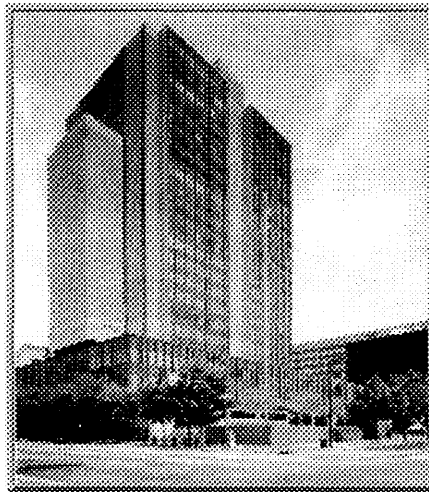


**U.S. DISTRICT COURT FOR THE
EASTERN DISTRICT OF
PENNSYLVANIA**



James A. Byrne U.S. Courthouse
Philadelphia, Pennsylvania

**Electronic Case Filing System
(ECF)**

ATTORNEY USER MANUAL

FOR CIVIL CASES

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Electronic Case Filing System

Attorney User's Manual

GETTING STARTED

Introduction

This manual provides instructions for using the Electronic Case Filing (ECF) system to file documents with the Clerk of Court, or to view and retrieve docket sheets and documents for all cases assigned to the system. User's should have a working knowledge of an ECF-compatible web browser and Adobe Acrobat for creating and reading Portable Document Files (PDF).

Help Desk

Call the Court's Information Desk @ 1-866-ECF-4ECF between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday for technical questions or assistance using ECF.

ECF Systems Capabilities

Registered users with an ECF-compatible Web browser and access to the World Wide Web can use the District Court's ECF system to perform the following functions:

- Open the Eastern District of Pennsylvania Court's web page.
- View or download the most recent version of the ECF User's Manual.
- Self-train on a training system comparable to the official "live" system.
- Practice entering pleadings into ECF using a "training" system and database.
- Electronically file pleadings and documents in actual cases.
- View official docket sheets and documents associated with cases.
- View various report for cases that were filed electronically. (e.g. Docket Sheet Report, Calendar Event Report, etc.)

Requirements

Hardware and Software Requirements

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

- A personal computer running a standard operating system such as Microsoft Windows or Macintosh with a 17" Monitor.
- An internet service provider and Web browser. The installed version of ECF is compatible with Netscape Navigator version 4.0 or higher and/or Internet Explorer version 5.5 and at least 56.k modem.

-
- Adobe Acrobat software to convert documents from a word processing format to portable document format (pdf).
 - A scanner to convert paper documents to digital format for electronic transfer to the court (diskette) or to enter electronically into ECF. Use a scanner **ONLY** if you **cannot** electronically prepare your documents.

PACER Registration

ECF users must have a PACER account with the Eastern District of Pennsylvania in order to use the **Query and Report** features of the ECF system. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may call the PACER Service Center toll free @ 1-800-676-6856 for information or to register for an account. You may also register for PACER online by visiting their web site <http://pacer.psc.uscourts.gov>.

Registering for Access to ECF

Attorneys who require access to the electronic case filing (ECF) system must contact the District Court to obtain a registration form. A copy of the registration form is included as an attachment to the ECF Attorney User's Manual. Applicants should return the completed registration form to the Clerk's Office, U.S. District Court, Eastern District of Pennsylvania, Room 2609, 601 Market Street, Philadelphia, PA 19106-1797 for processing. After processing the properly completed registration form, the Clerk's Office will open a User Account and contact you with your ECF system login and password.

Registered users can visit a training version on the courts website ecf.paed.uscourts.gov to practice ECF activities. We strongly recommend that registered users practice in the "training" ECF database before filing documents in the "live" ECF database.

<p>* Note: The Clerk's Office issues a different set of logins and passwords for the "training" and "live" ECF systems.</p>
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PREPARATION

Setting Up Adobe Acrobat PDF Reader

Users must install Adobe Acrobat or Acrobat Reader in order to view documents that have been electronically filed with the Clerk's Office. Users may need to install the full version of Adobe's Acrobat Software to convert electronic files from their native application format to Portable Document Format (PDF). All new documents prepared for ECF cases must be converted to PDF before entering them into ECF or transmitting to the court. After installing these products review and follow Adobe's direction for using Acrobat or Acrobat Reader. The latest Adobe Reader software is available free of charge by downloading it from Adobe's website <http://www.adobe.com>.

Portable Document Format (PDF)

Only documents in PDF format may be electronically filed on the ECF system. Be sure to view the PDF formatted document before filing it with the Clerk's Office to ensure that it appears in its entirety and in the proper format.

Viewing a PDF Document

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

Converting Electronic Documents to PDF Format

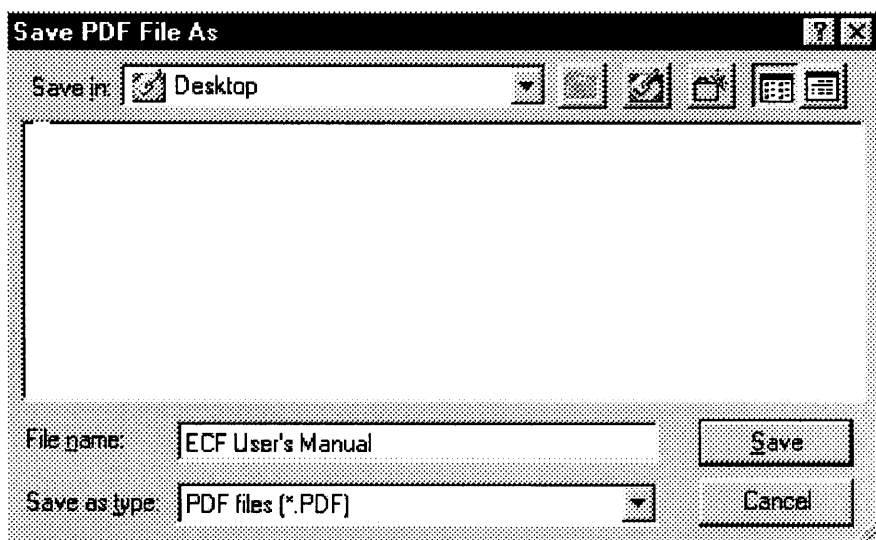
You must convert all of your documents from their native application to PDF format before submitting the documents to the Clerk's Office through its Electronic Case Filing (ECF) system. The conversion process requires Adobe Acrobat or Word Perfect 9 word-processing application with its built-in PDF conversion capabilities.

From Word Perfect Version 9

- Open the document in WP9.
- From the menu bar, click on *File* and from the drop-down menu select *Publish to PDF*.
- Save the files as a PDF file, giving it a .pdf extension.
- The file is now in Adobe PDF format under the newly designated name. The original document remains in WP9 format with its original file name.

For all other versions of Word Perfect, all versions of Microsoft Word, all Microsoft Office products, and other Adobe Acrobat-supported software applications

- Install Adobe Acrobat on your computer.
- Open the document you wish to convert.
- Select **Print** from the menu bar. Within the **Current Printer** field of the **Printer** window, select the option to change the selected printer. A drop down menu opens and a list of printer choices is displayed.
- **Select Acrobat Distiller.**
- Click **OK** to “print” the file. Instead of the file printing to your printer, the following window opens. See Figure Below.



- Name the document, verify the “saved file type” is .pdf, and click on the [Save] button.
- Your document is now saved as a PDF file and will be uploaded to ECF later in the filing process.

BASICS

User Interactions

Users normally interact with the Electronic Case Filing (ECF) system in three ways.

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

Conventions used in this Manual:

- User data entry is shown enclosed in angle brackets: <data entry>.
- Hyperlinks are displayed in **underlined boldface type**.
- Command buttons appear in **[bracketed boldface type]**.

Incorrectly Filed Documents

A document incorrectly filed in a case may result from: a) posting the wrong PDF file to a docket entry; b) selecting the wrong document type from the menu; or c) entering the wrong case number and not discovering the error before completing the transaction.

If a document has been filed in error contact the Eastern District of Pennsylvania's information desk to request a correction as soon as the error is discovered. Be sure to include the case number and document number for which the correction is being requested. Improper filings will be terminated in the CM/ECF system upon receipt of a praecipe to withdraw. The ECF system will not permit you to make changes to the document(s) or docket entry filed in error once the transaction has been submitted.

Submissions of Stipulations and Proposed Orders

An ECF Filing User electronically submitting stipulations or proposed order which may require a judge's signature must promptly deliver on computer disk or e-mail in WordPerfect format the stipulation or proposed order to the Clerk of Court for delivery to the judge unless the judge orders otherwise. An ECF Filing User who electronically submits a stipulation or proposed order is bound by all signature requirements set forth in Section 9 of the Procedural Order and Rule 11(a) of the Federal Rules of Civil Procedure. Pursuant to Local Rule 7.1 proposed orders should be submitted with the electronic filing as well as e-mailed in WordPerfect format to ecf_clerksoffice@paed.uscourts.gov.

Service of Documents by Electronic Means and Certificate of Service

When an ECF Filing User electronically files a pleading or other document using the ECF system, a Notice of Electronic Case Filing shall automatically be generated by the system, and shall be sent automatically to all parties entitled to service under the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Pennsylvania who have consented to electronic service. Electronic service of the Notice of Electronic Case Filing constitutes service of the filed document to all such parties and shall be deemed to satisfy the requirements of Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure.

All documents filed using the ECF system shall contain a Certificate of Service stating that the document has been filed electronically and is available for viewing and downloading from the ECF system. The Certificate of Service must identify the manner in which service on each party was accomplished, including any party who has not consented to electronic service.

Parties who have not consented to electronic service are entitled to receive a paper copy of any electronically filed pleading or other document. Service of such paper copy must be made according to the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Pennsylvania.

Mailing Labels and E-mail Addresses

An ECF Filing User can obtain which parties have consented to electronic service and which parties have not consented to electronic service.

- ▶ Click on the **Utilities** option on the Blue ECF menu bar. See figure below.



- ▶ ECF opens the Utilities menu. Click on the **Mailings...** hyperlink. See figure below.



Utilities

Your Account

[View Your Transaction Log](#)

Edit Data

Miscellaneous

[Legal Research ...](#)

[Mailings...](#)

[Verify a Document](#)

- ▶ ECF opens the Mailings screen. Click on the **Mailing Info for a Case** hyperlink. See figure below.



Mailings

[Mailing Info for a Case](#)

[Mailing Labels by Case](#)

- ▶ ECF opens the Mailing Information for a Case screen which will prompt you to enter the Case Number to view the recipient list. Enter the appropriate case number in the field next to Case Number. See figure below.



Mailing Information for a Case

Enter the case number to view the recipient list.

Case Number:

- ▶ After entering the appropriate case number click on the [Submit] button. See figure above.
- ▶ ECF opens the Mailing Information for a Case screen which will display the attorneys and e-mail addresses who are currently on the list to receive e-mail notices for this case and will also list the names and mailing addresses of attorneys who are not on the list to receive e-mail notices for this case. See figure below.

Mailing Information for a Case 2:01-cv-00001

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- JOHN DOE
john_doe@aol.com
- JANEDOE
jane_doe@aol.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

JOHN DOE
1234 WALNUT STREET
PHILADELPHIA, PA 10103

JANE DOE
601 MARKET STREET
SUITE 2609
PHILADELPHIA, PA 19106

Notification of Case Activity

An ECF Registered filing user has the option to add additional e-mail addresses to their ECF account. This will enable the additional e-mail accounts to be notified with the notice of electronic filing when activity on the registered filers case occurs. The attorney who is registering for electronic filing will have to supply their e-mail address on the registration form see Attachment B. Any additional e-mail accounts must be submitted on the Notification of Case Activity Form, see Attachment D.

Viewing Transaction Log

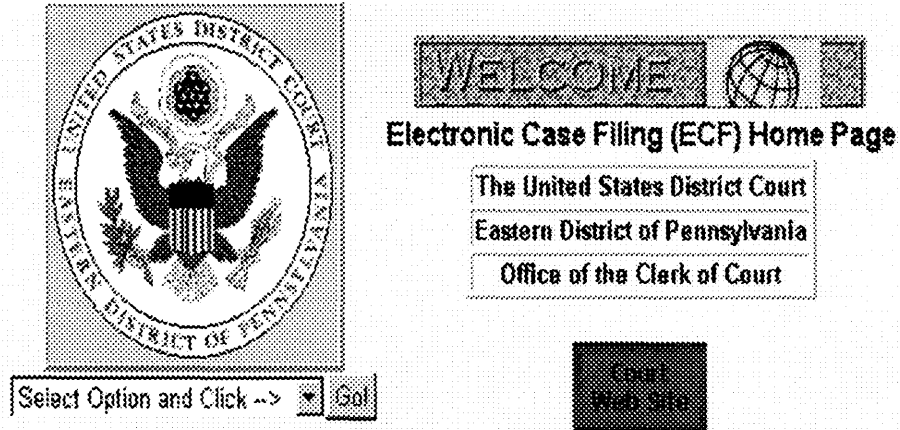
This feature, selected from the Utilities menu, will allow you to review all transactions ECF has processed with your login and password. ECF filing users agree to protect the security of their passwords and immediately notify the Clerk of Court by telephone, with said notification confirmed immediately thereafter in writing delivered by e-mail, facsimile or hand-delivery to the attention of the Clerk of Court, if they learn that their password has been compromised.

Attorney User's Manual

You can view or download the most recent version of the ECF Attorney User's Manual (in PDF format) from the District Court's web page. Enter <http://www.paed.uscourts.gov> in your browser's location field, when the Eastern District of Pennsylvania's web page opens, click on the **Electronic Case Filing** hyperlink.

ENTERING THE ECF SYSTEM

This section of the User's Manual provides instructions for entering the Electronic Case Filing (ECF) system. You may enter the system by going to the web page for the U.S. District Court for the Eastern District of Pennsylvania ecf.paed.uscourts.gov. Click on the LIVE ECF Login link to open the login screen. See figure below.





LIVE ECF Login
 Access to PACER

TRAINING ECF Login

<input type="radio"/> User Guide Detailed Instructions for Using ECF	<input type="radio"/> Toll Free Help Line 1-866-ECF-4ECF (1-866-323-4323) Weekdays 8:30 AM to 5:00 PM EST	<input type="radio"/> Tutorial Interactive ECF Lessons
<input type="radio"/> General Information	<input type="radio"/> Attorney Registration Form Register to Use ECF	<input type="radio"/> Document Types Civil Criminal
<input type="radio"/> Procedural Order	<input type="radio"/> ECF Requirements Hardware/Software Needed to Use ECF	<input type="radio"/> About PDF

E-mail the ECF Help Desk: ECF_PAED@paed.uscourts.gov.

-  Adobe Acrobat Reader is required to access a PDF document and can be found in Document Tips.
-  The PACER Service Center can be reached at <http://pacer.psc.uscourts.gov> to obtain a login for queries or PACER account help.

LOGGING IN



Civil • Criminal • Query • Reports • Utilities • Logout

PACER Login

Notice

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

Instructions

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

In the future an access fee of \$.07 per page, as approved by the Judicial Conference of the United States at its September 1998 session, will be assessed for access to this service. At that time all inquiries will be charged to your PACER account. If you do not need filing capabilities, enter your PACER login and password. The Client code is provided to the PACER user as a means of tracking transactions by client. This code can be up to thirty two alphanumeric characters long.

Authentication	
Login:	<input type="text"/>
Password:	<input type="password"/>
Client code:	<input type="text"/>

Make this my default PACER login

Enter your ECF login and user password in the appropriate data entry fields. It is important to remember that all ECF login names and passwords are case sensitive.

*** Note:** Use your ECF login and password if you are entering the system to file a pleading or to maintain your account. If you only wish to enter ECF to query the database for case information or to view a document, enter your **PACER** login and password.

Verify that you have entered your ECF login and password correctly. If an error has been made, click on the [Clear] button to erase the login and password entries and re-enter the correct information. After you enter the correct login and password information, click on the [Login] button to transmit your user information to the ECF system.

- If the ECF system does not recognize your login and password, it will display the following error message on a new screen. (**Login failed either your login name or key is incorrect.**)
- Click on the browser [Back] button and re-enter your correct login and password.

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

***Note:** The date and time *you last logged into the system* appears at the bottom left corner of this screen. You should review this information each time you login. If you believe the date and time of your last login are not correct, or you suspect an unauthorized party is using your login and password, telephone the Court's Information Desk @ 1-866-ECF-4ECF with this information as soon as possible.



Case Management/
Electronic Case Filing
CM/ECF

Welcome To Case Management/Electronic Case Filing (CM/ECF)

Selecting ECF Features

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

- Civil** - Selecting **Civil** to electronically file all civil case pleadings, motions, and other documents.
- Criminal** - Selecting **Criminal** to electronically file all criminal case pleadings, motions, and other documents.
- Query** - **Query** ECF by specific case number or party name to retrieve information and documents that are relevant to the case. You must login to **PACER** before you can query ECF.
- Reports** - Choose **Reports** to retrieve docket sheets, cases-filed reports, calendar events. You must login to **PACER** before you can view an ECF report.
- Utilities** - View your personal ECF transaction log in the **Utilities** area of ECF.
- Logout** - Provides the means to gracefully exit from ECF.

CIVIL EVENTS FEATURE

Registered filers will use the Civil Events feature of ECF to electronically self-file and docket with the Clerk's Office a variety of pleadings, motions, and other documents for civil cases. See the list of ECF documents at the back of this manual. This section of the manual describes the basic steps that you need to take in order to file a single **Motion** with the court. The process is consistent regardless of the event.

General Rules and Manipulations

Manipulating the Screens

Each event screen has two buttons associated with data entry:

- Use the [Clear] button to remove **all** characters entered in this screen.
- Use the [Next] button or [Submit] button to accept entered data and display the next data-entry screen.

Correcting a mistake



Use the [Back] button on the Netscape toolbar to retrieve the previous screen to correct date entry errors. Only the Clerk's Office can make changes or corrections to documents that have already been submitted to the court.

Signatures

Document requiring signatures of more than one party must be electronically filed either by (1) submitting a scanned document containing all necessary signatures; (2) representing the consent of the other parties on the document; (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than 3 business days after filing, or (4) in any other manner approved by the Court.

Filing a Civil Complaint

Civil complaints shall be filed in hard copy accompanied by a floppy disk in PDF format. Present the Clerk's office with: a) Civil Cover Sheet (JS-44c) b) payment for your filing fee in the amount of \$150.00. The Clerk's office will open your case in ECF, and docket the complaint and issue summons.

Filing Documents for Civil Cases

There are eight basic steps for filing a pleading in ECF.

1. Select the type of Civil Event to file (e.g. specific motion, injunction, etc.)
2. Type in the case for which the pleading is being filed.
3. Select the parties for whom the pleading is being filed.
4. Attach the PDF document to file.
5. Add attachments, if any, to the document being filed.
6. Modifying docket text.
7. Submit the pleading to ECF.
8. Notice of Electronic Filing.

1. Select the type of Civil Event that is being filed.

- Select **Civil** from the *Blue* menu bar at the top of the ECF screen. See Figure above. The Civil Event window opens displaying all of the events from which you may choose for your filing. See Figure below. This section of the User’s Manual describes the process for filing a **Motion** in ECF. The process is similar for filing other pleadings in ECF.
- Click on **Motions** under **Motions and Related Filings**. See figure below.

Civil Events

Initial Pleadings and Service

Service of Process

Answers to Complaints

Other Answers

Other Filings

ADR Documents

Discovery Documents

Notices

Trial Documents

Motions and Related Filings

Motions

Responses and Replies

Appeal Documents

Other Documents

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

Motions

Directed Verdict	▲
Disbursement of Funds	
Disclosure	
Discovery	
Dismiss	
Dismiss/Lack of Jurisdiction	
Dismiss/Lack of Prosecution	
Disqualify Judge	▼

Tip: Type the first letter of the title of your pleading. ECF will scroll within in the picklist to the first pleading whose title begins with the letter you typed.

Next

Clear

***Note:** To select more than one motion, press and hold down the Ctrl key, and click on each of the desired multiple reliefs.

2. **Locate the Case for which the pleading is being filed.**

A new **Motions** screen opens with a case number field. Enter the number of the case for which you are filing a motion and click on the **[Next]** button. See Figure below.

The screenshot shows the ECF interface. At the top, there is a navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below this is the 'Motions' section. A 'Case Number' input field is highlighted, containing the text '01-01'. To the right of the input field, a list of valid case number formats is displayed: '99-12345, 1-99-cv-12345, 1-99-cv-12345, 99cv12345, or 1-99cv12345'. Below the input field are two buttons: 'Next' and 'Clear'.

*** Note:** ECF defaults to the last case number from which you worked. *Ensure the proper case number is entered in this field to avoid filing your pleading to the wrong case.*

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

Motions

2:01-cv-00001 SMITH et al v. CITY OF PHILADELPHIA et al

Select the filer.

Select the Party:

ABC CORPORATION [Defendant] (T)	*
CITY OF PHILADELPHIA [Defendant]	
JOHN JOSEPH SMITHSONIAN [Intervenor Plaintiff]	
DEF CORPORATION [Claimant]	
DISTRICT ATTORNEY OF PHILADELPHIA COUNTY [Defendant]	
MIKE JONES [Counter Defendant]	
PATRICIA JONES [ThirdParty Defendant]	

[Add/Create New Party](#)

(T) indicates a terminated party

3. Select the Parties for whom the document is being filed.

ECF opens a screen with a list of parties in the case you selected. See figure above. Highlight the name of the party or parties for whom you are filing the motion if you represent all defendants or all plaintiffs you may select the entire group by holding down the Ctrl key while pointing and clicking on each party of the group.

Click on the [Next] button.

4. Attach the PDF document to file.

Motions

2:01-cv-00001 SMITH et al v. CITY OF PHILADELPHIA et al

Select the pdf document (for example: C:\199cv501-21.pdf).

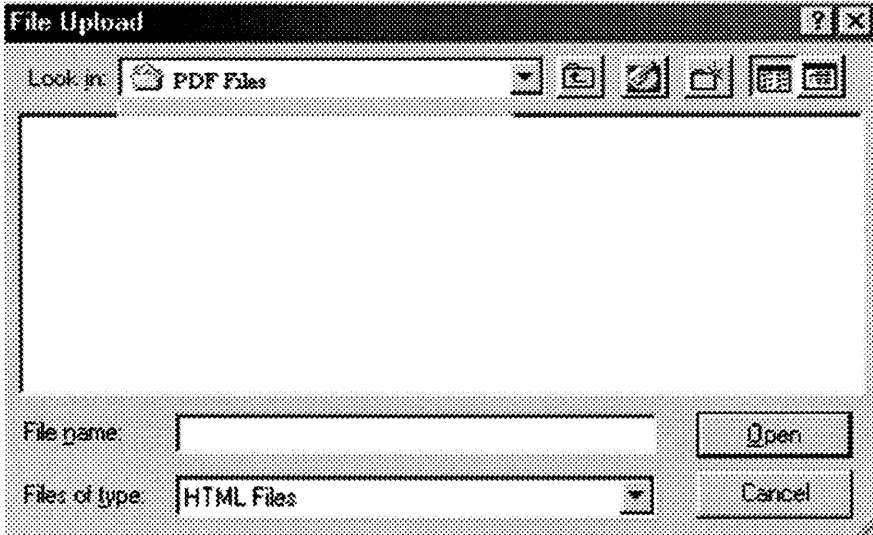
Filename

Attachments to Document: No Yes

ECF accepts the party or parties you selected and opens a new **Motions** screen which will allow you to attach the PDF file to the document. See figure above.

***Note:** It is imperative that you attach an electronic copy of the actual pleading when prompted by the system. All documents that you intend to file in ECF **MUST** be in **PDF** format. If you do not attach a PDF document ECF will not accept the document and will not allow you to continue filing your pleading.

- Click on the **[Browse]** button. As shown on the previous page.



- Change **Files of type** from:

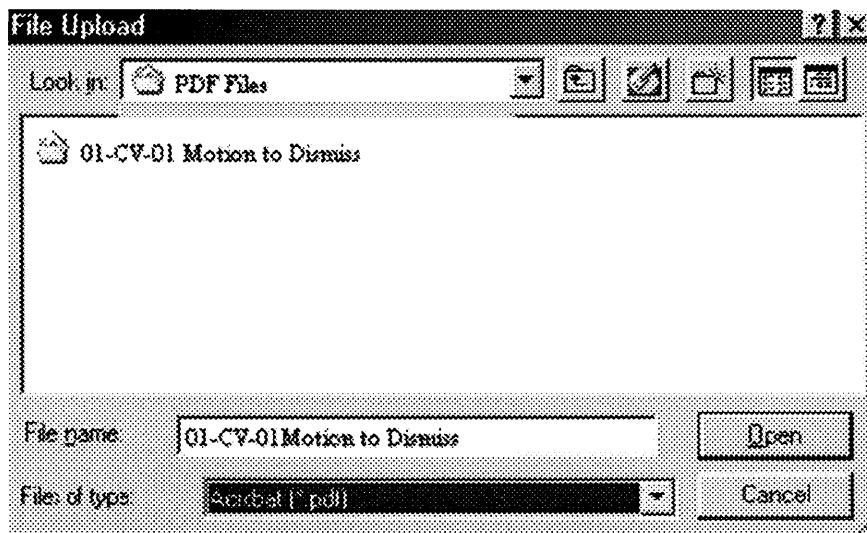


to:



- Navigate to the appropriate directory and file name to select the PDF document you wish to file.
- Highlight the file to upload to ECF. See the figure below.

*** Note:** In order to verify that you have selected the correct document right click on the mouse button on the highlighted file menu to open a quick menu and left click on the mouse on **Open**. Adobe Acrobat or Acrobat reader will launch and open the PDF document that you have selected. You should view the document to verify that it is the correct document.



***Note:** Ensure that the highlighted file name appears in the **File name** field as shown in the above figure. It is suggested that you choose a name for the document file that indicates the case number and title of the pleading.

- Click on the **[Open]** button from the screen shown above. ECF closes the **File Upload** screen and inserts the PDF file name and location in the **Motions** screen shown below.



Motions

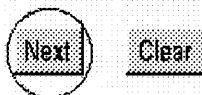
2:01-cv-00001 SMITH et al v. CITY OF PHILADELPHIA et al

Select the pdf document (for example: C:\199cv501-21.pdf).

Filename

C:\My Documents\PDF Files\01-CV-01M **Browse...**

Attachments to Document: No Yes



- If there are no attachments to the motion, click on the **[Next]** button.

5. Adding Attachments to documents being filed.

If you acknowledge the need to attach documents to your motion during the previous step, a new **Motions** screen appears as shown in the figure below.

The screenshot shows the ECF interface with a navigation bar containing 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', and 'Logout'. Below the navigation bar, the text reads 'Select one or more attachments.' followed by step 1: '1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf)'. A 'Filename' field contains 'C:\My Documents\Appendix.pdf' and a 'Browse...' button is to its right. Step 2: '2) At your option, select a document type and/or enter a description.' shows a 'Type' dropdown menu with 'Appendix' selected and a 'Description' field with 'Appendix I'. Step 3: '3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.' shows a list box with 'C:\My Documents\Appendix.pdf' inside, and 'Add to List' and 'Remove from List' buttons. A 'Next' button is at the bottom left.

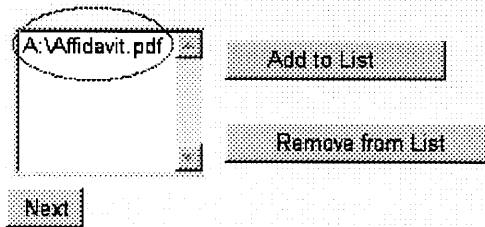
- Click on the [Browse] button to search for the document file name of the attachment.
- Next to the **Type** field, click on the down arrow and ECF opens a drop down menu of acceptable choices. Highlight the type of attachment from the display selection.
- To describe the attachment in more detail, click in the **Description** box and type the description of the attachment. (e.g. Exhibit- A, Appendix-I, etc.) See figure below.

This screenshot is similar to the previous one but highlights the 'Add to List' step. The 'Filename' field 'C:\My Documents\Appendix.pdf' and the 'Type' dropdown 'Appendix' are circled. The 'Description' field 'Appendix I' is also circled. The 'Add to List' button is highlighted with a red box. The 'Next' button is at the bottom left.

- Click on the [Add to List] button.

ECF adds the selected document as an attachment to the pleading. A new **Motions** screen opens to display the file name of the newly attached document in section 3) of the ECF screen. See figure below.

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.



- Repeat the previous steps for each additional attachment.
- After adding all of the desired PDF documents as attachments, click on the [Next] button.

6. Modifying Docket Text

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

Motions

201-cv-00001 SMITH et al v CITY OF PHILADELPHIA et al

Docket Text: Modify as Appropriate.

MOTION to Dismiss filed by CITY OF PHILADELPHIA . (PEREZ, FRANCES)

Next Clear

- Click on the down button to open a pick list of acceptable choices. Select the correct type of motion you are filing. See figure above.

Civil • Criminal • Query • Reports • Utilities • Logout

201-cv-00001 SMITH et al v CITY OF PHILADELPHIA et al

Docket Text: Modify as Appropriate.

MOTION to Dismiss filed by CITY OF PHILADELPHIA . (PEREZ, FRANCES)

Next Clear

- Click on the field next to the motion and relief which will allow you to type additional text for the description of the pleading that you wish to appear on the docket sheet. See figure on the next page.

Motions

2:01-cv-00001 SMITH et al v. CITY OF PHILADELPHIA et al

Docket Text: Modify as Appropriate.

First MOTION to Dismiss pursuant to local rule 41(b) filed by CITY OF PHILADELPHIA . (PEREZ, FRANCES)

Next

Clear

7. Submit the pleading to ECF.

- Click on the [Next] button.
- A new **Motions** window appears with the complete text for the docket sheet and an **Attention!!!** message informing you that by clicking on the [Next] button you will have no further opportunity to modify this entry. See figure below.

Motions

2:01-cv-00001 SMITH et al v. CITY OF PHILADELPHIA et al

Docket Text: Final Text

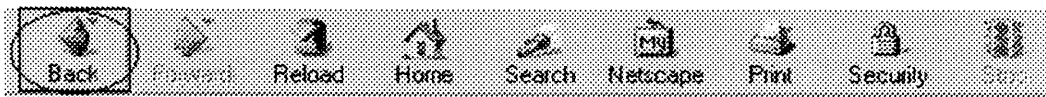
First MOTION to Dismiss pursuant to local rule 41(b) filed by CITY OF PHILADELPHIA. (Attachments: # (1))(PEREZ, FRANCES)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

Next

Clear

- Review the docket text to ensure there are no errors. If you need to modify the data click on the [Back] button on the Netscape toolbar to find the screen you wish to alter. See figure below.



- Click on the [Next] button to file and docket the pleading.

8. Notice of Electronic Filing.

ECF opens a new **Motions** screen which displays an ECF filing receipt. See figure below.



Motions

2:01-cv-00001 SMITH et al v. CITY OF PHILADELPHIA et al

Notice of Electronic Filing

The following transaction was received from JOHN DOE, ESQUIRE on 2/13/2002 at 3:07 PM CST

Case Name: SMITH et al v. CITY OF PHILADELPHIA et al

Case Number: 2:01-cv-00001

Document Number: 57

Docket Text:

First MOTION to Dismiss *pursuant to local rule 41(b)* filed by CITY OF PHILADELPHIA. (Attachments: # (1))

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename: A:/Motion.pdf

Electronic document Stamp:

KeyFile (/app01/DCECF/train/server/server/./support/Keys/dcstd.key) is not available for this court.

Document description:

Original filename: A:/Affidavit.pdf

Electronic document Stamp:

KeyFile (/app01/DCECF/train/server/server/./support/Keys/dcstd.key) is not available for this court.

2:01-cv-00001 Notice will be electronically mailed to:

JOHN DOE

JANE DOE

2:01-cv-00001 Notice will not be electronically mailed to:

JOHN JOSEPH SMITHSONIAN
1234 WALNUT STREET
PHILADELPHIA, PA 10103

MARSHA JONES
1234 MARKET STREET
SUITE 1234
CHERRY HILL, NJ 08080

MARK MCHUGH
U.S. POST OFFICE BUILDING
9TH AND MARKET STREETS
PHILADELPHIA, PA 19106

- The screen on the previous page provides confirmation that ECF has registered your transaction and the pleading is now an official court document. It also displays the date and time of your transaction and the document number that was assigned to your pleading. You should note this number on the documents PDF file.
- Click on the **[Print]** button on the Netscape toolbar to print Notice of Electronic Filing. See figure below.



- Select *file* from the menu bar, and choose *Save frame as* from the pick list to save the receipt to a file on the hard drive of your computer.

***Note:** It is recommended that you copy the notice of electronic filing to a file on your computer hard drive or on a disk for further access. It is also recommended that you print the notice and retain a hard copy in your personal files.

- When a ECF Filing User electronically files a pleading or other document using the ECF system, a Notice of Electronic Case Filing is automatically generated by the system, and is sent automatically to all parties entitled to service under the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Pennsylvania who have consented to electronic service. Electronic service of the Notice of Electronic Case Filing constitutes service of the filed document to all such parties and shall be deemed to satisfy the requirements of Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure.

All documents filed using the ECF system shall contain a Certificate of Service stating that the document has been filed electronically and is available for viewing and downloading from the ECF system. The Certificate of Service must identify the manner in which service on each party was accomplished, including any party who has not consented to electronic service.

Parties who have not consented to electronic service are entitled to receive a paper copy of any electronically filed pleading or other document. Service of such paper copy must be made according to the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Pennsylvania.

Email notification of documents that were filed.

Individuals who receive electronic notification of a filing are permitted “**one free look**” at the document by clicking on the associated hyperlink document number on the **Notice of Electronic Filing**. It is recommended that the recipient save and/or copy the document to their hard drive for future access. Subsequent retrieval of the docket sheet and pleading from CM/ECF must be made through your **PACER** account and is subject to regular **PACER** fees.

FILING OTHER TYPES OF DOCUMENTS

Registered users who wish to file a document other than a motion should make the appropriate selection from the **Civil Events** menu. The process for other filings is very similar to what has been described in this manual for filing a motion.

QUERY FEATURE

Registered participants should use this feature to query the Electronic Case Filing (ECF) system for a specific case information. To enter the Query mode, click on **Query** from the *Blue* ECF menu bar. See figure below.



ECF opens the PACER Login screen. You must enter your PACER login and password before ECF permits you to query the ECF database. See figure below.

Authentication

Login:

Password:

Client code:

Make this my default PACER login

*** Note:** Your PACER login and password are different from your ECF login and password. You must have a PACER account in order to retrieve, view and print certain documents.

ECF opens a query data entry screen as shown in the figure below.

Query

Search Clues

Case Number (Examples: 99-500, 1:99cv500) Def Number

or search by

Filed Date to

Last Entry Date to

Nature of Suit

or search by

Last Name (Examples: Desoto, Des*t)

First Name Middle Name

Type

If you know the number that has been assigned to the case, enter it in the **Case Number** field and click on the **[Run Query]** button. Also, you may query the ECF database by the name of the party or an attorney to the case. Enter the last name of the party in the last name field as shown in the figure on the previous page.

If the individual is a party to more than one case, ECF will open a screen listing all of the party names or attorney names. Click on the hyperlink of the appropriate person you wish to run a query for. See figure below.

Select A Person

There were 6 matching persons.

SMITH, ALYSSA BRIANA (pty)
SMITH, JOHN JOSEPH (pty)
SMITH, RAY (pty)
SMITH, ROBBIE (pty)
SMITH, ROBBIE (pty)
SMITH, ROBERT (pty)

After selecting the person or case number you wish to query, ECF opens a **Query** window which will list all of the cases the party you selected is involved in. Click on the hyperlink for the appropriate case you wish to query. See figure below.

Select A Case

This person is a party in 4 cases.

2:01-cv-01111 SMITH v. WINSTON'S GENERAL STORE filed 04/25/01
2:01-cv-01115 SMITH v. JOHN'S MARKET filed 04/25/01
2:01-cv-01119 SMITH v. ABC CORPORATION et al filed 07/01/01
2:01-cv-01200 SMITH v. XYZ CORPORATION filed 07/16/01

At the top of the **Query** window, ECF displays the case number, parties to the case, presiding Judge, **Date filed**, and **Date of last filing for the case**. You may choose specific case information from the list of **Query** options by clicking on the appropriate hyperlink on the screen shown on the next page.

2:01-cv-01111 SMITH v. WINSTON'S GENERAL STORE
James T. Giles, presiding
Date filed: 04/25/2001 **Date of last filing:** 04/25/2001

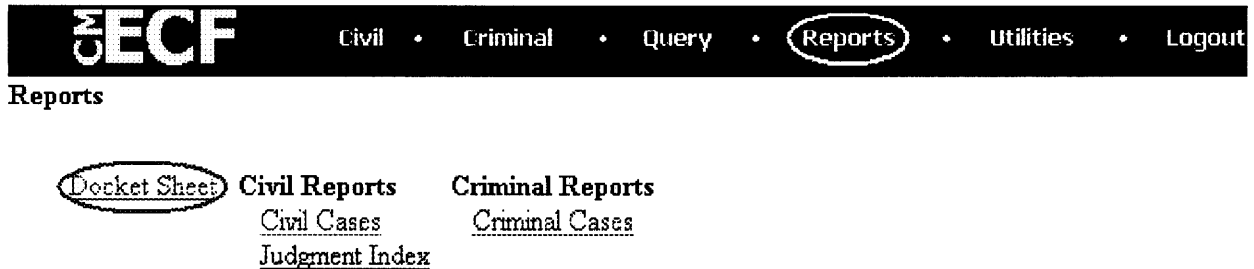
Query

[Alias](#)
[Associated Cases](#)
[Attorney](#)
[Case Summary](#)
[Deadlines/Hearings...](#)
[Docket Report ...](#)
[Filers](#)
[History/Documents...](#)
[Party](#)
[Related Transactions...](#)
[Status](#)

You may click on the appropriate hyperlink you wish to **Query** for the specific party and/or case number. ECF will open an information screen for the hyperlink you selected. The process to **Query** each selection is very similar. Continue to follow the steps outlined above.

REPORTS FEATURE

The Reports feature of ECF provides the user with several report options. After selecting the Reports feature from the *Blue* ECF menu bar, ECF opens the **Reports** screen displaying hyperlinks as shown on the figure below.



ECF opens the PACER Login screen. You must enter your PACER login and password before ECF permits you to query the ECF database. See figure below.

The image shows the "Authentication" screen with the following fields and options:

- Login: [text input field]
- Password: [password input field]
- Client code: [text input field]
- Make this my default PACER login
- Buttons: Login (circled), Reset

*** Note:** Your PACER login and password are different from your ECF login and password. You must have a PACER account in order to retrieve, view and print certain documents.

If you click on the **Docket Sheet** hyperlink and ECF will open a **Docket Sheet** report query window shown in the figure below.

The image shows the "Docket Sheet" report query window with the following fields and options:

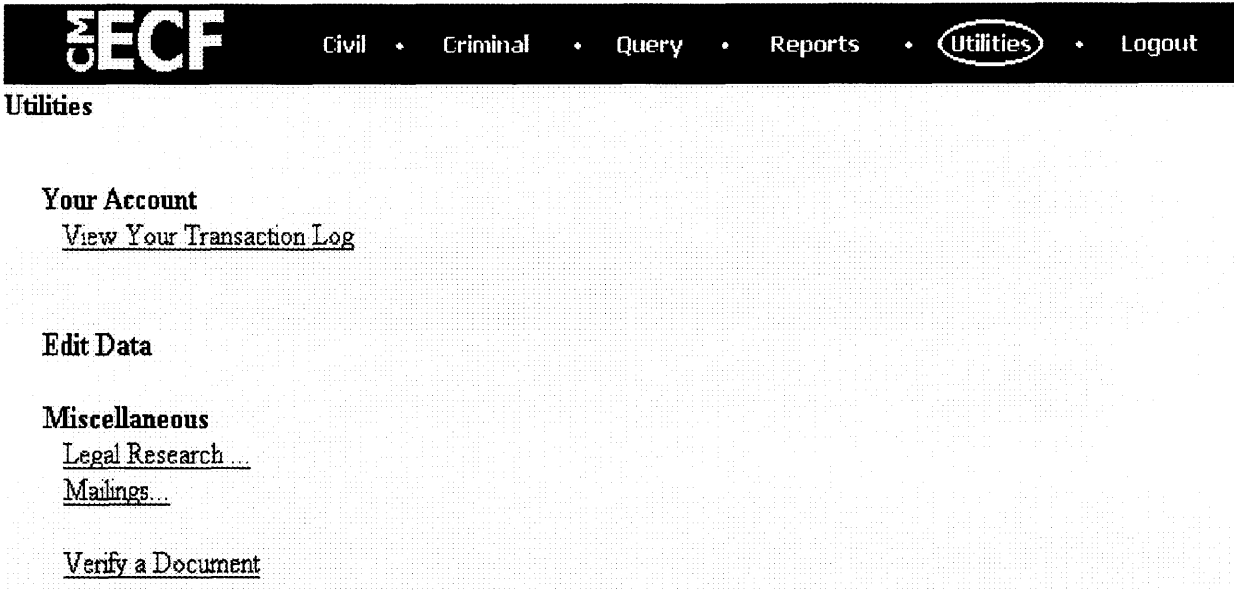
- Case number: [text input field with value "2-01-cv-1111"]
- Radio buttons: Filed, Entered
- to: [text input field]
- Documents: [text input field] to [text input field]
- Checkboxes: Include terminated parties, Include links to Notice of Electronic Filing, Include Caption
- Sort by: [dropdown menu with value "Oldest date first"]
- Buttons: Run Report (circled), Clear

This is the same query window that ECF displayed when you selected **Docket Report** from the **Query** feature. Enter the case number for your docket sheet in the **Case Number** field. Enter the remainder of the information in the data entry fields (optional) and click on the **[Run Report]** button. ECF will display a full docket sheet for the case you selected. If you do not need a complete docket sheet, you can narrow the query using the date fields. ECF also offers various sorting options from the **Docket Sheet** query screen.

The process to run a report for each selection is very similar. Continue to follow the steps outlined in this section of the manual.

UTILITIES FEATURE

The **Utilities** feature provides the means for registered users to maintain their ECF account and to view all of their ECF transactions. This section of ECF provides you the capability to maintain certain aspects of your ECF account with the Court. The figure below displays the screen for the ECF **Utilities** feature.



View Your Transaction Log

From the **Utilities** feature of the *Blue* ECF menu bar, click on the **View Your Transaction Log** hyperlink. ECF opens a screen with two fields to Enter the Date Selection Criteria for the Transaction Log Report. Enter the date range you wish to query and click on the [Submit] button. See Figure below.

View Transaction Log

Enter the Date Selection Criteria for the Transaction Log Report

Start Date:	<input type="text" value="04/17/2002"/>	End Date:	<input type="text" value="04/19/2002"/>
<input type="button" value="Submit"/>		<input type="button" value="Clear"/>	

ECF displays a report of all your transactions in ECF within the date range you specify for Date Selection Criteria. See figure on the next page for a sample Transaction Log Report.

Transaction Log
Report Period: 04/17/2002 - 04/19/2002

Id	Date	Case Number	Text
134190	04/17/2002 14:50:45	2-01-cv-1	ANSWER to Amended Complaint, COUNTERCLAIM against ABC CORPORATION by DISTRICT ATTORNEY OF PHILADELPHIA COUNTY.(PICARIELLO, NICOLE)
134258	04/17/2002 16:00:06	2-01-cv-1	First MOTION to Dismiss Pursuant to rule 41.b filed by DISTRICT ATTORNEY OF PHILADELPHIA COUNTY.

Total Number of Transactions: 2

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

- all of the transactions you enter are reflected in the Transaction Log.
- no unauthorized individuals have entered transactions into ECF using your login name and password.

Miscellaneous

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

- **Legal Research**
- **Mailings**
- **Verify a Document**

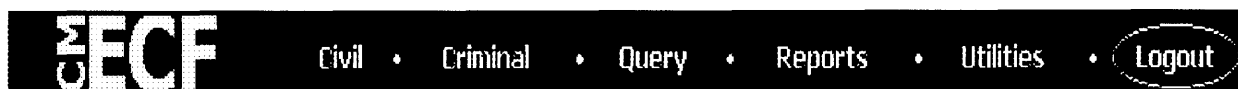
When you click on the **Legal Research** hyperlink from the **Miscellaneous** menu, ECF opens a new screen that contains hyperlinks to a Law Dictionary, a Medical Dictionary and Westlaw via the Internet.

When you click on the **Mailings** hyperlink a new screen opens for making or requesting mailings from ECF.

When you click on the **Verify a Document** hyperlink a new screen opens which will prompt you to enter a case number and to Specify the number of the docket entry containing the document to be verified. Click on the [Next] button to verify that the document exists.

LOGGING OUT

Click on **Logout** from the *Blue* ECF menu bar. ECF will log you out of this system and return you to the ECF Login screen.



CIVIL DOCUMENT

TYPE TABLES

ATTACHMENT

A

Civil ECF Document Type Tables for Attorney Users

Service of Process

Acceptance of Service
Affidavit of Service
Certificate of Service
Request for Waiver of Service
Service by Publication
Summons Returned Executed
Summons Returned Unexecuted
Waiver of Service Executed
Waiver of Service Unexecuted

Answers to Complaints

System will allow you to select the appropriate complaint that was filed in your case.

Other Answers

Affidavit in Opposition
Affidavit in Support
Amended Answer to Complaint
Answer to Complaint (Notice of Removal)
Answer to Writ of Garnishment
Claim
Objection to Report and Recommendations
Response
Withdrawal of Claim

Motions

for Approval	for Extension of Time to File Response/Reply
for Attorneys Fees	for Forfeiture of Property
for Bill of Costs	for Hearing
for Bond	for Issuance of Warrant en rem
for Certificate of Appealability	for Joinder
for Clarification	for Judgment
for Confirmation	for Judgment Debtor Exam
for Contempt	for Judgment NOV
for Costs	for Judgment as a Matter of Law
for Declaration of Mistrial	for Judgment of Forfeiture
for Declaratory Judgment	for Judgment on Partial Findings
for Default Judgment	for Judgment on the Pleadings
for Directed Verdict	for Judgment under Rule 54(b)
for Disbursement of Funds	for Leave to Appeal
for Disclosure	for Leave to File Document
for Discovery	for Letters Rogatory
for Disposition	for Limited Admissions
for Entry of Default	for Miscellaneous Relief
for Extension of Time to Amend	for More Definite Statement
for Extension of Time to Complete Discovery	for New Trial
for Extension of Time to File Answer	for Order
for Extension of Time to File Document	for Order of Sale

Motions Cont...

for Permanent Injunction
for Preliminary Injunction
for Protective Order
for Publication
for Reconsideration
for Recusal
for Release of Bond Obligation
for Release of Funds
for Relief
for Report and Recommendations
for Return of Property
for Sanctions
for Service
for Service by Publication
for Settlement
for Summary Judgment
for Taxation of Costs
for Temporary Restraining Order
for Trial
for Writ
for Writ of Garnishment
for Writ of Habeas Corpus ad Testificandum
for Writ of Habeas Corpus ad Prosequendum
for Writ of Mandamus
in Limine
sealed Motion
to Alter Judgment
to Amend/Correct
to Appeal in Forma Pauperis
to Appear
to Appoint Counsel
to Appoint Custodian
to Appoint Expert
to Appoint Guardian/Attorney ad Litem
to Appoint Receiver
to Approve Consent Judgment
to Bifurcate
to Certify
to Certify Class
to Compel
to Confirm Arbitration Award
to Consolidate Cases
to Continue
to Depose
to Deposit Funds
to Dismiss

to Dismiss/Lack of Jurisdiction
to Dismiss/Lack of Prosecution
to Disqualify
to Disqualify Judge
to Disqualify Juror
to Enforce
to Enforce Judgment
to Enjoin
to Exclude
to File Amicus Brief
to File Excess Pages
to Intervene
to Issue
to Modify
to Permit
to Place in Suspense
to Preclude
to Proceed in Forma Pauperis
to Produce
to Quash
to Reassign Case
to Reinstate
to Remand
to Reopen Case
to Seal Case
to Seal Document
to Set Aside
to Set Aside Default
to Set Aside Forfeiture
to Set Aside Judgment
to Set Aside Verdict
to Sever
to Show Cause
to Stay
to Strike
to Substitute
to Substitute Attorney
to Substitute Party
to Suppress
to Take Deposition
to Transfer
to Unseal Case
to Unseal Document
to Vacate
to Withdraw
to Withdraw Reference
to Withdraw as Attorney

Responses and Replies

Affidavit in Opposition to Motion
Affidavit in Support of Motion
Memorandum
Reply to Response to Motion
Response in Opposition to Motion
Response in Support of Motion
Response to Motion

ADR Documents

Consent to Arbitration
Request for Trial De Novo

Discovery Documents

Disclosure
Discovery Plan

Notices

Certificate of Counsel
Notice (Other)
Notice of Appearance
Notice of Change of Address
Notice of Lis Pendens
Notice of Settlement
Notice of Voluntary Dismissal
Notice of Withdrawal of Appearance

Trial Documents

Exhibit List
Points for Charge
Proposed Findings of Fact
Proposed Jury Instructions
Proposed Jury Interrogatories
Proposed Verdict Sheet
Proposed Voir Dire
Trial Brief
Witness List

Appeal Documents

Appeal of Magistrate Judge Decision to District Court
Appellants Brief
Appellants Reply Brief
Appellees Brief
Designation of Record on Appeal
Notice of Appeal
Notice of Cross Appeal
Notice of Interlocutory Appeal

Other Documents

Acceptance of Offer of Judgment
Affidavit
Affirmative Defenses
Amended Document (Not Motion)
Appeal to Clerk's Taxation of Costs
Application/Petition
Bill of Costs
Consent to Magistrate Judge Disposition on Motion
Declaration

Other Documents Cont...

Interpleader

Interrogatories in Attachment

Jury Demand

Objections

Offer of Judgment

Praecipe/Request

Pretrial Memorandum

Proposed Case Management Plan

Proposed Pretrial Order

Report of

Request for Default

Request for Default Judgment

Satisfaction of Judgment

Settlement Agreement

Statement

Status Report

Stipulation

Stipulation of Dismissal

Suggestion of Bankruptcy

Suggestion of Death

REGISTRATION

FORM

ATTACHMENT

B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

OFFICE OF THE CLERK OF COURT

**ELECTRONIC CASE FILING (ECF)
ACCOUNT REGISTRATION FORM**

This Electronic Case Filing (ECF) Account Registration Form shall be used to register for an account with the U.S.D.C. for the Eastern District of Pennsylvania's Electronic Case Filing (ECF) system. ECF Registered attorneys will have privileges to electronically submit documents in accordance with Local Civil Rule 5.1.2, Local Criminal Rule 1.2 and the *Procedural Order, In Re: Electronic Case Filing (ECF)*.

(Please Print or Type)

First Name: _____ Middle Initial/Name: _____

Last Name: _____ Generation (i.e., Sr., Jr.) _____

Firm: _____ Bar Id No. and State: _____

Address: _____

Address: _____

City: _____ State: _____ Zip Code _____

Telephone No: () _____ FAX No: () _____

E-mail Address: _____

Last 4 digits of your Social Security number (to be used for the log-in code): _____

Are you admitted to practice in the Eastern District of Pennsylvania?

Yes No

If yes, are you a member in good standing?

Yes No

Are you admitted to practice pro hac vice in the Eastern District of Pennsylvania?

Yes No

Are you a registered ECF Filer in another U.S. District or Bankruptcy Court?

Yes No

If yes, please provide the district you are a registered ECF User and the log-in and password if you would like to have the same log-in and password.

District: _____ Log-in: _____ Password: _____

By submitting this account registration form, the undersigned agrees/consents to the following:

1. I have read and understood the provisions of Rule 5.1.2 of the Local Rules of Civil Procedure, "Electronic Case Filing," amended Rule 1.2 of the Local Rules of Criminal Procedure, Applicability and Effect of Local Rules," and the court's Procedural Order, In Re: Electronic Case Filing, ("ECF Procedural Order"), and I agree to abide by all provisions set forth therein.

2. I agree that the combination of the user log-in and password will serve as my signature for purposes of the Federal Rules of Civil and Criminal Procedure. I further agree to protect the security of my password and to immediately notify the clerk of court by telephone, with said notification confirmed immediately thereafter in writing delivered by e-mail, facsimile or hand-delivery to the attention of the clerk of court, as soon as I learn that my password may have been compromised.

3. In accordance with the provisions of Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure and Section 7 of the ECF Procedural Order, I agree that service may be given to me by electronic transmission and I consent to make electronic service of all documents.

4. I have read and understood the provisions of Rule 11 of the Federal Rules of Civil Procedure, particularly as referenced in Sections 8 and 9 of the ECF Procedural Order, and I agree to abide by the provisions set forth therein.

5. I agree to waive the provisions of Rule 77(d) of the Federal Rules of Civil Procedure and Rule 49(c) of the Federal Rules of Criminal Procedure, providing for service of notice by mail, and I consent that such notice may be served by electronic transmission in accordance with Section 14 of the Procedural Order.

6. All transmissions for electronic case filings of pleadings and documents to the ECF system shall be titled in accordance with the approved directory of civil and criminal events of the ECF system in a case in which an attorney is counsel of record or on any document which is construed as an entry of appearance in accordance with Local Civil Rule 5.1.

I hereby certify that the above information is true and correct and I am a member in good standing of the United States District Court for the Eastern District of Pennsylvania.

Signature

Date

Please return completed form by U.S. Mail to:

Michael E. Kunz
U.S. District Court
2609 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797
Attn: ECF

You will be notified of your user log-in and password by electronic mail. If you have any questions on the ECF registration process or the use of the electronic filing system, you may contact the Electronic Filing Information Center toll-free at 1-866-ECF-4ECF.

PROCEDURAL

ORDER

ATTACHMENT

C

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Rule 5.1.2 of the Local Rules of Civil Procedure,
*Electronic Case Filing***

O R D E R

AND NOW, this 25th day of March 2002, it appearing to the court that Federal Rule of Civil Procedure 5(e) authorizes the Court to establish practices and procedures for the filing, signing, serving and verification of documents by electronic means, and that the Office of the Clerk of Court of the United States District Court for the Eastern District of Pennsylvania has been selected by the Judicial Conference of the United States to implement an electronic case filing ("ECF") system,

AND, it further appearing that this Court is vested with authority, pursuant to 28 U.S.C. §§2071(e), 2077 and Federal Rule of Civil Procedure 83, to promulgate Local Civil Rules not inconsistent with the Federal Rules of Civil Procedure and applicable statutes, it is hereby

ORDERED that, in accordance with the Resolution approved by the judges of this Court on March 25, 2002, Rule 5.1.2 of the Local Rules of Civil Procedure for the United States District Court for the Eastern District of Pennsylvania, *Electronic Case Filing*, will apply to all cases designated for ECF and will read as follows:

Rule 5.1.2 *Electronic Case Filing* -- All cases filed on or after May 1, 2002, may be assigned to the Electronic Case Filing ("ECF") System in accordance with the *Procedural Order on Electronic Case Filing*, the provisions of which are incorporated herein by reference, and which may be amended from time to time by the court.

Therefore, this 25th day of March 2002, it is hereby

ORDERED that Rule 5.1.2 of the Local Rules of Civil Procedure is approved and adopted concurrent with approval of the *ECF Procedural Order*, a copy of which is attached to this Order, to be effective May 1, 2002. It is further

ORDERED that the Clerk of Court transmit a copy of Rule 5.1.2 of the Local Rules of Civil Procedure to the Director of the Administrative Office of the United States Courts and the Judicial Council of the Third Circuit Court of Appeals and make said Rule available to the bar and public.

FOR THE COURT:

JAMES T. GILES,
Chief Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Rule 1.2 of the Local Rules of Criminal Procedure,
*Applicability and Effect of Local Rules***

O R D E R

AND NOW, this 25th day of March 2002, it appearing to the court that Federal Rule of Civil Procedure 5(e) authorizes the Court to establish practices and procedures for the filing, signing, serving and verification of documents by electronic means, and that the Eastern District of Pennsylvania has been selected as a test court by the Judicial Conference of the United States to implement an electronic case filing ("ECF") system,

AND it further appearing that this Court is vested with authority, pursuant to 28 USC §§2071, 2077 and Federal Rule of Criminal Procedure 57 to promulgate Local Criminal Rules not inconsistent with the Federal Rules of Criminal Procedure and applicable statutes, it is hereby

ORDERED that, in accordance with the Resolution approved by the judges of this Court on March 25, 2002, Rule 1.2 of the Local Rules of Criminal Procedure for the United States District Court for the Eastern District of Pennsylvania, *Applicability and Effect of Local Rules*, is amended to include Rule 5.1.2 of the Local Rules of Civil Procedure, *Electronic Case Filing*, as fully applicable to all criminal proceedings.

Therefore, this 25th day of March 2002, it is hereby

ORDERED that Rule 1.2 of the Local Rules of Criminal Procedure is amended concurrent with the approval and adoption of Rule 5.1.2 of the Local Rules of Civil Procedure, *Electronic Case Filing*, to be effective May 1, 2002. It is further

ORDERED that the clerk of court transmit a copy of Rule 1.2 of the Local Rules of Criminal Procedure, as amended, to the Director of the Administrative Office of the United States Courts and the Judicial Council of the Third Circuit Court of Appeals and make said Rule available to the bar and public.

FOR THE COURT:

JAMES T. GILES,
Chief Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Electronic Case Filing ("ECF")

P R O C E D U R A L O R D E R

1. Definitions

(a) "ECF Filing User" means those who have Court-issued log-ins and passwords to file documents electronically.

(b) "Notice of Electronic Case Filing" means the notice generated by the ECF system when a document has been filed electronically, stating that the document has been filed.

(c) "Judge" means the District Judge assigned to the case, or the Magistrate Judge to whom all or any part of a case has been referred pursuant to 28 U.S.C. § 636.

(d) "Court" shall mean the United States District Court for the Eastern District of Pennsylvania

2. Scope of Electronic Case Filing

(a) All civil and criminal cases filed in this court on or after May 1, 2002, will be entered into the court's Electronic Case Filing ("ECF") System in accordance with this Procedural Order on Electronic Case Filing ("Procedural Order"). Except as expressly provided in this Procedural Order and in exceptional circumstances preventing a registered ECF Filing User from filing electronically, all pleadings, documents, motions, memoranda of law, petitions, certificates of service and other documents required to be filed with the clerk of court in connection with a case assigned to the ECF System must be electronically filed.

(b) The filing of all initial papers in civil cases, such as the complaint and the issuance and service of the summons, and, in criminal cases, the indictment or information, warrant for arrest or summons, will be accomplished by hard copy filed in the traditional manner rather than electronically. In a case assigned to the ECF system, parties must concurrently provide the clerk of court with a computer disk, in such form as may be required by the clerk of court, containing a copy of all documents provided in paper form at the time of filing. All subsequent documents and pleadings in cases designated by the court to be assigned to the ECF System must be filed electronically, except as provided in this Procedural Order or as ordered by the judge.

(c) Attorneys and others who are not registered ECF Filing Users in the ECF System are not required to file pleadings electronically and other papers in a case assigned to the system. Once registered, an ECF Filing User may withdraw from participation in the ECF System by providing the clerk of court with written notice of the withdrawal and upon approval of the judge.

(d) Nothing in this Procedural Order shall be construed to nullify or contradict the provisions set forth in Rule 26.1 of the Local Rules of Civil Procedure, *Discovery*, directing that interrogatories, requests for production and inspection and requests for admission under Fed. R.Civ.P. 33, 34 and 36 that answers, responses and objections to interrogatories and to Rules 34 and 36, and that requests, notices of depositions and depositions under Fed.R.Civ.P. 30 and 31, shall not be filed with the court.

(e) Nothing in this Procedural Order shall be construed to nullify or contradict the provisions set forth in Rule 39.3 of the Local Rules of Civil Procedure, *Records, Files and Exhibits*, directing that the clerk of court maintain custody of all records, files and exhibits in all cases filed in this court until such time as the case is finally resolved, dismissed or abandoned, as set forth in paragraph (e) of Rule 39.3.

(f) All cases filed in the ECF System in which a notice of appeal is filed shall be governed by Rule 10 of the Federal Rules of Appellate Procedure and relevant Local Rules and internal operating procedures of the United States Court of Appeals for the Third Circuit, with any differences about whether the record truly discloses what occurred in the district court to be submitted to and settled by the judge. Cases in which there is a right of direct appeal to the United States Supreme Court shall be governed by the rules of the United States Supreme Court.

3. Eligibility, Registration and Password

(a) Attorneys admitted to the bar of this court, including those admitted pro hac vice, may register as ECF Filing Users of the court's ECF system. Registration is in a form prescribed by the clerk of court and requires the Filing User's name, address, telephone number, Internet e-mail address and a declaration that the attorney is admitted to the bar of this court and is a member in good standing.

(b) Upon the approval of the judge, a party to a case who is not represented by an attorney may register as an ECF Filing User in the ECF System solely for purposes of the action. Registration is in a form prescribed by the clerk of court and requires identification of the case as well as the name, address, telephone number and Internet e-mail address of the party. If, during the course of the case, the party retains an attorney who appears on the party's behalf, the attorney must advise the clerk of court to terminate the party's registration as a Filing User upon the attorney's appearance.

(c) Registration as an ECF Filing User constitutes agreement to receive and consent to make electronic service of all documents as provided in this Procedural Order in accordance with Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure, as referenced in Rule 49(b) of the Federal Rules of Criminal Procedure. This agreement and consent is applicable to all future cases until revoked by the ECF Filing User.

(d) Once registration is completed, the ECF Filing User will receive notification of the user log-in and password. ECF Filing Users agree to protect the security of their passwords and immediately notify the clerk of court by telephone, with said notification confirmed immediately thereafter in writing delivered by e-mail, facsimile

or hand-delivery to the attention of the clerk of court, if they learn that their password has been compromised. Users may be subject to sanctions by the judge for failure to comply with this provision. For security reasons, the court recommends that ECF Filing Users periodically change their passwords, which shall be done by notifying the clerk of the court who shall implement the change.

4. Consequences of Electronic Filing

(a) Electronic transmission of a document to the ECF System consistent with this Procedural Order, together with the transmission of a notice of electronic case filing from the court, constitutes filing of the document for all purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of this court, and constitutes entry of the document on the docket maintained by the clerk of court pursuant to Rules 58 and 79 of the Federal Rules of Civil Procedure and Rules 49 and 55 of the Federal Rules of Criminal Procedure.

(b) A document that has been filed electronically is the official record of the document, and the filing party is bound by the document as filed. Except in the case of documents first filed in paper form and subsequently submitted electronically under Section 2 above, a document filed electronically is deemed filed at the time and date stated on the notice of electronic case filing from the court.

(c) Filing a document electronically does not change any filing deadline set by the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Local Rules of the court, or an order of the judge.

(d) All pleadings and documents filed electronically must be transmitted in the form prescribed by Rule 10(a) of the Federal Rules of Civil Procedure. All transmissions for electronic case filings of pleadings and documents to the ECF system shall be titled in accordance with the approved directory of civil and criminal events of the ECF system.

5. Attachments and Exhibits

ECF Filing Users may submit all documents identified as exhibits or attachments in either hard copy filed in the traditional manner or electronic form. If using electronic form, an ECF Filing User must submit as exhibits or attachments only those excerpts of the identified documents that are relevant to the matter under consideration by the court. Excerpted material must be clearly and prominently identified as such. ECF Filing Users who file excerpts of documents as exhibits or attachments electronically pursuant to this Procedural Order do so without prejudice to their right to file timely additional excerpts or the complete document, provided however, that the total number of pages of attachments and exhibits electronically filed shall not exceed 50 without prior approval of the judge. Pages of attachments and exhibits in excess of 50 may be filed as of right in hard copy filed in the traditional manner. Responding parties who choose to file exhibits and attachments electronically may also timely file additional excerpts or the complete document, subject to the same page limitations as set forth above.

6. Sealed Documents

Documents ordered to be placed under seal must be filed in hard copy filed in the traditional manner and not electronically. A motion to file documents under seal may be filed electronically unless prohibited by law. The order of the court authorizing the filing of documents under seal may be filed electronically unless prohibited by law. A paper copy of the order must be attached to the documents under seal and be delivered to the clerk of court.

7. Service of Documents by Electronic Means

(a) When an ECF Filing User electronically files a pleading or other document using the ECF system, a Notice of Electronic Case Filing shall automatically be generated by the system, and shall be sent automatically to all parties entitled to service under the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of the Eastern District of Pennsylvania who have consented to electronic service. Electronic service of the Notice of Electronic Case Filing constitutes service of the filed document to all such parties and shall be deemed to satisfy the requirements of Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure and Rule 49 of the Federal Rules of Criminal Procedure

(b) All documents filed using the ECF system shall contain a Certificate of Service stating that the document has been filed electronically and is available for viewing and downloading from the ECF system. The Certificate of Service must identify the manner in which service on each party was accomplished, including any party who has not consented to electronic service.

(c) Parties who have not consented to electronic service are entitled to receive a paper copy of any electronically filed pleading or other document. Service of such paper copy must be made according to the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of the Eastern District of Pennsylvania.

(d) As set forth in Section 3 of this Procedural Order, registration as an ECF Filing User constitutes agreement to receive and consent to make electronic service of all documents as provided in this Procedural Order in accordance with Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure and Rule 49 of the Federal Rules of Criminal Procedure. This agreement and consent is applicable to all pending and future actions assigned to the ECF System until revoked by the ECF Filing User.

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

(f) In accordance with Rule 77(d) of the Federal Rules of Civil Procedure, the court may serve notice of entry of orders or judgments by electronic means as provided in Rule 5(b) and Section 3 of this Procedural Order.

(g) In civil cases, the provisions of this Section 7 apply to service of documents covered by Rule 5(a) of the Federal Rules of Civil Procedure. Service of Original Process under Rule 4 of the Federal Rules of Civil Procedure is not authorized

under this Procedural Order to be accomplished electronically. This Section 7 does not apply to service of an arrest warrant, summons or subpoena in criminal cases.

8. Signature

(a) The user log-in and password required to submit documents to the ECF System serve as the ECF Filing User's signature on all electronic documents filed with the court. They also serve as a signature for purposes of Rule 11(a) of the Federal Rules of Civil Procedure, the Local Rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court. Each document filed electronically must, if possible, indicate that it has been electronically filed. Electronically filed documents must include a signature block and must set forth the name, address, telephone number and the attorney's state bar identification number, if applicable. In addition, the name of the ECF Filing User under whose log-in and password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear.

(b) No ECF Filing User or other person may knowingly permit or cause to permit a Filing User's password to be used by anyone other than an authorized agent of the Filing User.

(c) Documents requiring signatures of more than one party must be electronically filed either by: (1) submitting a scanned document containing all necessary signatures; (2) representing the consent of the other parties on the document; (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than three business days after filing; or (4) any other manner approved by the court.

9. Submission of Stipulations and Proposed Orders

An ECF Filing User electronically submitting stipulations or proposed orders which may require a judge's signature must promptly deliver on computer disk or e-mail the stipulation or proposed order to the clerk of court for delivery to the judge unless the judge orders otherwise. An ECF Filing User who electronically submits a stipulation or proposed order is bound by all signature requirements set forth in Section 8 of this Procedural Order and Rule 11(a) of the Federal Rules of Civil Procedure.

10. Retention Requirements

Documents that are electronically filed and require original signatures other than that of the Filing User must be maintained in paper form by the ECF Filing User until three (3) years after the time period for appeal expires. The ECF Filing User must provide original documents for review upon request of the judge.

11. Public Access

(a) Any person or organization, other than one registered as an ECF Filing User

under Section 3 of these rules, may access the ECF Filing System at the court's Internet site, www.paed.uscourts.gov, by obtaining a PACER log-in and password. Those who have PACER access but who are not Filing Users may retrieve docket sheets and those documents which the court makes available on the Internet for the fee normally charged for this service as set by the fee schedule authorized by the Administrative Office of United States Courts, but they may not file documents.

(b) Documents in civil cases should be made available electronically to the same extent that they are available for personal inspection in the office of the clerk of court at the U.S. Courthouse. Social Security numbers, dates of birth, financial account numbers and names of minor children should be modified or partially redacted in electronically filed documents.

(c) In connection with the filing of any material in an action assigned to the ECF System, any person may apply by motion for an order limiting electronic access to, or prohibiting the electronic filing of, certain specifically identified materials on the grounds that such material is subject to privacy interests and that electronic access or electronic filing in the action is likely to prejudice those privacy interests.

(d) Public remote electronic access to documents in criminal cases is not currently available, except in cases where requests for documents impose extraordinary demands on a court's resources, upon consent of all parties and a finding by the judge that such access is warranted. This is consistent with the policy of the Judicial Conference of the United States.

12. Excluded Documents and Cases

A list of types of documents and categories of cases, which are presently excluded from the provisions of this Procedural Order, as may be amended from time to time, is attached hereto and made a part of this Procedural Order.

13. Entry of Court Order

All orders, decrees, judgments and proceedings of the court will be filed in accordance with these rules which will constitute entry on the docket maintained by the clerk of court pursuant to Fed.R.Civ.P. 58 and 79, and Rules 49 and 55 of the Federal Rules of Criminal Procedure. All signed orders will be filed electronically by the clerk of court. Any order filed electronically without the original signature of a judge has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order and it had been entered on the docket in hard copy filed in the traditional manner.

14. Notice of Court Order and Judgment

Immediately upon the entry of an order or judgment in an action assigned to the ECF System, the clerk of court will transmit to ECF Filing Users in the case, in electronic form, a notice of electronic filing. Electronic transmission of the Notice of Electronic Case Filing constitutes the notice required by Rule 77(d) of the Federal

Rules of Civil Procedure and Rule 49(c) of the Federal Rules of Criminal Procedure. The clerk of court must give notice in paper form to a person who has not consented to electronic service in accordance with the Federal Rules of Civil Procedure.

15. Technical Failure

An ECF Filing User whose filing is determined to be untimely as the result of a technical failure may seek appropriate relief from the judge, provided that the User immediately notifies the clerk of court of the technical failure by telephone, with said notification confirmed immediately thereafter in writing delivered by e-mail, facsimile or by hand to the attention of the clerk of court. The clerk of the court shall forthwith notify the chambers of the judge.

ATTACHMENT A
Excluded Cases and Documents

As set forth in Section XI of the court's ECF Procedural Order, the following categories of cases and types of documents, as may be amended from time to time, are presently excluded from the provisions of the ECF Procedural Order, consistent with the policy of the Judicial Conference of the United States:

A. EXCLUDED CASES

1. Grand jury matters
2. Qui tam cases
3. Sealed cases

B. EXCLUDED DOCUMENTS

CIVIL CASES

1. All initial papers in civil cases, such as the complaint, amended complaint, third-party complaint, notice of removal and the issuance and service of the summons.
2. Administrative records, including Social Security records.
3. All documents, including the initial complaint and initial habeas corpus petitions, including death penalty habeas corpus petitions, filed by prisoners and pro se litigants.
4. Bankruptcy appeal records.
5. Sealed documents.
6. State court records.
7. Transcript of any proceeding.
8. Discovery material, as set forth in Section I of the court's ECF Procedural Order, referencing Rule 26.1 of the Local Rules of Civil procedure, *Discovery*, including:
 - a) interrogatories, requests for production and inspection and requests for admission under Rules 33, 34 and 36 of the Federal Rules of Civil Procedure;
 - b) answers, responses and objections to interrogatories and to Rules 34 and 36 of the Federal Rules of Civil Procedure;
 - c) requests, notices of depositions and depositions under Rules 30 and 31 of the Federal Rules of Civil Procedure.
9. Praecipe for Writ of Execution.
10. Applications for Writ of Continuing Garnishment.
11. Praecipe to Issue Writ of Revival.
12. Praecipe for Writ of Seizure.
13. Praecipe for Writ to Restore.
14. Civil Jury Verdict Sheets.
15. All Civil Court Orders and Judgments, except for routine scheduling and pretrial orders.

CRIMINAL CASES

1. In criminal cases, the indictment or information, superseding indictment or superseding information, warrant for arrest or

summons.

2. Sealed documents.
3. Transcript of any proceeding.
4. All documents requiring the signature of a defendant in a criminal or magistrate proceeding, such as waiver of indictment, waiver of presentence report, waiver of a jury trial, plea agreement, appearance bond, affidavit, and financial affidavit.
5. Criminal Jury Verdict Sheets.
6. All Criminal Court Orders and Judgments, except for routine scheduling and pretrial orders.
7. Presentence Reports and any objections or other documents filed related to the Presentence Reports.

*NOTIFICATION OF
CASE ACTIVITY
FORM
ATTACHMENT*

D

