



## Will there be fees?

There are no added fees for filing documents over the Internet using ECF; existing document filing fees do apply. Electronic access to the court data is available through the Public Access to Court Electronic Records (PACER) program. (Visit Pacer at <http://www.pacer.psc.uscourts.gov>.) Attorneys and litigants receive one free copy of documents filed electronically in their cases; additional copies are available for viewing or downloading at seven cents per page. Directed by Congress to fund electronic access through user fees, the judiciary has set the fee at the lowest possible level sufficient to recoup program cost.



## What will I need to do?

An Attorney seeking to file documents electronically in the Western District of Virginia must previously be admitted to practice in this court and must complete an electronic filing registration form. Upon completion of the form, the attorney will be assigned a user identification name and password that will permit access to the system and serve as that attorney's signature on all documents filed for Fed. R. Civ. P. 11 purposes. Attorneys must secure their passwords and notify the court if they learn that a password has been compromised.



## Is the system secure?

The electronic filing system has several layers of security. An identification name and password are required to access the system. Documents are encrypted and transmitted through Netscape's Secure Socket Layer. In addition, the electronic receipt issued by the court contains a unique

validation code that works along with the portable document format to ensure that documents cannot be altered after being received by the court.



## What equipment will I need?

In order to file electronically in this court, parties will need the following:

- A computer running a standard platform such as Windows or a Macintosh operating system
- Software to convert documents into PDF
- Word processing software
- Internet access and a browser. ECF has been certified to work with Netscape Navigator 4.6 and higher, and Internet Explorer 5.5 and above.
- Access to a scanner to image non-computerized documents



## Will training be available?

As implementation approaches in early 2004, attorneys and law firm staff will be able to arrange for training in the use of the ECF system by contacting the Clerk's Office at any court location. For current updates on ECF please see the court's web page at <http://www.vawd.uscourts.gov> under Electronic Case Filing.



## What if I have questions?

Questions concerning ECF may be directed to the CM/ECF Project Team in the Clerk's Office at (540) 857-5100 or by e-mail at [ecf@vawd.uscourts.gov](mailto:ecf@vawd.uscourts.gov).



Case Management

**CM / ECF**

Electronic Case Files

**Coming Spring 2004**

**United States District Court  
Western District of Virginia  
540-857-5100  
[ecf@vawd.uscourts.gov](mailto:ecf@vawd.uscourts.gov)**



## Electronic Filing

The U.S. District Court for the Western District of Virginia will soon allow attorneys in civil and criminal cases to file and retrieve documents from any location over the Internet using the court's new Case Management / Electronic Case Files (CM/ECF) docketing system.

The CM/ECF system was developed by the Administrative Office of the U.S. Courts and is now being used by a number of other U.S. district and bankruptcy courts. The system provides unprecedented access to court records and has proven that widely available and inexpensive technology can accommodate electronic filing in nearly all federal cases. The CM/ECF system will be adopted by most federal courts in the near future.

The CM/ECF system provides access over the Internet to up-to-the-second docket sheets as well as to most case documents. The CM/ECF system also accepts documents filed electronically over the Internet.



## How will I file electronically?

Attorneys will access the court's electronic filing system over the Internet. After establishing their identity by entering a court assigned user identification name and password, attorneys enter the case number in which their document is to be filed, the name of the party for whom the document is being filed and the type of document being submitted (answer, answer with cross-claim, etc.). The document is then transmitted to the court's computer.



## What happens next?

Once the document is received by the court, the electronic filing system:

- Sends a receipt to the sender verifying that the document has been received
- Updates the docket sheet
- Makes the updated docket sheet and the document itself immediately available to anyone with access to the system
- Sends a notice of the filing to all parties who have agreed to receive electronic notice



## What if the document was not created on a computer?

The Court seeks to have as many documents as reasonably possible filed electronically. The Court recognizes, however, that some documents may not be available in electronic format – for example, certain medical records. Nevertheless, many of those documents can be easily and inexpensively scanned for electronic filing. Documents or objects that cannot be scanned reasonably will be filed and served in the traditional manner. Advance planning will help avoid the need to make last minute decisions on such matters.



## Will any documents be precluded from being filed electronically?

Electronically filing of the initial pleading in a case is currently not permitted, although that may change in the future. In addition, documents to be placed under seal may not be filed electronically, but must be filed in the traditional manner.



## What are the benefits?

ECF will allow attorneys to file and view documents from their office, home or anywhere they have access to the Internet, 24 hours a day. Documents are automatically docketed as part of the filing process and are immediately available electronically. ECF also provides the following benefits:

- 24-hour access to filed documents over the Internet
- Automatic email notice of case activity
- The ability to download and print documents directly from the court system
- Concurrent access to case files by multiple parties
- Secure storage of documents (so files are not misplaced)
- Potential reduction in courier fees



## How will documents be prepared?

Attorneys will create documents on their own computers just as they do now. However, instead of printing the documents on paper and delivering them to the court, the attorneys will save the documents in a portable format that allows other system users to view the documents in their original format, regardless of the type of computer or word processing system that was used to create the documents or is being used to view them.



## Who decides if it will be used?

The Court strongly encourages electronic filing in most cases. Attorneys will be able to electronically file in any case placed into the ECF system, unless the Court orders otherwise.