the Clerk’s Office’s preparation for the implementation of electronic case filing in 2003, the Court updated its computerized attorney database. In order to update its roll of admitted attorneys, the Court directed the Clerk to send re-registration applications to all Massachusetts attorneys in the Court’s database. Please see the [Notice](#) of March 4, 2003, found on the Court’s website, which explains the re-registration process.

At this time, the re-registration is a one-time-only event. If an attorney has re-registered or has been admitted to the bar of this Court on or after January 1, 2003, there is no need for re-registration.

Attorneys admitted prior to January 1, 2003 who have not re-registered are considered inactive and are not permitted to practice in this Court until such time as the attorney has re-registered.

[Re-registration forms](#) may be found on the Court’s website.

Contact: Bar Liaison at 617-748-9165

Bill of Costs

The Court has adopted a standard for the taxation of bills of costs. A [document](#) is available on the Court’s website and in the Clerk’s Office itemizing these standards.

CARE Program

The CARE program is a locally developed pilot program to aid probationers. CARE is an acronym for “Court Assisted Recovery Effort.” This program is an effort by the Court to actively oversee defendants under the supervision of the Probation Office. The program is one of the first of its kind in a federal court in the United States. CARE aims to decrease recidivism and help persons convicted of crimes by combating drug addiction through a unique partnership among various participants in the criminal justice system.

Case Assignment

Civil and criminal cases are assigned pursuant to the guidelines of Local Rule 40.1, using an automated, random draw system. Local Rule 40.1 divides the assignment system for civil cases into five categories based on the nature of suit selected by the attorney on the Civil Cover Sheet (JS44) and the local Civil Category sheet, and into three categories for criminal cases based on the anticipated, combined length of trial and motion days.

A magistrate judge shall be selected for every civil case drawn to a district judge, should an Order of Reference be entered in the future.

Here is an example of the docket entry for the notice of case assignment:

ELECTRONIC NOTICE of Case Assignment. Judge Reginald C. Lindsay assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler

Senior district judges have the option to be included in the random draw of all cases, or be limited by nature of suit and category. Senior judges may choose to be included in the draw for specific periods of time.

As of January 2008, the magistrate judges sitting in the Eastern and Central divisions of this District were added to the random draw of civil cases as part of a two year pilot program. If a case is randomly assigned to a magistrate judge, the parties will receive information from the Clerk’s Office regarding the procedures to consent or refuse the magistrate judge’s jurisdiction. (See the [General Order](#) dated December 4, 2007 on the Court’s website.)

In the Western Division, all civil actions are assigned by random draw to Judge Ponsor or Magistrate Judge Neiman at the time of filing. All parties in a case drawn to Magistrate Judge Neiman must consent to proceed before a magistrate judge.

Contact: Operations Supervisor (Boston cases) at 617-748-9179
Clerk’s Office (Springfield cases) at 413-785-6800
Clerk’s Office (Worcester cases) at 508-929-9900

Case Files

The vast majority of documents filed on paper since May 2003 have been filed electronically in the Court’s CM/ECF system and are available through PACER or at the Clerk’s Office through public terminals. Public documents filed on paper, but not scanned into the Court’s CM/ECF system, are maintained in the Clerk’s Office where the case is pending. These paper files are available in the Clerk’s Office during normal

(continued on next page)

Case Files
(continued)

business hours. However, a paper case file may be unavailable if a judicial officer or a member of his/her staff is actively working with it. If a paper case file is needed urgently, contact the appropriate Clerk’s Office at one of the numbers below. It may be possible to retrieve the paper file from chambers for a short period of time.

The Clerk’s Office archives paper files for both civil and criminal cases every year. Any case closed for three years or more, with no pending appeal or other post judgment issue, is considered eligible for archiving. Paper case files meeting this criteria are boxed and shipped to the Federal Records Center in Waltham, Massachusetts.

There is a fee, found on the Court’s [fee schedule](#), to retrieve a record from the Federal Records Center or National Archives.

Contact: Customer Service Staff (Boston cases) at 617-748-9152
Clerk’s Office (Springfield cases) at 413-785-6800
Clerk’s Office (Worcester cases) at 508-929-9900

Case Information

The best source of case-specific information is the [docket or courtroom deputy clerk](#) for the judicial officer assigned to the case. If that individual is not available, leave a message on voice mail. The deputy clerk will return the call as soon as possible.

If the question is urgent, do not hesitate to contact management staff in the Operations Section of the Clerk’s Office.

If the question is general in nature, anyone in the Clerk’s Office will be able to assist the caller or will find someone who can. Unless specifically directed to do so, attorneys and the public are asked NOT to contact chambers.

**Case Numbers:
What They Mean**

A case number is assigned sequentially to every action filed in the Court. The case number consists of the office (division) code, year filed, docket type, docket number and judge assignment. For example, 3:08CV10094-MAP is a civil action, pending in the Western Division and assigned to Judge Michael A. Ponsor.

Criminal case numbers also may include the defendant number. This number is assigned by the case management system to each defendant in the order in which the defendant was listed on the charging instrument (complaint, indictment, etc.) This order is not changed by the filing of any superseding charges unless directed by the Court. An example of a criminal case number is 1:08CR10234-WGY. An example of a criminal case number including a defendant number is 1:08CR10234-002-WGY.

OFFICE CODES:

- 1 Eastern Division (Boston)
- 3 Western Division (Springfield)
- 4 Central Division (Worcester)

DOCKET TYPES:

- CV Civil
- CR Criminal
- MC Miscellaneous Business Docket (MBD)
- MJ Magistrate Judge
- MD Multidistrict Litigation

JUDICIAL OFFICERS:

A list of the judicial officers may be found on the Court's [website](#).

**Central Violations
Bureau**

The Central Violations Bureau (CVB) is a national center responsible for processing violation notices (tickets) issued and payments received for petty offenses committed on federal property. More information on CVB matters in this Court may be found in the [appendix](#) of this guide or on the [Central Violations Bureau's](#) website.

Contact: Assistant Operations Manager at 617-748-4012

Certificate of Service

Unless exempt or otherwise ordered by the Court, all pleadings and other papers shall be served on other parties by electronic means. Any pleading or other paper served by electronic means shall bear a certificate of service in accordance with Local Rule 5.2(b) stating that the document has been filed electronically and that it will be served electronically to registered ECF participants and by sending paper copies to non-registered participants as indicated on the NEF.

Example:

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on (date).

Certification of Judgment: for Registration in Another Jurisdiction

To register a judgment of this Court in another jurisdiction, obtain a [Certification of Judgment for Registration in Another Jurisdiction](#) (form AO451). The fee for issuing a Certification of Judgment is available in the [fee schedule](#).

NOTE: The Clerk does not have the authority to issue a Certification of Judgment if any motion or appeal is pending that may alter or vacate the judgment.

Contact: The [docket or courtroom deputy clerk](#) assigned to the presiding judicial officer.

Certification of Judgment: for Registration in this District of a Judgment Entered in Another Jurisdiction

To register a judgment from another jurisdiction in this Court, obtain a Certification of Judgment for Registration in Another Jurisdiction (form AO451) from the Court in which judgment entered.

Submit that document, with the [case filing fee](#) to the MBD clerk in this District for processing.

Contact: Miscellaneous Business Clerk at 617-748-9123

**Change of
Address**

See Local Rule 83.5.2.

Attorneys with access to the CM/ECF system are responsible for the maintenance of their contact information (firm, street and e-mail addresses) in the CM/ECF database.

NOTE: Due to system configurations, attorneys may not always be able to change firm and street address information in the ECF database. If this is the case, contact the Clerk's Office for assistance, or send a written request to the Bar Liaison.

There is no standard form for this document.

Contact: Bar Liaison at 617-748-9165

**Civil Actions:
New**

New civil actions are filed electronically, through CM/ECF, except for those cases exempted by Local Rule 5.4 (sealed cases, *qui tam* actions). The [filing fee](#) for a new case will be paid through CM/ECF using the Treasury Department's pay.gov service.

Every new civil action shall include a signed complaint or other initiating document, the appropriate filing fee (or an application to proceed *in forma pauperis* or a seaman's affidavit), a JS44 cover sheet and the Court's local filing category form. The two cover sheets are both available on the [Court's website](#).

Criminal Justice Act (CJA): Duty Attorney

The Criminal Justice Act Duty Attorney program began in January 2004 as a pilot program in the Boston Courthouse, and is now a permanent program approved by the Court. This program was implemented to provide for the appointment of counsel in criminal cases before defendants are interviewed by Pretrial Services and before an initial appearance is conducted. Under this program, the Federal Defender Office (FDO) and the Criminal Justice Act (CJA) Board will each furnish one duty attorney who will be present in the Boston Courthouse during business hours, or who are available by telephone and can be present at the Courthouse within thirty minutes.

The Federal Defender coordinates the assignment of the daily duty attorney for the FDO while the Clerk's Office coordinates the assignment of a CJA attorney for each working day. The Clerk's Office also provides a monthly calendar to Court staff, the FDO, and Boston CJA attorneys. In some instances when the FDO does not have an attorney available, currently on Fridays, the Clerk's Office will arrange for a back up CJA attorney for that day.

Contact: Administrative Assistant to the Clerk at 617-748-9165
CJA duty attorney (Room 3-410) at 617-737-0467
FDO (Room 7-412) at 617-699-5595

CJA: Panel of Attorneys

For instances in which the Federal Defender is unable to represent an indigent person, the Court has established a list of private attorneys who have indicated a willingness to accept CJA appointments. The attorneys are appointed for three year terms which are renewable. The Court has separate lists for appointments in each of its offices (Boston, Worcester and Springfield). As part of the Local CJA Plan, the Court has established minimum eligibility requirements to become panel members. These requirements are set forth in the Plan and are included in the annual notice soliciting applications for the panel. The Notice and Application are available on the Court's public [website](#). A defendant may not choose the counsel who shall provide representation, but may state any objection he or she may have to counsel whose appointment is under consideration. Appointment of counsel may be made retroactive to include representation furnished pursuant to the Plan prior to appointment. The Judicial Officer shall appoint separate counsel for defendants having interests that cannot be represented by the same counsel or when other good cause is shown.

(continued on next page)

CJA: Panel of Attorneys
(continued)

Requirements for panel membership may be found on the Court's [website](#).

[Applications](#) for the panel are solicited once a year, generally in June. The application period is announced in Lawyers Weekly and on the Court's website.

The District Court has established a panel of attorneys with *habeas corpus* experience, as a pilot program, who would be eligible to receive appointments in such cases.

Contact: Operations Manager at 617-748-4428

CJA: Payment

Detailed [instructions](#) on completing the CJA vouchers to request payment for services rendered may be found on the Court's website.

Contact: Financial Manager at 617-748-9134

Clerk's Office Locations and Hours

The District of Massachusetts constitutes one judicial district with three divisions.

The Eastern Division has its office in Boston:

<p style="text-align: center;">BOSTON (Main Office) Hours 8:30AM - 5:00PM Monday - Friday Lobby box available 7:00 a.m. to 6:00 p.m.</p> <p style="text-align: center;">John Joseph Moakley United States Courthouse Suite 2300 1 Courthouse Way Boston, MA 02210 Main Number: 617-748-9152</p>
--

(continued on next page)

**Clerk's Office
Organization,
Locations and
Hours (continued)**

The Central Division has its office in Worcester:

WORCESTER
Hours 8:30AM - 5:00PM Monday - Friday
Lobby Box available 7:30 a.m. - 5:00 p.m.

Harold D. Donohue Federal Building
595 Main Street - Rm 502
Worcester, MA 01608
Main Number: 508-992-9900

The Western Division has its office in Springfield:

SPRINGFIELD
Hours 8:00AM - 4:40PM Monday - Friday
Lobby Box available 6:15 a.m. - 5:45 p.m.

Federal Building and Courthouse
300 State Street
Springfield, MA 01105
Main Number: 413-785-6800

CM/ECF

The District Court for the District of Massachusetts uses an electronic case filing system (CM/ECF or Case Management/Electronic Case Files system). Attorneys and *pro se* litigants are directed to two publications on the use of this system: the [Administrative Procedures Guide](#) and the CM/ECF [User's Manual](#) which are both available on the Court's website.

Local Rule 5.4, effective January 1, 2006, mandates the use of CM/ECF for the filing of most documents. The following types of documents are exempt from that Rule:

- sealed documents;
- *ex parte* motions;
- documents generated as part of an alternative dispute resolution (ADR) process;
- the administrative record in social security and other administrative proceedings;
- the state court record in proceedings under 28 U.S.C. § 2254; and
- such other types of documents as the Clerk may direct in the ECF Administrative Procedures.

CM/ECF: Help Desk

The Clerk's Office maintains a CM/ECF Help desk available by telephone or by e-mail. These services are staffed every business day between 8:30AM and 4:00PM.

Attorneys are also encouraged to contact the deputy clerks assigned to the case's presiding Judicial Officer to answer any case-specific questions.

Contact: Help Desk Staff by telephone (toll free) at 866-239-6233 or by email at ecfhelp@mad.uscourts.gov

CM/ECF: Limited Access to Certain Case Types

The Judicial Conference has approved a policy on privacy and public access to certain case types.

Online access to most documents in social security, immigration and naturalization cases is limited to counsel of record only. All documents (except those filed under seal) are available for review at public terminals in the Office of the Clerk, but only the docket is available through PACER.

As of December 1, 2007, Rule 5.2(c)(2)(B) of the FRCvP went into effect allowing electronic access to opinions, orders and judgments in these cases.

CM/ECF: Training The Clerk's Office provides several options for training on electronic filing including hands-on training sessions, computer based training modules on the Court's [website](#), and assistance to trainers working in law firms and other legal organizations. The training sessions are open to attorneys, their support staff, and trainers.

Hands-On Training

Hands-on training for attorneys and their support staff is offered in all three Clerk's Offices in the District. A training session lasts approximately (90) minutes. The training provides attorneys and/or their staff with the knowledge necessary to file pleadings which have been converted to Portable Document Format (PDF) and to retrieve electronically filed documents. Advance registration is required.

Schedule

Check the Court's [website](#) for the schedule of classes and availability.

Computer Based Training Modules

The CM/ECF computer-based training modules are available on the Court's [website](#), and are designed for attorneys and law firm staff interested in learning how to use the CM/ECF system. Through guided practice, using simulated CM/ECF screens and actions, users will learn how to file pleadings and other materials using the CM/ECF system.

For Designated Trainers

The Clerk's Office will work with individuals from law firms and organizations who will be responsible for training their own staff on the use of CM/ECF. Contact the Training & Quality Assurance Coordinator for a suggested curriculum, PDF files used by the Court's trainers, and logins and passwords to the Court's training database.

Contact: Training & QA Coordinator at 617-748-9166

Copy Requests

The vast majority of documents filed on paper since May 2003 have been filed electronically in the Court’s CM/ECF system, and are available through PACER or at the Clerk’s Office through public terminals.

All requests for documents shall be made in writing to the Clerk’s Office where the case is pending. It is the goal of the Clerk’s Office to fill all requests within 72 hours of receipt. If the paper case file is with a Judicial Officer, there may be a delay in filling the request if the document is only available on paper. The Clerk’s Office will contact the requestor to explain any delay.

The charge for searching for a case number or copying documents is available on the Court’s [fee schedule](#).

The Administrative Office of the United States Courts has set specific guidelines, available in the [appendix](#), for all such records searches.

Contact: Customer Service Staff (Boston cases) at 617-748-9152
Clerk’s Office (Springfield cases) at 413-785-6800
Clerk’s Office (Worcester cases) at 508-929-9900

Corporate Disclosure Statement

Local Rules 7.2 and 112.4 require that a non-governmental, corporate party to a civil action or criminal proceeding in this Court shall file (through CM/ECF) a statement identifying any parent corporation and any publicly held company that owns 10% or more of the party's stock.

Court Calendar (Daily Docket)

The [daily calendar](#) (daily docket) is compiled by the Clerk’s Office every afternoon, usually by 3:00 p.m., for the next day’s Court schedule. The calendar for each office in the District is available on the Court’s website, in the Clerk’s Office and on bulletin boards posted throughout the courthouses.

Hearings and other matters may be added or canceled after the calendar has been posted. The calendar may not be updated to reflect these changes. Questions regarding scheduled or canceled hearings should be addressed to the [courtroom deputy or docket clerk](#) for the presiding Judicial Officer.

Court Directory

A [telephone directory](#) of all Clerk’s Office personnel is available in the Clerk’s Office and on the Court’s website. The directory is updated quarterly.

Courthouse Facilities

Every Judicial Officer is assigned his or her own courtroom. Information for each Judicial Officer, assigned courtroom deputy clerk, and usual courtroom assignment is available on the Court's [website](#). On occasion, a Judicial Officer may sit in a different courtroom - check the daily calendar or with the Clerk's Office if there is any doubt.

On occasion, Judges from other jurisdictions or agencies (e.g., administrative law judges) may use space in the courthouse to conduct official proceedings.

The District Court does not provide space for depositions or case-related attorney conferences.

Court Reporters

An official court reporter is assigned to each district judge. The court reporter supervisor coordinates coverage. The [rates](#) are available on the Court's website.

See also, [Transcript Redaction Policy](#) and [Transcripts: Ordering](#).

Contact: Court Reporter Supervisor at 617-748-9167

Default Judgment: Standing Order

The Clerk's Office shall enter a Standing Order Regarding Motions for Default Judgment following the issuance of a Notice of Default. A sample copy of the [Standing Order](#) may be found on the Court's website.

Directions

[Directions](#) to the courthouses are available on the Court's website. Please note that the directions provided are as accurate as possible. All users are encouraged to check with on-line navigation services to verify the accuracy of the directions or changes to traffic patterns.

Discovery Documents

As a matter of course, discovery shall not be filed with the District Court except in relation to a Motion to Compel, Motion for Summary Judgment or other similar proceedings. Requests for production, requests for admissions, and answers to interrogatories should not be filed with the District Court.

The Docket Sheet

All dockets for all cases in the District are maintained in the CM/ECF (Case Management/Electronic Case Files) database. A sample docket may be found in the [appendix](#) of this guide. This information is used by the Court for case management, calendaring, and statistical reporting. The dockets are also used by the PACER system and are updated as soon as the CM/ECF docket is updated. (continued on next page)

The Docket Sheet
(continued)

At the top of the civil docket is the basic case information: current judge assignment, any pending magistrate judge referral, filed date, cause of action (US Code), jury demand, etc. Also at the top of the docket may be words or abbreviations, referred to by this office as ‘flags.’ The flags are sometimes clues to the status of the case - flags include ‘CLOSED’, MAGREF (pending referral to a magistrate judge), APPEAL, PRIOR (criminal only - this means that the case started as a complaint prior to indictment), and ADR (referred to Alternate Dispute Resolution).

A complete list of the flags used by this Court and their definitions may be found on the Court’s CM/ECF login screen under the link for ‘Court Information.’

The next part of the docket sheet is straightforward. Each party is listed on the front page(s) of the docket, including any alias information such as ‘also known as,’ and ‘doing business as.’ Other identifying information regarding specific parties, such as ‘individually and in his official capacity’ is also included if it is listed in the caption of the complaint.

Listed next to each party (in both civil and criminal cases) is the name and contact information of any attorney who has made an appearance for that party.

NOTE: The Clerk’s Office is not required to add an attorney to the front of the docket for notice purposes without the formal filing of a separate notice of appearance. Other than the filing of the complaint, the mere filing of a document does not constitute an appearance (or change of address) of an attorney for a party in a case.

ABC CORPORATION, a Washington corporation Plaintiff	John Flynn Mary Doyle Flynn & Doyle One Beacon Street Boston, MA 02108 617-555-1401
v.	
GEORGE SMITH ENTERPRISES, INC. dba INTERNET EXPRESS Defendant	Jane Purpura Shear Green LLP Two Hundred Temple Street Philadelphia, PA

(continued on next page)

The Docket Sheet
(Continued)

In criminal matters, other non-defendant parties are added to the docket when necessary. An individual or entity filing a motion in a criminal case would be added to the docket as an interested party, movant, etc.

Should proceedings arise in a criminal case involving a material witness, that party is added to the docket as a material witness, and the immediate proceedings related to that party would be docketed in that criminal action.

Docket entries all follow the same basic format. The far left column contains the date upon which the document was filed in the Court, the date of the order of the Court, or the date upon which an in-court proceeding was held.

The next column from the left contains the document number assigned by the computer for that document. If no document number is assigned then that column will be blank. If a document number appears as a hyperlink (example: 220), then a PDF document is attached and may be viewed through PACER. If a number is shown with no hyperlink, then the document exists in paper form only and may or not be available in the Clerk's Office, depending on the nature of the document.

The final column contains the docket text. This is created by the entry of a document into the CM/ECF database either by a Judicial Officer, court staff or a registered CM/ECF user.

The first part of the docket text should explain what was done, and by who or to whom. (Example: "Return of service executed as to James Lausch") The next part of the entry will explain any future action that may be ordered by the Court or by the Rules of Procedure, and who is to comply with a listed deadline. (Example: "Answer due on 2/27/09 for James Lausch") Finally, the name of the person who made the entry is included in parentheses.

E-Government Act of 2002

On December 17, 2002, President Bush signed into law the “E-Government Act of 2002,” Pub. L. No. 107-347.

In compliance with Local Rule 5.3, sensitive information should not be included in any document filed with the Court unless such inclusion is necessary and relevant to the case. Documents filed electronically, unless filed under seal or otherwise protected, shall be made available over the Internet via PACER. If sensitive information must be included, certain personal data identifiers must be partially redacted from the pleading whether it is filed traditionally or electronically including social security numbers, financial account numbers, dates of birth, and the names of minor children.

a. **social security numbers.** If an individual’s social security number must be included in a pleading, then only the last four digits of that number should be used.

b. **names of minor children.** If the involvement of a minor child must be mentioned, then only the initials of that child should be used.

c. **dates of birth.** If an individual’s date of birth must be included in a pleading, then only the year should be used.

d. **financial account numbers.** If financial account numbers are relevant, then only the last four digits of these numbers should be used.

e. **home address.** (criminal cases only) If a home address is required, then use only the city and state.

See also, [Transcript Redaction Policy](#) and [Redaction of Hidden Text and Metadata](#)

Emergency Business: During Normal Business Hours

One District Judge and one Magistrate Judge are assigned to hear emergency business for the Court at all times, usually for a month at a time. The Clerk’s Office will not disclose the name of the emergency District Judge until such time as an emergency matter is filed.

Any emergency business arising from an existing civil or criminal matter is first brought to the attention of the judge assigned to the case. If the assigned judge is not available or decides that the matter can not await his/her attention, it will be referred to the emergency judge. Any new civil (continued on next page)

**Emergency
Business: During
Normal Business
Hours (continued)**

action involving an emergency matter will first be assigned by random draw to a Judicial Officer. The emergency matter will be brought before that Judge, and will only if that Judge can not hear said matter be referred to the emergency judge.

All new criminal complaints and arrests on probable cause are brought before the emergency Magistrate Judge. An arrest on an indictment or pending complaint is brought before the Magistrate Judge assigned to the case at the time of filing.

**Emergency
Business:
Outside of
Business Hours**

The Clerk's Office has established procedures to deal with emergency matters that may occur during non-business hours.

Managers in the Boston Clerk's Office will take turns serving on emergency duty. The duty manager will carry a cell phone to answer calls from attorneys that may be urgent and require the immediate attention of a judge prior to the next business day.

NOTE: The emergency phone number should be used only when a situation arises outside of business hours and the matter will become moot if a ruling is not obtained before the next business day.

Contact: Manager on emergency duty at 617-851-1813

**Ex Parte
Documents**

At this time, all *ex parte* documents are to be filed on paper with the Clerk's Office. The documents are to be clearly labeled as "*ex parte*."

**Exemplification
Certification**

Exemplification certificates certify that an attached copy is a full, true, and correct copy of an original document, but differ from the routine certifications in that they also are verified by a judge and the Clerk of Court. The Clerk signs to certify that the document is a full, true and correct copy. A judge certifies that the certificate is in order and that the signature above is that of the Clerk. The Clerk signs again, this time to certify that the signature above is that of the Judge. The Clerk affixes the seal of the Court.

A fee is charged for the exemplification in accordance with the Judicial Conference [Schedule of Fees](#) in district courts, pursuant to 28 U.S.C. §1914.

Contact: Customer Service Staff (Boston cases) at 617-748-9152
Clerk's Office (Springfield cases) at 413-785-6800
Clerk's Office (Worcester cases) at 508-929-9900

Exhibits: Trial

Trial exhibits are maintained by the Clerk’s Office during the trial. The courtroom deputy clerk shall return the exhibits to the appropriate party at the conclusion of the trial. If and when needed by the Court of Appeals, counsel shall be notified and asked to submit the exhibits directly to the Court of Appeals. See Local Rule 79.1 .

The docket will reflect the custody of the exhibits. Either a receipt or a notation in the clerk’s notes shall be entered on the docket when the exhibits have been returned to counsel.

Federal Public Defender

The Federal Public Defender Organization has local headquarters in Boston, Massachusetts, and is responsible for rendering defense services on appointment throughout the District of Massachusetts pursuant to the Criminal Justice Act (CJA) 18 §3006A and the Local CJA Plan. The Federal Defender will be appointed to represent an indigent person in the first instance unless the Federal Defender represents another defendant in a multi-defendant case, if there is a conflict of interest, or if for some other reason the Federal Defender determines they are unable to accept an appointment.

The Federal Defender Organization has satellite locations in New Hampshire and Rhode Island.

Contact: Federal Defender Office at 617-223-8061

Federal Records Center

The records for the District of Massachusetts are archived at the Federal Records Center in Waltham, Massachusetts.

Copies of case files that have been sent to the archive may be requested directly from the Records Center (FRC) National Archives and Record Administration (NARA). [Instructions and an order form](#) are available on the Court’s website .

Review of the hard copy case file may be done by appointment at the facility in Waltham, MA, or by contacting the Clerk’s Office to request a temporary retrieval of the file.

Contact: Customer Service Staff (Boston cases) at 617-748-9152
Clerk’s Office (Springfield cases) at 413-785-6800
Clerk’s Office (Worcester cases) at 508-929-9900
Federal Records Center at 866-329-6465

Fees

A [schedule of fees](#) is available in the Clerk’s Office and on the Court’s website. These fees are set by the Judicial Conference.

See also, [pay.gov](#)

Fees: Acceptable Forms of Payment

Acceptable forms of payment are cash, cashier’s/bank checks, money orders, and personal checks. Checks must be issued by an FDIC insured bank, an FSLIC insured savings and loan association, or a federally-insured bank or credit union and made payable to “Clerk, U.S. District Court.” Instruments made payable to a third party that are subsequently endorsed “Clerk, U.S. District Court” shall not be accepted. Certified checks and foreign currency are not acceptable.

The Boston Clerk’s Office now accepts credit cards as a means of payment for all filing fees and other miscellaneous court fees. The Court will accept cards from American Express, Discover Card, Diners Club International, MasterCard and VISA. MasterCard and VISA debit cards that do not require a PIN number may be used.

More information on the [Credit Card Payment Program](#) is available on the Court’s website .

Contact: Financial Manager at 617-748-9134

Fees: pay.gov

Pay.gov is a web-based application allowing CM/ECF-registered users to pay case-related fees by credit card. Pay.gov uses 128-bit SSL encryption to protect transaction information.

Case related fees (complaints and notices of removal, notices of appeal, and motions to appear *pro hac vice*) should be paid via credit card through the Court’s CM/ECF system using pay.gov.

If the case-related fee is not paid through the CM/ECF system when the related document is entered, the Clerk’s Office will notify counsel to pay the fee electronically. Counsel will prepare a PDF document called [Notice of Filing Fee Payment](#), found on the Court’s website, and then enter that document into CM/ECF paying the fee through pay.gov.

Filing by Fax or Email

The Judges of this Court have directed the Clerk of Court NOT to accept filings by facsimile or email.

Form and Signing of Papers

The provisions of the Federal Rules of Civil Procedure pertaining to the form and signing of pleadings, motions, and other papers shall be applicable to all papers filed in any proceeding in this Court.

See Local Rule 5.1.

Attorneys filing documents electronically are referred to the Court's ECF Administrative Procedures Guide and ECF User's Guide.

Forms

Many of the [forms](#) required by this Court are available on the Court's website .

A list of typical procedures and the forms required are in the [appendix](#) to this handbook.

General Court Orders

As necessary, the Court will enter a General Order, usually on topics that will affect the entire district.

These [Orders](#) are posted on the Court's website.

Inclement Weather

The Clerk's Office may close for business in the case of severe inclement weather. This decision is made before 6:00 AM whenever possible.

Information about the Clerk's Office and the Court's schedule in the event of inclement weather is available by accessing the automated attendant on the main number in each of the Clerk's Offices in the district.

If the weather or other conditions during the business day warrant an early closing, as much advance notice as possible by posting a sign in the affected Clerk's Office.

NOTE: weather conditions can vary from office to office - one office in the district may close, while others remain open.

Indices

CIVIL: All dockets for civil cases pending on January 1, 1990 or filed on or after January 1, 1990 may be found in the CM/ECF database. The public may request these dockets from the Clerk’s Office or access them through PACER.

Civil cases filed prior to January 1, 1990 are on paper dockets and are housed at the Federal Records Center in Waltham, Massachusetts. (Depending on the status of the case on January 1, 1990, the case may also be on the CM/ECF database.)

CRIMINAL: All dockets for criminal and magistrate cases filed on or after June 1, 1991 may be found in the CM/ECF database. The public may request these dockets at the Customer Service counter or access them through PACER.

The dockets for any criminal or magistrate case filed between January 1, 1982 and June 1, 1991 are available on microfiche. Fiche readers/printers are available in the Clerk’s Office.

Any criminal or magistrate cases filed prior to January 1, 1982 are on paper dockets and are housed at the Federal Records Center.

Cases filed from the early 1900s through 1979 are on index cards and have been archived to the Federal Records Center.

Contact: Customer Service Staff (Boston cases) at 617-748-9152
Clerk’s Office (Springfield cases) at 413-785-6800
Clerk’s Office (Worcester cases) at 508-929-9900
Federal Records Center at 866-329-6465

**Interest Rates:
Post-Judgment**

Interest is allowed on most money judgments entered in the federal courts from the date of judgment until the judgment is satisfied (paid). The rate used in calculating the amount of post-judgment interest is the weekly average one-year, constant maturity (nominal) Treasury yield, as published by the Federal Reserve System. Prior to December 21, 2000 the rate of interest allowed was based on the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of 52 week t-bills settled immediately preceding entry of the judgment.

Current Applicable Rates

The current rate applicable is provided by the Federal Reserve and published each Monday for the preceding week (unless that day is a (continued on next page)

www.mad.uscourts.gov

**Interest Rates:
Post-Judgment
(continued)**

holiday, in which case the rate is published on the next business day). The current rates are available on the US Court's website (www.uscourts.gov).

Rates Prior to December 21, 2000

Rates prior to December 21, 2000 were based on the average accepted auction price for the latest auction of 52 week t-bills and are also available on the US Court's [website](#).

**Interest Rates:
Pre-Judgment**

Pre-judgment interest rates apply only when ordered by the judge in accordance with the applicable law. The interest rates and rules for the Commonwealth of Massachusetts apply.

The amount of pre-judgment interest must be included in the judgment to be included in the Writ of Execution.

Contact: The [docket or courtroom deputy clerk](#) assigned to the presiding judicial officer.

Internet

The Clerk's Office website is www.mad.uscourts.gov. This is the official site for the United States District Court for the District of Massachusetts.

Detailed information on most items referred to in this document is available on that site, along with many of the forms mentioned in this guide (most in 'PDF fillable' format).

**Internet Access in
the Courtroom
(Moakley
Courthouse only)**

Access to the Internet is available to counsel in all courtrooms in the Boston Courthouse from the Court's licensed provider, Courtroom Connect.

Use of this service is subject to approval of the presiding Judicial Officer. To obtain authorization, complete the [form](#) found on the Court's website. Submit the completed form to the courtroom deputy for the case at least seven (7) days prior to the scheduled proceeding. A list of [courtroom deputies](#) for each judge can be found on the Court's website .

Contact: Courtroom Connect at 877-838-9067

Interpreters

The District Court does not employ any interpreters as full-time employees.

The Clerk's Office maintains a list of certified contract interpreters who may be hired for court proceedings. Interpreters must successfully pass a background check.

Interpreters needed for in-court criminal proceedings are hired at the [Court's expense](#). Any other interpreter services provided for an indigent criminal defendant are paid through Criminal Justice Act funds, after the allowance of any necessary motion.

The Judicial Language Center for the Superior Court of the Commonwealth of Massachusetts is ordinarily able to provide information on interpreters other than those on this Court's list. The Judicial Language Center can be reached at (617) 742-8383 Ext. 342 or 343.

Contact: Property and Procurement Administrator at 617-748-9079

Judicial Misconduct

The Rules and Forms for Judicial Conduct and Judicial Disability Proceedings were promulgated by the Judicial Conference of the United States, after public comment, pursuant to 28 U.S.C. §§ 331 and 358, to establish standards and procedures for addressing complaints filed by complainants or identified by chief judges, under the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364.

The Rules may be found on the Court's [website](#).

Jurisdiction

Local Rule 40.1 (C) - Designation of Divisions states:

The District of Massachusetts constitutes one judicial district comprising three divisions.

(1) Eastern Division

The Eastern Division of the District of Massachusetts comprises the counties of Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, and Suffolk. Cases assigned to the Eastern Division and all pleadings and documents therein shall be filed in the Clerk's office in Boston.

(2) Central Division

The Central Division of the District of Massachusetts is Worcester County. Cases assigned to the Central Division and all pleadings and documents therein shall be filed in the Clerk's office in Worcester.

(3) Western Division

The Western Division of the District of Massachusetts comprises the counties of Berkshire, Franklin, Hampden and Hampshire. Cases shall be assigned to the Western Division and all pleadings and documents filed on paper therein shall be filed at the Clerk's office in Springfield.

**Jury Information:
for Attorneys**

Pursuant to the Jury Selection and Service Act of 1968, as amended, 28 U.S.C. §1863, the Court adopted a Plan for Random Selection of Jurors, effective March 1, 2007.

A copy of the [Plan](#) is available on the Court's website .

Contact: Jury Administrator at 617-748-9082

**Jury Information:
for Jurors**

The Court's [website](#) includes detailed information on federal jury service, including information on failure to report and job protection.

Contact: Jury Administrator at 617-748-9082

**Legal Holidays
and Observances**

There are ten federal holidays each year. If a holiday falls on a Saturday, the Clerk's Office is closed on Friday. If the holiday falls on a Sunday, the office is closed on Monday. A list of the holidays and/or observances for the next four years may be found in the [appendix](#) to this guide.

Length of Memoranda

Local Rule 7.1(b)(4) states: “Memoranda supporting or opposing allowance of motions shall not, without leave of court, exceed twenty (20) pages, double-spaced.”

The Court’s CM/ECF system limits the size of each PDF file to 4.5 MB. However, this does not supersede the limitations set by Local Rule 7.1 .

Liens: Abstracts of Judgment

An abstract of judgment is a lien against the property of a defendant following entry of a judgment in a civil or criminal case.

Pursuant to 18 U.S.C. § 3613(c) a fine or an order of restitution imposed pursuant to the provisions of subchapter C of chapter 227 is a lien in favor of the United States upon all property belonging to the person fined or ordered to pay restitution. Pursuant to 18 U.S.C. § 3613(d), a notice of lien shall be considered a notice of lien for taxes for the purposes of any State or local law providing for the filing of a tax lien. The lien arises at the time of the entry of judgment and continues until the liability is satisfied, remitted, or set aside, or until it becomes unenforceable pursuant to 18 U.S.C. § 3613(b).

The abstract of judgment is filed with the Clerk’s Office, assigned a number, and entered into a database maintained by the Clerk’s Office. A report will be generated for the public upon demand.

Liens: IRS

The District Court Clerk’s Office is the filing office for tax liens levied in the Commonwealth of Massachusetts by the Internal Revenue Service. The IRS supplies computer access to their database by installing a public terminal in the District Court Clerk’s Office in Boston, allowing the public and the Bar access to search for and review tax lien information.

The Clerk’s Office does not maintain the information contained in IRS tax lien database.

Contact: Customer Service Staff at 617-748-9152

Liens: Other

From time to time, other federal agencies, such as the Pension Benefit Guarantee Corporation, may file a lien with this Court. (NOTE: These liens will be filed on paper). The Customer Service office in Boston shall record these liens, and any subsequent releases, in a log that will be made available for review upon request.

Contact: Customer Service Staff at 617-748-9152

Lobby Box

A box and time stamp is available in the lobby of each of the Federal courthouses in the district to accept after hours filings. Access to the box will be available at anytime the building is open. Please note that time-sensitive documents should not be placed in this filing depository.

Lobby Box hours:

Boston: 7:00 a.m. - 6:00 p.m.
Worcester: 7:30 a.m. - 5:00 p.m.
Springfield: 6:15 a.m. - 5:45 p.m.

Contact: Customer Service Staff (Boston cases) at 617-748-9152
Clerk’s Office (Springfield cases) at 413-785-6800
Clerk’s Office (Worcester cases) at 508-929-9900

Local Rules

The [Local Rules](#) of the District Court are available online and in the Clerk’s Office at no charge.

Medical Records

Medical records shall not be filed electronically.

Medical records subpoenaed as part of an existing case shall be held in the custody of the courtroom deputy clerk for the judicial officer assigned to the case. The records shall be made available to counsel at the time of trial and returned to counsel at the conclusion of the trial or other proceedings. Any medical records not retrieved by counsel at the conclusion of a case shall be destroyed by the courtroom deputy clerk.

If the medical records include x-rays and they will be displayed in the courtroom, please notify the courtroom deputy clerk seven (7) days prior to the start of the trial or other Court proceeding. The Clerk’s Office in Boston has one x-ray reader at its disposal.

Miscellaneous Business Docket

Miscellaneous Business Docket (MBD) numbers are assigned to a variety of matters filed with the Court, that are not considered typical civil or criminal cases. These matters, however, may be directly or indirectly related to a civil or criminal case. Miscellaneous actions are used for administrative matters that require resolution through the judicial system. Documents filed in a miscellaneous action are reviewed by the Clerk’s Office for conformity with Local and Federal Rules, and are then processed according to the Court’s procedures.

(continued on next page)

**Miscellaneous
Business Docket**
(continued)

Some examples of MBD matters in this district include:

- Administrative Subpoenas/Summons
- Applications to Perpetuate Testimony
- Internal Revenue Service Third Party Record Keeper Actions
- Motions to Quash Grand Jury Subpoena
- Motions for Return of Seized Property
- Proceedings Against Sureties

MBD matters arising from cases pending in another jurisdiction include:

- Foreign Subpoenas
- Letters Rogatory
- Motions to Compel Testimony (deposition)
- Motions for Protective Order
- Motions to Quash Deposition Subpoena
- Receiverships
- Registration of Judgment from another District

The fee for filing an MBD matter is found on the [fee schedule](#).

Contact: MBD Clerk (for new filings) at 617-748-9123; or the [docket or courtroom](#) deputy assigned to the presiding judicial officer once a number is assigned to the case.

**Multidistrict
Litigation**

The Judicial Panel on Multidistrict Litigation, known informally as the MDL Panel, was created by an Act of Congress in 1968 – 28 U.S.C. § 1407. The job of the Panel is to (1) determine whether civil actions pending in different federal districts involve one or more common questions of fact such that the actions should be transferred to one federal district for coordinated or consolidated pretrial proceedings; and (2) select the judge or judges and court assigned to conduct such proceedings.

The purpose of this transfer or “centralization” process is to avoid duplication of discovery, to prevent inconsistent pretrial rulings, and to conserve the resources of the parties, their counsel, and the judiciary.

The MDL Panel consists of seven sitting federal judges who are appointed to serve on the Panel by the Chief Justice of the United States.

(Additional information from the MDL Panel may be found on their website at www.jpml.uscourts.gov)

Contact: District Court’s MDL Liaison Clerk at 508-929-9901

Naturalization

The Clerk's Office has limited information about immigration and naturalization matters. Frequently asked questions regarding immigration and naturalization proceedings and their answers are available on the Court's [website](#). See also the website US Citizenship and Immigration Services (USCIS) at www.uscis.gov.

Most questions regarding immigration and naturalization matters should be addressed to the USCIS office at 800-375-5283.

Contact: Procurement Assistant at 617-748-9081

Opinions Search

The Court's website has a [search engine](#) to retrieve opinions of the Court. A user may search for all recent opinions, search for a specific judge, or search by key words.

PACER

PACER (**P**ublic **A**ccess to **C**ourt **E**lectronic **R**ecords) is an electronic public access service that allows users to obtain case and docket information from Federal Appellate, District and Bankruptcy Courts, and from the U.S. Party/Case Index. Electronic access is available for most courts by registering with the PACER Service Center, the judiciary's centralized registration, billing, and technical support center at <http://pacer.psc.uscourts.gov>.

Information from the official public docket is available immediately through PACER upon its entry into CM/ECF.

See also, [U.S. Party Case Index](#).

Presentation Equipment

This Court has installed state-of-the-art presentation equipment in a number of courtrooms in Boston, Springfield, and Worcester. These courtrooms offer the Bar the opportunity to present cases using technology such as video-teleconferencing, a document presentation system, integrated CD-ROM, video and audio capability, and real time transcription.

Contact the [courtroom deputy clerk](#) for the presiding Judicial Officer at least one (1) week in advance of the scheduled hearing or trial if the presentation equipment is needed. If training is needed on using the presentation equipment, then the courtroom deputy clerk will coordinate with the Court’s Information Technology office. Please note that counsel are responsible for providing any necessary laptops or other computer equipment.

The Court has a limited number of easels, overhead projectors, and other such equipment needed for demonstration purposes in the courtroom. Contact the courtroom deputy clerk at least one (1) week in advance of the scheduled hearing to confirm the availability of any necessary equipment.

Privacy

See [E-Government Act](#)

Pro Se Litigation

The Clerk’s Office has prepared a separate handbook, [Step-by-Step](#), for individuals wishing to proceed *pro se*. This guide is available from the Clerk’s Office and on the Court’s website.

Contact: Customer Service Staff at 617-748-9152

Quality Assurance

The Clerk’s Office has an active Quality Assurance Program. It is the responsibility of the Clerk’s Office to review the entries made in the CM/ECF system.

Contact: CM/ECF Help Desk at 866-239-6233
Operations Supervisor at 617-748-9179

Note: ECF users should contact the [docket or courtroom deputy clerk](#) for the assigned Judicial Officer if an error is made during the entry of a document. Please do not file the document again unless directed to do so by the Clerk’s Office.

Qui Tam (Whistle Blower or False Claim Act) Cases

Qui tam (or whistle blower or False Claims Act) cases filed pursuant to 31 U.S.C. § 3729 are, by statute, sealed without the need for a motion to seal or impound. Complaints and all subsequent documents filed with the Court, until such time that the Court may unseal the case, are to be filed on paper and clearly labeled as “UNDER SEAL.”

Redaction of Hidden Text and Metadata

Attorneys and *pro se* litigants are advised to take extra care when creating Portable Document Format (PDF) documents for submission to the Court’s Electronic Case Files (ECF) system. Steps must be taken to make sure that the documents are free of any hidden data which may contain redacted information, or that traces of information that has been edited or deleted is not hidden in the final document. Even PDF content that has been encrypted can be recovered.

A [document](#) with additional information may be found on the Court’s website.

Registry Funds: Deposit of Money into the Registry of the Court

All registry funds are deposited into the Treasury through the “Treasury General Account” established with the Bank of America.

Before the Clerk of Court may deposit funds covered by Rule 67 of the FRCvP and Local Rule 67.2 into interest-bearing accounts, the party depositing the funds shall obtain an order for deposit or investment that complies with the provisions of this Local Rule.

The Director of the Administrative Office of the United States Courts has established, pursuant to Judicial Conference authorization, a registry fee to be assessed for the administration of funds held in the registry of the Court and placed in interest bearing accounts or instruments.

The administrative fee assessed on a particular registry account shall be determined according to the [fee schedule](#) in effect at the time the account was opened or according to any amended fee schedule that is applicable to the account.

Contact: Financial Manager at 617-748-9134

Requests for Extension of Time

The Court shall entertain motions to extend time on a case-by-case basis.

All requests for extension of time shall be filed as a motion.

Contact: the [docket or courtroom deputy clerk](#) assigned to the presiding Judicial Officer

Requests for Hearing

Every Judge of this Court maintains his/her own calendar (daily docket), generally through his/her courtroom deputy clerk. Requests for a hearing, conference, or other court proceeding shall be made in writing to the [docket or courtroom deputy clerk](#) assigned to the presiding Judicial Officer. If appropriate, a hearing will be set as soon the Court's schedule permits.

Sealed or Impounded Documents

SEALED AND/OR IMPOUNDED DOCUMENTS MAY NOT BE FILED ELECTRONICALLY.

Qui tam cases and actions involving grand jury proceedings are automatically sealed.

Attorneys wishing to file any other cases or documents shall follow the provisions of Local Rule 7.2 .

Motions to seal must meet the requirements of Local Rule 7.2 .

The Court will not enter blanket impoundment orders. A Motion for Impoundment or Motion to Seal shall be presented each time a document or group of documents is to be filed under seal.

Sealed or Impounded Documents: Purging by the Clerk's Office

At least once a year, all courtroom deputy clerks are responsible for purging sealed records from the file room. This process follows the directives of Local Rule 7 . The courtroom deputy clerk will issue an order to the parties notifying them of the expected return of documents to the public file. The parties may file a motion with the Court to maintain the sealed status of the documents. If no such motion is received and allowed by the Court, the documents are delivered to the Customer Service clerk for inclusion with the remainder of the public file.

Security

The United States Marshal is the chief of security for all federal court houses and enforces a strict security policy for all persons entering those facilities.

Upon entering the courthouse, all individuals are required to pass through security screening stations using magnetometers or other necessary screening equipment. Please be sure to allow extra time if arriving at peak hours (between 8:00 a.m. and 9:30 a.m., and between 12:30 p.m. and 2:30 p.m.).

The general public is not allowed to bring liquids, cell phones and other electronic devices past the security check point in the Moakley Courthouse in Boston. The Court Security Officers will check electronic equipment at the main entrance. On June 6, 2008, the Courthouse Security Committee and the United States Marshal issued a policy regarding electronic devices. The [policy](#) may be found on the Court's website.

Summons : Civil Action

On December 3, 2007, the Clerk's Office implemented a new procedure for the electronic issuance of a summons in civil cases through the Electronic Case Files (ECF) system. A general summons for each case which includes the case caption, Court seal and electronic signature shall be sent to the plaintiffs/attorneys to be completed for service. Plaintiffs/attorneys will no longer need to prepare and submit a summons form with the complaint when a case is filed electronically. The summons form will be attached to the "Summons Issued" docket entry and a link to the form will be included in the Notice of Electronic Filing (NEF).

Prior to service of the summons, the required information (the name and address of each defendant and the attorney/party to be served with the answer) shall be added to the summons form for each defendant. This information can be added to the portable document format (PDF) using the typewriter tool in Adobe Acrobat.

For those plaintiffs/attorneys who do not receive notices of electronic filing (i.e., not registered to use CM/ECF), a summons form will be mailed using conventional means.

The civil complaint may be served in any one of the following ways (see Rule 4 of the FRCvP):

- By any person, 18 years or older, who is not a party in the case;
- Through the mail with AO398 and AO399, Notice of Lawsuit and Request for Waiver, and Waiver of Service of Summons; or
- By the U.S. Marshal in certain specific situations.

www.mad.uscourts.gov

**Summons:
Service on U.S.
Government**

If the U.S. Government, or an agency or employee thereof (acting in an official capacity) is named as a defendant in a complaint, then at least three (3) summons shall issue for that one party. See Rule 4(l) of the FRCvP. The following agencies shall be served with a summons and a copy of the complaint:

- The agency (and any individuals) of the government named in the complaint;
- The United States Attorneys office; and
- The United States Attorney General in Washington, D.C.

NOTE: the United States Attorney and the United States Attorney General do not need to be named as parties in the case to be served.

Subpoena: Civil

Pursuant to Rule 45 of the FRCvP, it is no longer necessary that subpoenas be issued by the Clerk of Court. Although the Clerk still has authority to do so, a subpoena also may be issued by an attorney as an officer of the Court.

Blank [civil subpoenas](#) are available on the Court's website.

**Subpoena:
Criminal**

Criminal subpoenas shall be issued by the Clerk under the seal of the Court pursuant to Rule 17(a), FRCrP. Court appointed counsel under the Criminal Justice Act representing indigent defendants should refer to Rule 17(b), FRCrP and 28 U.S.C. § 1825 for proper procedures regarding issuance and service of subpoenas. Witness fees, travel costs, and expenses for service of subpoenas on fact witnesses are not payable out of the Criminal Justice Act appropriation. Retained counsel should refer to Rule 17, FRCrP.

Criminal subpoenas (blank or signed and sealed) are available from the Clerk's Office. Blank [criminal subpoenas](#) are also available on the Court's website.

**Supersedeas
Bond**

A supersedeas bond (if required) is filed with the District Court after first having been set and approved by the Court. See Local Rule 62.2.

Taxation of Costs

See [Bill of Costs](#)

**Transcripts:
Ordering**

If the transcript is being ordered for appeal purposes, review the instructions found on the Court of Appeals' website at www.ca1.uscourts.gov.

If the transcript is not for appeal purposes, the requestor may contact the court reporter to order the transcript and to make the necessary financial arrangements.

See also, [Court Reporters](#) and [Transcript Redaction Policy](#)

Contact: Court Reporter Supervisor at 617-748-9167

**Transcripts:
Transcript
Redaction Policy**

Effective May 5, 2008, the District of Massachusetts, in accordance with Judicial Conference Policy and the amendments to Rule 5.2 of the FRCvP and Rule 49.1 of the FRCrP, implemented a Transcript Redaction Policy regarding official court transcripts.

A copy of the [policy](#) may be found on the Court's website.

Transcripts filed with the Court prior to May 5, 2008 are available on paper in the Clerk's Office.

Contact: Court Reporter Supervisor at 617-748-9167

**Trustee Process:
from an Action
Filed in Another
Jurisdiction**

The Clerk's Office will issue Trustee Process upon the filing of a Certification of Judgment (see Miscellaneous Business Docket), the payment of the [filing fee](#), any necessary motion and the submission of a prepared form of process. A blank Writ of Execution for MBD cases may be found on the Court's website.

See also, [Trustee Process: from an Action Filed in this District](#).

Contact: Miscellaneous Business Clerk at 617-748-9123

**Trustee Process:
from an Action
Filed in this
District**

Subsequent to the commencement of any personal action, trustee process may be used to secure satisfaction of the judgment for damages and costs which plaintiff may recover on a claim that has been reduced to judgment or otherwise authorized by law. See Rule 64 of the FRCvP. The procedure for trustee process is governed by the applicable law of the state where the court is located. In Massachusetts Rule 4.2 of the Massachusetts Rules of Court provides for Trustee Process.

If a motion for trustee process is approved by the Court, then a trustee summons is issued to notify the trustee that any goods, effects, or credits of the defendant in the hands of the trustee have been attached to the value of the amount authorized by the Court and to state the time within which the trustee is required to answer. The answer, filed electronically, shall disclose what goods, effects or credits, if any, of the defendant were in the hands or possession of the trustee when the trustee summons was served.

**U.S. Party Case
Index**

The U.S. Party/Case Index is a national locator index for PACER systems in the United States' appellate, district, and bankruptcy courts. Subsets of data are collected from each court and transferred to the PACER Service Center nightly. The U.S. Party/Case Index allows searches by party name or social security number in the bankruptcy index, party name or nature of suit in the civil index, defendant name in the criminal index, and party name in the appellate index. The information provided by the search will include the party name, the court where the case is filed, the case number, and the filing date.

A link to the [US Party/Case Index](#) may also be found on the Court's website.

See also, [PACER](#)

**Writ of
Attachment**

A Writ of Attachment will issue upon the allowance of the appropriate motion.

Forms for the [Writ of Attachment](#) (one for cases pending in this district and one for cases assigned to the Miscellaneous Business Docket) may be found on the Court's website.

**Writ of Execution:
From a Judgment
Entered in
Another
Jurisdiction**

The Clerk's Office will issue a Writ of Execution upon the filing of a Certification of Judgment (see [Miscellaneous Business Docket](#)), the payment of the [fee](#), and the submission of a prepared Writ of Execution. A [Writ of Execution](#) for MBD cases may be found on the Court's website.

Contact: Miscellaneous Business Clerk at 617-748-9123

**Writ of Execution:
From a Judgment
Entered in This
District**

When requesting the Clerk to issue a Writ of Execution from a Judgment entered in this District, submit a completed Writ of Execution along with a copy of the judgment. A form for the [writ of execution](#) may be found on the Court's website.

The amount of pre-judgment interest must be included in the judgment to be included in the Writ of Execution.

Please note that there is a separate version of the Writ of Execution for MBD matters.

APPENDIX

www.mad.uscourts.gov

QUICK RULE REFERENCE

A list of some of the topics covered in this guide and the applicable governing rule(s).

Admission to the Bar	Local Rule 83.5.1(a)
Admission to the Bar <i>pro hac vice</i>	Local Rule 83.5.3
Alternative Dispute Resolution	Alternative Dispute Resolution Act of 1998 28 U.S.C. § 651 <i>et seq</i>
Bankruptcy Appeals	28 U.S.C. § 158(a) Local Rule 203
Bankruptcy Matters in the District Court	28 U.S.C. § 157(a) Local Rule 201
Central Violations Bureau	FRCrP 58, 18 U.S.C. § 19
Certificate of Service	Local Rule 5.2(b)
Change of address	Local Rule 83.5.2(e)
Criminal Justice Act	18 U.S.C. § 3006A
Corporate Disclosure Statement	Local Rule 7.2 (civil cases) Local Rule 112.4 (criminal cases)
Deposit of Money into the Registry of the Court	FRCvP 67 Local Rule 67.2
Designation of Divisions	Local Rule 40.1
Discovery Documents: Nonfiling of Discovery Materials	FRCvP 5(d) Local Rule 26.6
Disbursement of Registry Funds	FRCvP 67 Local Rule 67.2
E-Government Act of 2002	Pub. L. No. 107-347 Local Rule 5.3
False Claims Act	31 U.S.C. § 3729
Form and Signing of Papers	Local Rule 5.1
Case Assignment Procedures	Local Rule 40.1
Investment of Funds	FRCvP 67 Local Rule 67.2

QUICK RULE REFERENCE

A list of some of the topics covered in this guide and the applicable governing rule(s).

Judicial Misconduct	28 U.S.C. §331 and 28 U.S.C. § 358; 28 U.S.C. §§351-364 (Judicial Conduct and Disability Act)
Jury Selection and Service	Jury Selection and Service Act of 1968, as amended 28 U.S.C. §1863
Length of Memoranda	Local Rule 7.1(b)(4)
Appeal, Notice of	FRAP Rule 3
Post Judgment Interest Rates	28 U.S.C. § 1961
<i>Qui tam</i> actions	31 U.S.C. § 3729
Registration of judgment in another jurisdiction	28 U.S.C. § 1963
Sealed/Impounded Documents	Local Rule 7.2 31 U.S.C. § 3729 (False Claims Act)
Service of Judicial Documents or Process in Foreign Countries	FRCvP 4(f)
Subpoenas in a civil action	FRCvP 45
Subpoenas in a criminal action	FRCvP 17(a)
Subpoenas in a criminal action - CJA appointments	FRCrP 17(b) 28 U.S.C. § 1825
Supersedeas Bond	Local Rule 62.2
Taxation of Costs	FRCvP 54(d) 28 U.S.C. § 1920
Transcript Redaction Policy	FRCvP. 5.2 FRCrP 49.1
Trial Exhibits	Local Rule 79.1
Writ of Execution/Garnishment	FRCvP 69

**United States District Court
 District of Massachusetts (Boston)
 SAMPLE CIVIL DOCKET FOR CASE #: 1:08-cv-99999-WGY**

Hodges et al v. Sun Resorts, Inc. et al

Assigned to: William G. Young

Referred to:

Date Filed: 03/01/03

Demand: \$

Jury Demand: None

Lead Docket: None

Nature of Suit: 190 Contract: Other

Related Cases: None

Jurisdiction: Federal Question

Case in other court: None

Cause: 28:1332 Diversity-Contract Dispute

Plaintiff

Roger A. Hodges

represented by **John Smith**

Smith & Smith, P.C.

One Main Street

Boston, MA 02210

617-555-1234

Email: attorneysmith@internetprovider.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Sample
 Docket

V.

Defendant

Sun Resorts, Inc.

Filing Date	#	Docket Text
03/01/2008	+	COMPLAINT against Sun Resorts, Inc. Filing fee: \$ 150, receipt number 8754312, filed by Kimberly F. Hodges, Roger A. Hodges.(Hurley, Virginia) (Entered: 03/01/2008)
03/01/2008	2	Summons Issued as to Sun Resorts, Inc. (Hurley, Virginia) (Entered: 03/01/2008)

www.mad.uscourts.gov

TYPICAL PROCEDURES AND REQUIRED FORMS	
Procedure	Form(s) required
Complaint OR Notice of removal OR Any other initiating document	JS44-Civil Cover Sheet Category Sheet Civil Summons (complaints only) Report on Filing Patent/Trademark cases (where necessary)
Writ of Execution	Writ of Execution OR Writ of Alias Execution
Writ of Execution for a judgment issued in another jurisdiction (MBD matter)	Registration of judgment for registration in another jurisdiction (AO 451) NOTE: shall be completed and sealed by the court <i>in which the judgment was entered</i> . Writ of Execution - MBD Writ of Execution on Behalf of Trustee in MBD Case Writ of Alias Execution for Miscellaneous Case
Taxation of costs	Bill of costs (AO 133)
Registration of judgment from another jurisdiction	AO 451 - Registration of judgment for registration in another jurisdiction NOTE: shall be completed, signed and sealed by the court <i>in which the judgment was entered</i> .
Payment of CJA counsel	CJA 20 - available from the Clerk
Payment for transcript for CJA case	CJA 24 - available from the Clerk
Payment of interpreter	CJA 21 - available from the Clerk
Waiver of fees	AO 240 - application to proceed without prepayment of fees and affidavit
Petition for Writ of Habeas Corpus (28§2254)	AO 241 - Petition for Writ of Habeas Corpus
Motion to Vacate/Set Aside Sentence	AO 243 - Motion to Vacate/Set Aside Sentence
Service	AO 440 - Summons in a Civil Case AO 441 - Third Party Summons AO 399 - Waiver of Service of Summons

www.mad.uscourts.gov

2008-2011 LEGAL HOLIDAYS AND OBSERVANCES

There are ten federal holidays each year. If a holiday falls on a Saturday, the Clerk's Office is closed on Friday. If the holiday falls on a Sunday, the office is closed on Monday.

2008

New Year's Day	01/01/08
Martin Luther King Day	01/21/08
Washington's Birthday	02/18/08
Memorial Day	05/26/08
Independence Day	07/04/08
Labor Day	09/01/08
Columbus Day	10/13/08
Veterans Day	11/11/08
Thanksgiving Day	11/27/08
Christmas Day	12/25/08

2010

New Year's Day	01/01/10
Martin Luther King Day	01/18/10
Washington's Birthday	02/15/10
Memorial Day	05/31/10
Independence Day	07/05/10
Labor Day	09/06/10
Columbus Day	10/11/10
Veterans Day	11/11/10
Thanksgiving Day	11/25/10
Christmas Day	12/24/10

2009

New Year's Day	01/01/09
Martin Luther King Day	01/19/09
Washington's Birthday	02/16/09
Memorial Day	05/25/09
Independence Day	07/03/09
Labor Day	09/07/09
Columbus Day	10/12/09
Veterans Day	11/11/09
Thanksgiving Day	11/26/09
Christmas Day	12/25/09

2011

New Year's Day	12/31/10
Martin Luther King Day	01/17/11
Washington's Birthday	02/21/11
Memorial Day	05/30/11
Independence Day	07/04/11
Labor Day	09/05/11
Columbus Day	10/10/11
Veterans Day	11/11/11
Thanksgiving Day	11/24/11
Christmas Day	12/26/11

www.mad.uscourts.gov

CENTRAL VIOLATIONS BUREAU

Rule 58 of the Rules of Criminal Procedure governs the procedure and practice for the conduct of proceedings involving petty offenses. Under Rule 58(a)(2), each United States District Court has a local rule or order for processing petty offenses, as defined in 18 U.S.C. §19, for which the court determines, in the event of conviction, that no sentence of imprisonment will be imposed. These local rules provide an alternative method for handling petty offense cases initiated by violation notice or by complaint.

The United States Attorney is responsible for all prosecutions in the United States District Court and for coordinating law enforcement efforts. By statute and regulations, federal agencies have the authority to issue violation notices for offenses committed within federal enclaves. In most instances, the United States Attorney has designated agency prosecutors to prosecute petty offenses initiated by violation notice.

The Administrative Office has established a national Central Violations Bureau (CVB) in San Antonio, Texas to assist the district courts in processing violation notices issued by federal agencies for petty offenses. Hearings are normally held at five locations throughout the district: in Boston for all violations occurring in the Boston area, Cape Cod for violations occurring at the Cape Cod Canal and the National Seashore, Worcester for all violations occurring in Worcester and other locations in the Central Division, Hanscom Air Force Base for those violations occurring at the Air Force Base and the Bedford Veteran's Administration Hospital, and, finally, in Springfield for all violations occurring west of Worcester.

Once a violation is issued, the officer marks the violation for either a mandatory or optional appearance date. Violation notices marked as optional appearances permit a person to whom a violation notice has issued to forfeit the designated amount set forth on the violation notice in lieu of appearance in court. The amount of forfeiture is based on a forfeiture collateral schedule approved by the United States District Court. If an appearance is optional, the person to whom the violation notice has been issued may still request a hearing by sending his or her copy of the violation notice San Antonio and specifically requesting a hearing. (Details are available on the ticket, much like a violation notice issued by a local authority.)

If a person to whom a violation notice has been issued is convicted after trial, an appeal may be taken to a district judge in Boston by filing of a notice of appeal with the Clerk of the CVB session within ten (10) days of conviction and the payment of a twenty-five (\$25.00) fee.

If the defendant fails to appear at a hearing, then a warrant may issue. If that happens, and the appearance was **optional**, then the United States Marshal will normally send a letter to that person indicating that that person may satisfy the outstanding violation notice and warrant by paying double the amount of the forfeiture of collateral indicated on the violation notice. Alternatively, for **optional** appearances, that person may satisfy the warrant by specifically requesting a hearing and appearance on the date that that hearing is set. If a warrant is issued and the appearance was **mandatory**, then the United States Marshal will normally send a letter to that person indicating that that person may satisfy the outstanding warrant by specifically requesting a hearing and appearance on the date that that hearing is set.

www.mad.uscourts.gov

GLOSSARY OF LOCAL TERMS AND ACRONYMS

ADR	Alternative Dispute Resolution
AO	Administrative Office of the US Courts (Washington DC). Sometimes referred to as AOUSC
AOUSC	Administrative Office of the US Courts (Washington DC). Sometimes referred to as AO
AUSA	Assistant US Attorney
BAP	Bankruptcy Appellate Panel
BOP	Bureau of Prisons
CARE	Court Assisted Recovery Effort
CJA	Criminal Justice Act (18 U.S.C. § 3006A)
CM/ECF	Case Management/Electronic Case Files (CM/ECF) is the automated case management and docketing system used by most federal courts
COA	Court of Appeals
COURTRAN	One of the precursors to the automated system used by the courts today
CVB	Central Violations Bureau
FNU	Alias type: First name unknown
FRC	Federal Records Center
ICMS	One of the precursors to the automated system used by the courts today
IFP	<i>in forma pauperis</i>
JNOV	Judgment notwithstanding the verdict
LNU	Alias type: Last name unknown
MAD	Naming convention established by the Administrative Office to identify federal courts. Examples: MAD is the District Court for the District of Massachusetts, MAB is the Bankruptcy Court for the District of Massachusetts.
MBD	Miscellaneous business docket
MDL	Multidistrict Litigation
NARA	National Archives and Records Administration

www.mad.uscourts.gov

GLOSSARY OF LOCAL TERMS AND ACRONYMS

NEF	Notice of Electronic Filing, from the CM/ECF system
PACER	Public Access to Court Electronic Records
Pay.gov	The Treasury Department's Internet payment process, used by CM/ECF to allow attorneys and other filers to pay case-related fees
PI	Permanent or preliminary injunction
PLRA	Prisoner Litigation Reform Act
PSI	Pre-sentence Investigation
PSR	Pre-sentence Report
R&R	Report and Recommendation
S/J	Summary Judgment (or SJ)
STA	Speedy Trial Act
TRO	Temporary Restraining Order
UFAP	Unlawful flight to avoid prosecution
USBC	United States Bankruptcy Court
USC	United States Code
USCA	United States Court of Appeals. Also referred to as COA
USDC	United States District Court
USDJ	United States District Judge
USMJ	United States Magistrate Judge
USMS	United States Marshal Service. Also referred to as USM
USPO	United States Probation Office
USSC	United States Sentencing Commission

SEARCH GUIDELINES

The Administrative Office of the United States Courts has set specific guidelines¹ for all searches:

Guideline No. 1 any information which is easily retrieved, with a minimum expenditure of time and effort, should be considered a non-chargeable 'retrieval,' as opposed to a chargeable search. A search fee should not be charged for a single request for basic information readily available through an automated database. A request of this nature should be considered a 'retrieval' and should not be considered a 'search.'

Guideline No. 2 a search fee should be charged for any request for which accurate case and docket number information is not provided by the requestor and which therefore requires a physical search of the court's records.

Guideline No. 3 with limited exceptions, a fee should be charged for all written search requests which require a written response.

Guideline No. 4 where requested information is available on pacer or another automated system, a court may have a policy which requires a telephoning requestor to utilize an automated database (pacer for law firms and other institutions with computer capability), instead of having a court employee conduct the information retrieval.

Guideline No. 5 in automated courts, a computer terminal with suitable data protection should be made available for use by the public.

Guideline No. 6 requests for archived documents should be charged only the archive retrieval fee of \$25.00 and not an additional \$15.00 search fee.

Guideline No. 7 the clerk has the general authority to refuse to conduct searches which are unreasonable or unduly burdensome.²

¹ From a Memorandum of Leonidas Ralph Mecham, Director of the Administrative Office dated 11/24/97

² A determination that a search is unreasonable or unduly burdensome should only be made after consultation with and approval of a supervisor.

INDEX

Abstracts of Judgment.	34
Admission	8
Pro Hac Vice Admission	9
Re-registration of Attorneys	10
ADR.	3
Agreement to Forfeit Property.	6
Alternative Dispute Resolution.	3
Apostille.	4
Appeals.	3
Federal Circuit Court of Appeals.	4
First Circuit Court of Appeals.	3
Bail.	5
Agreement to Forfeit Property.	6
Cash.	5
Discharge of Mortgage.	5
Internal Revenue Service.	5
Motion for Release of Bail.	6
Real Estate as Surety	6
Return of Cash Bail.	6
Bankruptcy.	6
Appeals to the District Court.	7
Bankruptcy Appellate Panel.	7
Motion for Leave to Appeal an Interlocutory Order or Decree.	7
Motion for Stay Pending Appeal.	7
Withdrawal of Reference	8
Bankruptcy Appellate Panel.	Appendix 6
Bankruptcy Appellate Panel	7
BAP.	Appendix 6
Bar.	8
Admission.	8
Certificate of Good Standing.	8
Courtroom Opportunities for Relatively Inexperienced Attorneys.	8
Inexperienced Attorneys.	8
Other Resources.	9
Pro Bono Program.	9
Pro Hac Vice Admission	9
Bill of Costs.	10
CARE Program.	10
Case Assignment.	11
Case Numbers: What They Mean.	13
Central Violations Bureau.	13, Appendix 4
Certificate of Good Standing.	8
Certificate of Service.	14
Certification of Judgment for Registration in Another Jurisdicti.	14

Certified Interpreters	32
Change of Address.	15
Civil Actions.	15
New.	15
CJA.	16
Duty Attorney.	16
Panel of Attorneys.	16, 17
Payment.	17
Clerk's Office.	17, 18
Hours.	17, 18
Locations.	17, 18
Organization.	18
CM/ECF.	18
Access to Certain Case Types.	19
Help Desk.	19
Immigration.	19
Naturalization.	19
Social Security Cases.	19
Training.	20
Convention Abolishing the Requirement of Legalization for Foreign.	4
Copy Requests.	21
Corporate Disclosure Statement.	21
Court Assisted Recovery Effort.	10
Court Calendar.	21
Court Directory.	21
Court Reporters.	22
Transcript Redaction Policy.	22
Courthouse Facilities.	22
Courtroom Connect.	31
Criminal Justice Act.	16
CVB.	13
Default Judgment.	22
Standing Order.	22
Directions.	22
Discharge of Mortgage.	5
Discovery Documents.	22
Docket Sheet.	22, 23
Docket Sheet	24
Duty Attorney.	16
E-Government Act of 2002.	25
Electronic Devices and Photographic Equipment	5
Email.	28
Emergency Business.	25, 26
During Normal Business Hours.	25, 26
Outside of Business Hours.	26
Ex Parte Documents.	26

Exemplification Certification.	<u>26</u>
Exhibits	
Trial.	<u>27</u>
Extension of Time.	<u>39</u>
False Claim Act.	<u>39</u>
Fax.	<u>28</u>
Federal Circuit Court of Appeals.	<u>3, 4</u>
Federal Public Defender	<u>27</u>
Federal Records Center.	<u>27</u>
National Archives and Record Administration	<u>27</u>
Fees.	<u>28</u>
Acceptable Forms of Payment.	<u>28</u>
pay.gov.	<u>28</u>
Files.	<u>12</u>
Foreign Subpoenas.	<u>36</u>
Form and Signing of Papers.	<u>29</u>
Forms.	<u>29</u>
General Court Orders.	<u>29</u>
GLOSSARY.	<u>Appendix 6</u>
Hidden Text	<u>39</u>
Immigration.	<u>37</u>
Impounded Documents.	<u>40</u>
in forma pauperis.	<u>15</u>
Inclement Weather.	<u>29</u>
Interest Rates.	<u>30, 31</u>
Pre Judgment.	<u>31</u>
Internal Revenue Service.	<u>5</u>
Internet.	<u>31</u>
Internet Access in the Courtroom.	<u>31</u>
Interpreters.	<u>32</u>
IRS.	<u>34</u>
IRS Form 8300.	<u>5</u>
Judicial Misconduct.	<u>32</u>
Jurisdiction.	<u>33</u>
Jury.	<u>33</u>
Legal Holidays and Observances.	<u>33</u>
Length of Memoranda.	<u>34</u>
Letters Rogatory.	<u>36</u>
Liens.	<u>34</u>
Abstracts of Judgment.	<u>34</u>
Internal Revenue Service.	<u>34</u>
IRS.	<u>34</u>
Other.	<u>34</u>
Lobby Box.	<u>35</u>
Local Rules.	<u>35</u>
MBD.	<u>35</u>

Administrative Subpoenas/Summons.	<u>36</u>
Foreign Subpoenas.	<u>36</u>
Letters Rogatory.	<u>36</u>
Motions for Protective Order.	<u>36</u>
Motions for Return of Seized Property.	<u>36</u>
Motions to Compel Testimony (deposition).	<u>36</u>
Motions to Quash Deposition Subpoena.	<u>36</u>
Motions to Quash Grand Jury Subpoena.	<u>36</u>
Proceedings Against Sureties.	<u>36</u>
Receiverships.	<u>36</u>
Registration of Judgment from another District.	<u>36</u>
MDL.	<u>36</u>
Medical Records.	<u>35</u>
Metadata.	<u>39</u>
Miscellaneous Business Docket.	<u>35, 36</u>
Motion for Leave to Appeal.	<u>7</u>
Motion for Release of Bail.	<u>6</u>
Motions for Protective Order.	<u>36</u>
Motions to Compel Testimony (deposition).	<u>36</u>
Multidistrict Litigation.	<u>36</u>
NARA.	<u>27</u>
National Archives and Record Administration	<u>27</u>
Naturalization	<u>37</u>
NEF.	<u>14</u>
New Civil Actions	
pay.gov.	<u>15</u>
seaman's affidavit.	<u>15</u>
Notice of Appeal.	<u>3</u>
Notice of Electronic Filing	<u>14</u>
Opinions Search.	<u>37</u>
PACER.	<u>37</u>
U.S. Party/Case Index.	<u>44</u>
pay.gov.	<u>28</u>
Photographic Equipment.	<u>5</u>
Post Judgment Interest Rates.	<u>30, 31</u>
Presentation Equipment.	<u>38</u>
Medical Records.	<u>35</u>
Prisoner Litigation Reform Act.	<u>Appendix 6</u>
Privacy.	<u>38</u>
E-Government Act.	<u>38</u>
Pro Bono Program.	<u>9</u>
Pro Hac Vice Admission	<u>9</u>
Pro Se Litigation.	<u>38</u>
Public Access to Court Electronic Records.	<u>37</u>
Quality Assurance.	<u>38</u>
Quash Deposition Subpoena.	<u>36</u>

Quash Grand Jury Subpoena.	36
Qui Tam	39
Real Estate.	6
Receiverships.	36
Redaction of Hidden Text and Metadata.	39
Registration of Judgment from another District.	36
Registry Funds.	39
Deposit of Money into the Registry of the Court.	39
Return of Cash Bail.	6
Return of Seized Property.	36
Sealed Documents.	40
Purging by the Clerk’s Office.	40
seaman’s affidavit.	15
SEARCH GUIDELINES.	Appendix 7
Security.	41
Service on U.S. Government.	42
Subpoena	
Civil.	42
Criminal.	42
Subpoenas.	42
Civil.	42
Summons.	41
Supersedeas Bond	42
Taxation of Costs.	42
Transcript Redaction Policy.	43
Transcript Report/Order Form and Instructions.	3
Transcripts.	43
Ordering.	43
Trustee Process.	43, 44
from an Action Filed in Another Jurisdiction.	43
from an Action Filed in this District	44
U.S. Party/Case Index.	37, 44
Whistle Blower	39
Writs	
Execution.	45
Writs of Attachment.	44
Writs of Execution or Garnishment	45