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WASHINGTON, D.C. 20544

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MEMORANDUM TO THE CHIEF JUSTICE AND MEMBERS OF THE  
JUDICIAL CONFERENCE OF THE UNITED STATES

SUBJECT: Case Management/Electronic Case Files (**INFORMATION**)

We are on the verge of completing the largest project ever undertaken by the federal judiciary, and I thought this may be an apt time to call your attention to its history and success. Ten years ago this month, the Administrative Office, through the efforts of a small AO team working with the Northern District of Ohio, delivered the judiciary's first Internet electronic filing system. That prototype Case Management/Electronic Case Files (CM/ECF) system provided electronic access to the Ohio court for attorneys around the country who were involved in a large group of paper-intensive maritime asbestos cases. It enabled them to electronically file and retrieve documents and receive official notices via the Internet. The system, which also performed basic case management functions, was a major work saver for the court and was very popular with the bar. A year later, the Bankruptcy Court for the Southern District of New York began live operations with a similar system. The court worked with the AO to enhance the initial system with many more case management features and to tailor it for the bankruptcy courts.

The great success of these early CM/ECF prototypes portended that the federal judiciary would be the world leader in court electronic filing. These innovations, bold at the time, set new standards for court electronic filing: use of the Internet; use of standard commercial browsers like Internet Explorer; the requirement that electronic documents be in Portable Document Format (PDF); and the inclusion of public access capabilities.

We have come a long way since those early days. The success in those two trail-blazing courts was followed by careful expansion into additional courts to confirm the system's suitability for other needs —such as those in courts with high and low filing volumes, in courts with different types of caseloads, and courts with and without divisional offices.

By 2000, with primary oversight and strong support from the Judicial Conference's Committee on Information Technology, CM/ECF was operating in fourteen "pilot" courts, and we developed case management features to the point where CM/ECF could easily replace the courts' existing systems. And, of course, CM/ECF offered the great added benefit of electronic case files.

In 2000, based upon the success in the pilot courts, we began a national rollout of CM/ECF to all bankruptcy and district courts. The AO organized the national implementation effort and has kept it on schedule to be virtually complete in all courts, including appellate courts, by late 2006. The Conference has continued its strong support, with primary sponsorship shifting to the Committee on Court Administration and Case Management for the national implementation, with active involvement and support continuing from other committees as well, including the Bankruptcy Committee, the Rules Committee, and the Information Technology Committee.

National implementation has been a major undertaking. The AO has launched a concerted and disciplined effort to ensure further enhancements to the system and to assist courts as they work through a myriad of implementation issues and details. Teams composed of AO staff, with a "mentor" from a court already experienced in using CM/ECF, have helped new courts with their implementations. The AO has also formed "working groups" of court staff to help determine what changes and enhancements should be made to the systems. And over the past four years, the AO, with assistance from the Federal Judicial Center, has conducted "operational forums" that give court staff the opportunity to come together to share ideas and best practices for CM/ECF usage.

**As of this month, there are ninety-one bankruptcy courts and eighty-four district courts "live" on CM/ECF, i.e. CM/ECF has completely replaced the "legacy" systems in the courts created nearly two decades ago. The Court of International Trade and the Court of Claims are also using the system. The Appellate Court version of CM/ECF is now being tested in the courts and will be ready for live use in 2006.**

To date, 400,000 attorneys have registered and been trained to use CM/ECF, and 200,000 of those attorneys have already made electronic filings. In August there were 4.6 million docket entries made in CM/ECF; nearly 1 million of those were “automatic” entries generated by the system, and 1.6 million were entered by attorneys. There were 152,000 new bankruptcy cases opened, and 125,000 of those were opened by attorneys. In many bankruptcy courts, 70% of the docket entries and 99% of the case openings are now made by attorneys. Because of the Bankruptcy Reform Act, bankruptcy filings in September and October were dramatically higher than usual. Compared to a more typical month with 125,000 bankruptcy case openings, CM/ECF handled 603,000 in October, and 463,000 of those were opened by the attorneys rather than court staff. Without CM/ECF, full implementation of the Act on October 17 would have been extraordinarily burdensome and costly. In many district courts, 40% of the docket entries are now made by attorneys, and attorney case opening has just been added as a new feature of the district system.

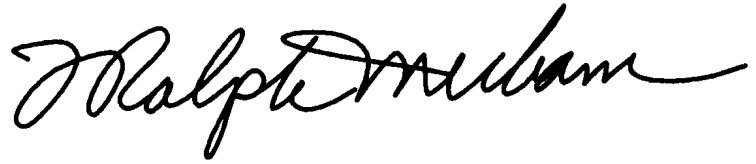
The benefits from CM/ECF have been many. The timeliness and efficiency of attorney docket entries and the availability of electronic documents can lead to significant savings and improvements for not only the court but also the bar and the public. Those factors have greatly expanded and enhanced the information that is available through CM/ECF’s public access to electronic records feature. Attorneys around the country have voiced strong praise for the system, noting that the filing system is easy to use, reduces their service and copying expenses, and provides quick notice of actions in their cases.

CM/ECF already has saved the judiciary many millions of dollars each year. These major savings will be multiplied many times over in future years and better enable the judicial branch to meet its ongoing fiscal challenges.

Many professional staffers at the AO could be singled out for special recognition. To list a few at the AO, Gary Bockweg has been the project manager from the beginning, aided by Campbell McCarthy, Mary Stickney and others on his staff. Howard Grandier has been a major player. Others have provided important contributions. The entire enterprise has been coordinated in the AO by Assistant Director Noel Augustyn through 142 meetings thus far.

CM/ECF has been a glowing success for the federal judiciary. And that success is the direct result of the close cooperation and work among the many active players in the judiciary family: the Conference Committees, the various AO offices, the individual

courts, and the court advisory and working groups. We can all take great pride in a truly significant accomplishment.

A handwritten signature in black ink, reading "Leonidas Ralph Mecham". The signature is written in a cursive style with a large, prominent initial "L".

Leonidas Ralph Mecham

cc: Honorable A. Thomas Small  
Honorable John M. Roper  
Conference Committee Chairs  
Chief Judges, United States Courts of Appeals  
Chief Judges, United States District Courts  
Chief Judges, United States Bankruptcy Courts  
Circuit Executives  
Federal Public/Community Defenders  
District Court Executives  
Clerks, United States Courts  
Chief Probation Officers  
Chief Pretrial Services Officers  
Senior Staff Attorneys  
Chief Preargument/Conference Attorneys  
Bankruptcy Administrators  
Circuit Librarians