

CIVIL CASES

**ADMINISTRATIVE PROCEDURE FOR FILING,
SIGNING, AND VERIFYING PLEADINGS AND
PAPERS BY ELECTRONIC MEANS
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

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**ADMINISTRATIVE PROCEDURE FOR FILING, SIGNING, AND VERIFYING
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I. THE ELECTRONIC FILING SYSTEM

A. IN GENERAL. Unless otherwise permitted by these administrative procedures or unless otherwise authorized by the assigned judge, all documents¹ submitted for filing in this district after January 6, 2003 in civil cases, no matter when a case was originally filed, shall be filed electronically using the Electronic Filing System (“System”) or shall be scanned² and uploaded to the System.³ Documents may also be submitted for filing to the Clerk’s Office on 3.5" disks as .pdf (“Portable Document Format”) files.⁴

1. Parties proceeding pro se shall not file electronically.

¹The requirement that “all documents” be filed electronically includes briefs, transcripts of proceedings, and deposition transcripts used in support of motions or at trial – a substantial departure from prior district court procedure.

²When scanning documents to be subsequently filed electronically, filing parties should make certain their scanners are configured for 200 dpi and black and white rather than color scanning. The filing party is responsible for the legibility of the scanned document. If for any reason a document cannot be easily read after scanning, the filing party should not electronically file the document. Instead, the filing party must conventionally file it with the Clerk’s Office.

Because large documents may not upload properly to the System or download within a reasonable amount of time for users with a 56K modem, documents over two megabytes will be rejected by the System and must be filed conventionally.

As used in these administrative procedures, a “conventionally” filed or submitted document or pleading is one presented to the court or a party in paper or other non-electronic, tangible format.

³“Electronic filing” means uploading a pleading or document directly from the registered user’s computer, using the court’s Internet-based System, to file that pleading or document in the court’s case file. Sending a document or pleading to the court via e-mail does not constitute “electronic filing.”

⁴A document created with almost any word-processing program can be converted to .pdf. The .pdf program in effect takes a picture of the original document and allows anyone to open the converted document across a broad range of hardware and software, with layout, format, links, and images intact. For information on .pdf, users may visit the websites of .pdf vendors, such as <http://www.adobe.com/products/acrobat/> or <http://www.fineprint.com/>.

2. The filing of social security cases shall be subject to the limitations imposed in III(C) of these procedures.
3. A case filed under seal will be maintained in paper form until the assigned judge orders the case unsealed.
4. An attorney may apply to the assigned judge for permission to file documents conventionally. Even if the assigned judge initially grants an attorney permission to file documents conventionally, however, the assigned judge may withdraw that permission at any time during the pendency of a case and require the attorney to file documents electronically using the System.
5. The Clerk's Office or any judge of this court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of matters pending before the court. The court may also amend these procedures at any time without prior notice.

B. PASSWORDS. Each attorney admitted to practice in the District of Nebraska shall be entitled to one System password from the District Court. The password permits the attorney to participate in the electronic retrieval and filing of pleadings and other papers.

1. No attorney shall knowingly permit or cause to permit his or her password to be utilized by anyone other than an authorized employee of his or her office.

2. Once registered, the attorney shall be responsible for all documents filed with his or her password.
3. Registration for a password is governed by Paragraph I(C).
4. An attorney admitted pro hac vice must register for a password in accordance with these Administrative Procedures.

C. REGISTRATION.

1. Each attorney filing electronically must complete and sign an Attorney Registration Form, attached to these procedures as Form A. The form is also available on the court's web site at www.ned.uscourts.gov.
 - a. The court will issue passwords only to attorneys in good standing. To be in good standing, an attorney must meet the requirements in Local Rule 83.4, including timely payment of the annual assessment imposed in Local Rule 83.4(g).⁵
2. All signed original Attorney Registration Forms shall be mailed or delivered to the United States Courts, 111 So. 18th Plaza, Suite 1125, Omaha, Nebraska 68102.
3. To ensure that the Clerk's Office has correctly entered a registering attorney's Internet e-mail address in the System, the Clerk's Office will send the attorney an Internet e-mail message after assigning the attorney a password. The Clerk's Office will then either mail

⁵General Order 93-6 exempts from payment of this annual assessment all attorneys employed by a governmental entity.

password information to the attorney by regular, first-class mail, or the attorney may arrange to pick up his/her password at the Clerk's Office.

4. Once registered, an attorney may withdraw from participating in the System by providing the Clerk's Office with notice of withdrawal. Such notice must be in writing, and mailed or delivered to United States Courts, 111 So. 18th Plaza, Suite 1125, Omaha, Nebraska 68102. Upon receipt, the Clerk's Office will immediately cancel the attorney's password and delete the attorney's name from any applicable electronic service list. An attorney's withdrawal from participation in the System shall not be construed as authorization to file cases or documents conventionally.
5. After registering, attorneys may change their passwords. However, if an attorney comes to believe that the security of an existing password has been compromised and that a threat to the System exists, the attorney must change his or her password immediately. In addition, the attorney shall immediately notify by telephone the Clerk's Office of the changed password and confirm the change by facsimile to prevent access to the System with the old password.
6. An attorney whose e-mail address, mailing address, telephone or fax number has changed from that of the original Attorney Registration Form shall timely file a notice of a change of address and serve a copy of the notice on all other parties.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. FILING.

1. All motions, pleadings, applications, briefs, memoranda of law, deposition transcripts, transcripts of proceedings, or other documents in a case shall be electronically filed on the System except as otherwise provided by these administrative procedures.
 - a. E-mailing a document to the Clerk's Office or to the assigned judge shall not constitute "filing" of the document. A document shall not be considered filed for purposes of the Federal Rules of Civil Procedure until the filing party receives a System-generated "Notice of Electronic Filing" described in II(B)1 of these procedures.
2. Complaints.
 - a. The Clerk's Office will accept complaints and civil cover sheets sent by e-mail, sent by United States mail, or delivered in person to the Clerk's Office.
 - i. If using e-mail, the filing party must submit the complaint and cover sheet in .pdf format. Upon receipt of the e-mail, the Clerk's Office will contact the filing party for a credit card number for payment of the

filing fee.⁶ New cases will not be filed until the filing fee has been paid.

ii. The filing fee must accompany a complaint sent through the United States mail or personally delivered to the Clerk's Office. The Clerk's Office will scan the complaint and cover sheet, upload them to the System, then discard the paper documents.

b. The e-mail addresses for submitting complaints by e-mail are:

newcases.omaha@ned.uscourts.gov

newcases.lincoln@ned.uscourts.gov

newcases.northplatte@ned.uscourts.gov

c. New cases are deemed filed the day the Clerk's Office receives the complaint and any required filing fee.

d. Only new complaints, civil cover sheets, and summons forms may be sent to the e-mail addresses listed in subsection b. If an attorney sends other pleadings to the e-mail addresses, the Clerk's Office will call the attorney and explain that the pleading must be electronically filed in the System.

⁶Information on the use of credit cards to pay fees can be found on the court's Internet site at <http://www.ned.uscourts.gov> under "General Information."

e. A party may not electronically serve a complaint, but instead must effect service according to Federal Rule of Civil Procedure 4.

3. Summonses.

a. The Clerk's Office will receive summonses to be issued sent by e-mail, sent by United States mail, or delivered in person to the Clerk's Office.

b. E-mail summonses may be sent to the "newcases" e-mail addresses listed in II(A)(2)(b).

c. The party requesting the summons must complete the top portion of the summons form and, if sending the summons by United States mail, also submit a stamped, self-addressed return envelope. Once a summons has been issued, the Clerk's Office will scan it, upload it to the System, then return the summons to the attorney or party.

d. A party may not electronically serve a summons, but instead must perfect service according to the Federal Rule of Civil Procedure 4.

4. A document will be deemed timely filed if filed prior to midnight. However, if the time of day is of the essence, the assigned judge will order that document filed by a time certain.

5. If filing a document requires leave of the court, such as an amended complaint or a reply brief, the attorney shall attach the

proposed document as an exhibit to the motion according to the procedures in IV(B). If the court grants the motion, the order will direct the attorney to file the document electronically with the court.

6. Attachments and exhibits larger than two megabytes may be filed electronically in separate two-megabyte segments or may be submitted, bound, in conventional format. All bound documents submitted to the Clerk's Office should be two or three-hole punched. The filing party must serve conventional copies on all other parties to the case.
7. The Clerk's Office shall not maintain a paper court file in any case begun after the effective date of these procedures except as otherwise provided in these procedures. The official court record shall be the electronic file maintained on the court's servers. The official record shall include, however, any conventional documents or exhibits filed in accordance with these procedures.
 - a. The Clerk's Office will discard all original documents brought to the Clerk's Office for filing after they are scanned and uploaded to the System.⁷
 - b. An attorney who wishes to have an original document returned after the Clerk's Office scans and uploads it to the System may, prior to submitting the document to the Clerk's

⁷If an attorney believes a document with original signatures has some intrinsic value, the attorney is encouraged to retain the original document and submit to the Clerk's Office a copy of the document with faxed or photocopied signatures for scanning and uploading.

Office, seek authorization from the assigned judge for the document's return. Authorization will be granted on a case-by-case basis. No standing authorizations for the return of all original documents filed by an attorney or office will be allowed.

8. Official Transcribers and Contract Court Reporters. In addition to submitting to the Clerk's Office the tapes of transcribed proceedings and original notes, if applicable, an official transcriber or contract court reporter must also either file the certified transcript of those proceedings electronically on the System or submit to the Clerk's Office for uploading to the System a 3.5" disk containing the certified transcript of the proceedings in .pdf format. A transcriber or court reporter will not receive payment until the transcriber or reporter has both returned the tape and notes, of applicable, of a proceeding to the Clerk's Office and either filed a certified transcript electronically or submitted it to the Clerk's Office on disk.

B. SERVICE.

1. Whenever a pleading or other paper is filed electronically in accordance with these procedures, the System shall generate a "Notice of Electronic Filing" to the filing party, any other party who is

a registered user and has requested electronic notice in that case,⁸ and the assigned judge if he or she has elected to receive notice.

- a. If the recipient is a registered participant in the System, the System's e-mailing of the "Notice of Electronic Filing" shall be the equivalent of service of the pleading or other paper by first class mail, postage prepaid.
- b. Service of the "Notice of Electronic Filing" on a party who is not a registered participant in the System may be accomplished by e-mail, subject to the additional service requirements of B(3) below.

2. A certificate of service on all parties entitled to service or notice is still required when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party so entitled. Sample language for a certificate of service is attached to these procedures as Form B.
3. A party who is not a registered participant of the System is entitled to a paper copy of any electronically filed pleading, document, or order. The filing party must therefore provide the non-registered party with the pleading, document, or order according to the Federal Rules of Civil Procedure. When mailing paper copies of

⁸To determine whether another party is a registered user, the filer can select the System's "Utilities" category, and then click on "Mailing Information for a Case" on the pull-down menu. The filer then enters the case number and the System information will appear, stating whether or not the filer must mail a copy or if the System will electronically generate one.

documents that have been electronically filed, the filing party may include the “Notice of Electronic Filing” to provide the recipient with proof of the filing.

4. The three-day rule of Federal Rule of Civil Procedure 6(e) for service by mail shall also apply to service by electronic means.⁹
5. A filer who elects to bring a document to the Clerk’s Office for scanning and uploading to the System must serve conventional copies on all non-registered parties to the case and should expect some delay in the uploading and subsequent electronic noticing of the document. If time is an issue, filers should consider paper service or service by an alternate means on registered parties, such as e-mail or fax.

C. SIGNATURES.

1. Non-Attorney Signature, Generally. If the original document requires the signature of a non-attorney, the filing party or the Clerk’s Office shall scan the original document, then electronically file it on the System.
 - a. The electronically filed document as it is maintained on the court’s servers shall constitute the official version of that

⁹Attorneys should be aware that the response due date, which appears when either electronically filing a motion or querying deadlines, is for court use only and should not be relied upon as an accurate computation of the response date.

record. The court will not maintain a paper copy of the original document.

- b. A non-filing signatory or party who disputes the authenticity of an electronically filed document with a non-attorney signature or the authenticity of the signature on that document must file an objection to the document within ten days of receiving the Notice of Electronic Filing.

- 2. Attorney Signature. A pleading or other document requiring an attorney's signature shall be signed in the following manner, whether filed electronically or submitted on disk to the Clerk's Office: "s/ (attorney name) ." The correct format for an attorney signature is as follows:

s/ Judith Attorney

Judith Attorney Bar Number: 12345

Attorney for (Plaintiff/Defendant)

ABC Law Firm

123 South Street

Omaha, Nebraska 68000

Telephone: (402) 123-4567

Fax: (402)123-4567

E-mail: judith_attorney@law.com

- a. Any party challenging the authenticity of an electronically filed document or the attorney's signature on that document must file an objection to the document within ten days of receiving the Notice of Electronic Filing.
- 3. Multiple Signatures. The following procedure applies when a stipulation or other document requires two or more signatures:

- a. The filing party or attorney shall initially confirm that the content of the document is acceptable to all persons required to sign the document and shall obtain the signatures of all parties on the document. For purposes of this rule, physical, facsimile, or electronic signatures are permitted.
- b. The filing party or attorney then shall file the document electronically or submit it to the Clerk's Office on disk, indicating the signatories, *e.g.*, "s/ Jane Doe," "s/ John Smith," etc. The correct format for a signature is as follows:

s/ Judith Attorney

Judith Attorney Bar Number: 12345

Attorney for (Plaintiff/Defendant)

ABC Law Firm

123 South Street

Omaha, Nebraska 68000

Telephone: (402) 123-4567

Fax: (402)123-4567

E-mail: judith_attorney@law.com

- c. A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves must file an objection to the document within ten days of receiving the Notice of Electronic Filing.

D. FEES PAYABLE TO THE CLERK. Any fee required for filing a pleading or paper in District Court is payable to the Clerk of the Court by credit/debit card, check, money order, or cash. The Clerk's Office will

document the receipt of fees on the docket with a text-only entry. The court will not maintain electronic billing or debit accounts for lawyers or law firms.

E. ORDERS.

1. The assigned judge or the Clerk's Office shall electronically file all signed orders. Any order signed electronically 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 conventionally.
2. Proposed orders may be submitted as outlined below.
 - a. In accordance with Local Rules 7.1(a), 7.2, and 55.1, a moving party shall submit to the judge after filing a motion for which no supporting brief is required a proposed order granting the motion and setting forth the requested relief. The proposed order should be e-mailed to the assigned judge at the address listed in 2(d) below.
 - b. Electronically submitted proposed orders may not be combined with the motion into one document. The motion must be docketed prior to submitting the proposed order to the judge, and the proposed order must refer to the resulting docket entry number for the motion.
 - c. All proposed orders must be submitted in a format compatible with WordPerfect, which is a "Save As" option in

most word processing software. Judges will not accept proposed orders in .pdf format.

- d. A proposed order should be attached to an Internet e-mail sent to the e-mail address of the assigned judge. The judges' e-mail addresses are as follows:

bataillon@ned.uscourts.gov

kopf@ned.uscourts.gov

shanahan@ned.uscourts.gov

smithcamp@ned.uscourts.gov

strom@ned.uscourts.gov

urbom@ned.uscourts.gov

gossett@ned.uscourts.gov

piester@ned.uscourts.gov

thalken@ned.uscourts.gov

3. When mailing paper copies of an electronically filed order to a party who is not a registered participant of the System, the Clerk's Office will include the Notice of Electronic Filing to provide the non-participant with proof of the filing.
4. The assigned judge or the Clerk's Office, if appropriate, may grant routine orders by a text-only entry upon the docket. In such cases, no .pdf document will issue; the text-only entry shall constitute the court's only order on the matter. The System will generate a "Notice of Electronic Filing" as described in II(B)(1) of these procedures.

5. Proposed orders on motions for enlargements of time made pursuant to NELR 6.1(a) should be prepared in format compatible with WordPerfect 9 or a lower WordPerfect version and then attached to an Internet e-mail sent to the Clerk's Office at the following e-mail address:

clerk@ned.uscourts.gov

No other documents or pleadings may be sent to the Clerk's Office at this e-mail address. The Clerk's Office will not accept proposed orders in .pdf format.

F. TITLE OF DOCKET ENTRIES. The party electronically filing a pleading or other document shall be responsible for designating a docket entry title for the document by using one of the docket event categories prescribed by the court.¹⁰

G. CORRECTING DOCKET ENTRIES.

1. Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office. The System will not permit the filing party to make changes to the document(s) or docket entry filed in error once the transaction has been accepted.
2. A document incorrectly filed in a case may be the result of posting the wrong .pdf file to a docket entry, or selecting the wrong

¹⁰Readers may view the "CM/ECF Civil Menu for Attorneys" on the court's web site, <http://www.ned.uscourts.gov/cmecf/index.html>.

document type from the menu, or entering the wrong case number and not catching the error before the transaction is completed. **The filing party should not attempt to refile the document.**

3. As soon as possible after an error is discovered, the filing party should contact the Clerk's Office with the case number and document number for which the correction is being requested. If appropriate, the court will make an entry indicating that the document was filed in error. The filing party will be advised *if* the document needs to be refiled.

H. TECHNICAL FAILURES. The Clerk's Office shall deem the District of Nebraska CM/ECF site to be subject to a technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. that day. Known systems outages will be posted on the web site, if possible.

1. Problems on the filer's end, such as phone line problems, problems with the filer's Internet Service Provider (ISP), or hardware or software problems, will not constitute a technical failure under these procedures nor excuse an untimely filing. A filer who cannot file a document electronically because of a problem on the filer's end must file the document conventionally or contact the Clerk's Office for permission to file the document provisionally via fax. If the filer provisionally files a document, the filer then must

conventionally or electronically file the document within forty-eight hours after faxing it.

2. A filing party whose filing is made untimely as the result of a technical failure of the court's CM/ECF's site may seek appropriate relief from the court.

I. PRIVACY.

1. Redacted Documents. To comply with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, Pub. L. No. 107-347, filing parties shall omit or, where inclusion is necessary, partially redact the following personal data identifiers from all pleadings, documents, and exhibits, whether filed electronically or on paper, unless the assigned judge orders otherwise.
 - a. Minors' names: Use the minors' initials;
 - b. Financial account numbers: Identify the name or type of account and the financial institution where maintained, but use only the last four numbers of the account number;
 - c. Social Security numbers: Use only the last four numbers;
 - d. Dates of birth: Use only the year; and
 - e. Other data as permitted by order of the court.

In addition, the filing party may omit or, where inclusion is necessary, partially redact the following confidential information from all pleadings, documents, and exhibits, whether filed

electronically or on paper, unless the assigned judge orders otherwise.

- a. Personal identifying number, such as driver's license number;
- b. Medical records, treatment and diagnosis;
- c. Employment history;
- d. Individual financial information; and
- e. Proprietary or trade secret information.

2. Unredacted Documents. With leave of the court, a party may file under seal a document containing the unredacted personal data identifiers listed above.

- a. The party seeking to file an unredacted document may, but is not required, to file electronically a motion or application to file the document under seal pursuant to the E-Government Act of 2002. A motion or application not filed electronically shall be presented in conventional format to the chambers of the assigned magistrate or district judge along with a proposed order.
- b. If the assigned judge grants the motion or application, the filing party shall then submit the unredacted paper document to the Clerk's Office. The paper document must have a cover page or notation on the first page stating the following: "Document filed under seal pursuant to the E-Government

Act.” The court will retain this paper document as part of the record.

c. In granting the motion or application to seal, the assigned judge may require the party to file a redacted copy for the public record.

3. The responsibility for redacting personal data identifiers rests solely with counsel and the parties. The clerk’s office will not review documents for compliance with this rule, seal on its own motion documents containing personal data identifiers, or redact documents, whether filed electronically or on paper.

III. CONVENTIONAL FILING OF DOCUMENTS. The following procedures govern documents filed conventionally. The court, upon application, may also authorize conventional filing of other documents otherwise subject to these procedures.

A. **DOCUMENTS TO BE FILED UNDER SEAL.** A party may, but is not required, to file electronically a motion or application to file documents under seal. A motion or application not filed electronically shall be presented in conventional format to the chambers of the assigned magistrate or district judge along with a proposed order. If the motion or application is granted, the assigned judge will enter electronically the order authorizing the filing of the documents under seal. The filing party shall then deliver the documents to the Clerk’s Office for conventional filing under seal.

B. PRO SE FILERS. Pro se filers shall file paper originals of all complaints, pleadings, motions, affidavits, briefs, and other documents which must be signed or which require either verification or an unsworn declaration under any rule or statute. The Clerk's Office will scan these original documents into an electronic file in the System, but will also maintain a paper file.

C. SOCIAL SECURITY CASES. Absent a showing of good cause, all documents, notices, and orders in social security reviews filed in the District Court after the System is implemented shall be filed and noticed electronically, except as noted below.

1. The complaint and other documents typically submitted at the time a social security case is filed initially will be filed electronically and served according to II(A) of these procedures.
2. Social security transcripts will be conventionally filed and served since scanning that set of documents and filing or retrieving them electronically is impractical at this time. Because Social Security transcripts will not be scanned or otherwise placed into the System, the Clerk's Office will docket a text-only event stating that the transcript is available in paper format at the Clerk's Office.
3. All other documents in the case, including briefs, will be filed and served electronically unless the court otherwise orders.
4. To address the privacy issues inherent in a social security review, Internet access to the individual documents will be limited to counsel and court staff. Docket sheets, however, will be available

over the Internet to non-parties. Further, non-parties will continue to have direct access to the documents on file at the Clerk's Office.

IV. EXHIBITS.

A. EVIDENCE NOT IN SUPPORT OF A MOTION. This section applies to exhibits other than those submitted in support of a motion, *e.g.*, an attachment to a complaint. Exhibits submitted in support of a motion are governed by IV(B) of these procedures.

1. A party may conventionally submit exhibits which are not available in electronic form or which are too lengthy to electronically image, *i.e.*, "scan." Lengthy documents submitted to the Clerk's Office in paper form should be bound with two or three-hole punches. The Clerk's Office will note on the docket its receipt of the document(s) or exhibit(s) with a text-only entry.
2. If possible, however, a filing party should electronically image, *i.e.*, "scan," a paper exhibit that is less than two megabytes and submit the exhibit as a .pdf file. Because .pdf files containing scanned documents take up considerably more space on the System than .pdf files containing electronically generated documents, filing parties may submit .pdf files containing scanned documents of more than two megabytes only if they are filed in separate two-megabyte segments.
3. Because documents scanned in color or containing a graphic take much longer to upload, filing parties must configure their scanners

to scan documents at 200 dpi and in black and white rather than in color. Documents appearing in color in their original form, such as color photographs, may be scanned in color and then uploaded to the System.

4. The filing party is required to verify the readability of scanned documents before filing them electronically with the court.
5. Exhibits submitted conventionally shall be served on other parties as if not subject to these procedures.

B. EVIDENCE IN SUPPORT OF A MOTION. In general, evidence in support of a motion should not be filed conventionally, but rather, be filed electronically.

1. A party electronically submitting evidentiary materials to the Clerk's Office in support of a motion shall also file electronically a separate index listing each item of evidence then being filed and identifying the motion to which it relates.
2. If possible, however, a filing party should electronically image, *i.e.*, "scan," a paper exhibit that is less than two megabytes and submit the exhibit as a .pdf file. Because .pdf files containing scanned documents take up considerably more space on the System than .pdf files containing electronically generated documents, filing parties may submit .pdf files containing scanned documents of more than two megabytes only if they are filed in separate two-megabyte segments.

3. Because documents scanned in color or containing a graphic take much longer to upload, filing parties must configure their scanners to scan documents at 200 dpi and in black and white rather than in color. Documents appearing in color in their original form, such as color photographs, may be scanned in color and then uploaded to the System.
4. The filing party is required to verify the readability of scanned documents before filing them electronically with the court.
5. A party submitting evidentiary materials in conventional format shall also file in conventional format an index of evidence listing each item of evidence then being filed and identifying the motion to which it relates.
6. Copies of conventionally filed supporting materials shall be served on other parties as if not subject to electronic filing procedures.

V. PUBLIC ACCESS TO THE SYSTEM DOCKET

- A. PUBLIC ACCESS AT THE COURT.** Electronic access to the electronic docket and documents filed in the System is available for viewing to the public at no charge at the Clerk's Office during regular business hours. A copy fee for an electronic reproduction is required in accordance with 28 U.S.C. § 1930.
- B. INTERNET ACCESS.** Remote electronic access to the System for viewing purposes is limited to subscribers to the Public Access to Court Electronic Records ("PACER") system. The Judicial Conference of the United States

has ruled that a user fee will be charged for remotely accessing certain detailed case information, such as filed documents and docket sheets in civil cases, but excluding review of calendars and similar general information.¹¹

C. CONVENTIONAL COPIES AND CERTIFIED COPIES. Conventional copies and certified copies of electronically filed documents may be purchased at the Clerk's Office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.

¹¹According to a memorandum from the Administrative Office of the United States Courts dated April 9, 2002, non-judiciary CM/ECF users will be charged a fee of seven cents per page starting on July 1, 2002, to access electronic data such as docket sheets and case documents obtained remotely through the PACER system. A cap of thirty pages per document has been approved.

The access fee does not apply to official recipients of electronic documents, i.e., parties legally required to receive service or to whom service is directed by the filer in the context of service under Federal Rules of Civil Procedure. Official recipients will receive the initial electronic copy of a document free to download as they see fit, but if they remotely access the document again, they will be charged seven cents a page.

United States District and Bankruptcy Courts
District of Nebraska

ELECTRONIC CASE FILING SYSTEM ATTORNEY REGISTRATION FORM
PLEASE TYPE

This form shall be used to register for accounts on the Courts' Case Management/Electronic Files (CM/ECF) systems. Registered attorneys and other participants will have privileges both to electronically submit documents and to view and retrieve electronic docket sheets and documents as available for cases assigned to the CM/ECF systems. The following information is required for registration:

First/Middle/Last Name: _____

Last Four Digits of Social Security Number: _____

Attorney Bar # and State: _____

Firm Name: _____

Firm Address: _____

Voice Phone Number: _____

FAX Phone Number: _____

Internet E-Mail Address: _____

Additional E-Mail Address: _____

Does your E-mail Software support HTML messages? Yes _____ No _____

Please specify which court you are registering in:

Both Bankruptcy District

By submitting this registration form, the undersigned agrees to abide by the following rules:

1. The systems are for use only in cases designated by the U.S. Courts for the District of Nebraska. The systems may be used to file and view electronic documents, docket sheets, and notices.
2. Each attorney desiring to file pleadings or other papers electronically must complete and sign an Attorney Registration Form. Additionally, attorneys filing in the U.S. Bankruptcy Court must complete a Credit/Debit Card Authorization Form. An attorney/participant's password issued by the court combined with the user's identification (login), serves as and constitutes the attorney/participant's signature. Therefore, an attorney/participant must protect and secure the password issued by the court. If there is any reason to suspect the password has been compromised in any way, such as resignation or reassignment of the person with authority to use the password, it is the duty and responsibility of the attorney/participant to immediately notify the court. The court will immediately delete the password from the electronic filing system and issue a new password.
3. Pursuant to Federal Rule of Civil Procedure 11 and Federal Rule of Bankruptcy Procedure 9011, every pleading, motion and other paper (except creditor lists, schedules, statements or amendments thereto) shall be signed by at least one attorney of record or, if the party is not represented by an attorney, all papers shall be signed by the party. The electronic filing of a petition, pleading, motion, or other paper by an attorney who is a registered

participant in the Electronic Filing System shall constitute the signature of that attorney under Federal Rule of Civil Procedure 11 and Federal Rule of Bankruptcy Procedure 9011

4. I hereby authorize the U.S. Bankruptcy Court to make charge upon the credit card I have provided for any applicable fees required in conjunction with filings I make. I understand that it is my responsibility to provide the court with any changes to my credit card information and failure to do so may result in temporary loss of my login to the System.
5. Registration as a Filing User constitutes: (1) consent to receive notice electronically and waiver of the right to receive notice by first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Federal Rule of Bankruptcy Procedure 7005; (2) consent to electronic service and waiver of the right to service by personal service or first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Federal Rule of Bankruptcy Procedure 7005, except with regard to service of a summons and complaint. Waiver of service and notice by first class mail applies to notice of the entry of an order or judgment. Notice by electronic means is complete as set forth in the General Order notwithstanding Federal Rule of Bankruptcy Procedure 9036.
6. A user accesses court information via the court’s Internet site or through the Public Access to Court Electronic Records (“PACER”) Service Center. Although the court manages the procedures for electronic filing, all electronic public access to case file documents occurs through PACER. A PACER login is required, in addition to, the password issued by the court. To register for PACER, a user must complete the online form or submit a registration form, available on the PACER web site (<http://pacer.psc.uscourts.gov>).
7. By this registration, the undersigned agrees to abide by all of the rules and regulations in the most recent General Order, *Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means* currently in effect and any changes or additions that may be made to such Administrative Procedures in the future.

Please return to: U.S. Courts
 District of Nebraska
 Attn: ECF Attorney Registration
 111 South 18th Plaza, Suite 1125
 Omaha, NE 68102

 Date Attorney/Participant Signature

Your login and password will be sent to you by the Office of the Clerk by regular, first-class mail. If you prefer to have your login/password sent to an address other than the one listed on page one of this form, please write the address in the space provided below:

Firm Address: _____

How did you learn about CM/ECF?
 Judge Internet Court Employee Journal Newspaper
 Court Mailing Attorney Other _____ (please specify)

FORM B

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SAMPLE FORMATS - CERTIFICATE OF SERVICE

Sample A

I hereby certify that on ____ (Date) ____, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: _____, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: _____.

s/ _____
Attorney's Name and Bar Number
Attorney for (Plaintiff/Defendant)
Law Firm Name
Law Firm Address
Law Firm Phone Number
Law Firm Fax Number
Attorney's E-mail Address

Sample B

I hereby certify that on ____ (Date) ____, I presented the foregoing to the Clerk of the Court for filing and uploading to the CM/ECF system which will send notification of such filing to the following: _____, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: _____.

s/ _____
Attorney's Name and Bar Number
Attorney for (Plaintiff/Defendant)
Law Firm Name
Law Firm Address
Law Firm Phone Number
Law Firm Fax Number
Attorney's E-mail Address