United States District Court
Eastern District of Virginia
Electronic Case Filing
Policies and Procedures

Eastern District of Virginia
Electronic Case Filing
Policies and Procedures Manual

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Introduction - Overview

Overview

This manual provides procedures and instructions for using the Electronic Case Files (ECF) system to do the following:

- File documents with the Court and
- View and retrieve docket sheets and documents for all civil, criminal, and miscellaneous cases in the system.

Introduction – Basic Requirements

Basic Requirements

Filing users should have the following basic requirements:

- Working knowledge of an ECF-compatible web browser and access to the Internet,
- Adobe Acrobat (or equivalent software) with which to create and read portable document files (PDF), and
- A PACER account. (See http://pacer.psc.uscourts.gov.)

Introduction – Help Desk

Help Desk

Filing users may call the clerk's office Help Desk for assistance Monday through Friday (excluding holidays) between the hours of 8:30 a.m. and 5:00 p.m.

See the chart below for the appropriate Help Desk number.

Division	Help Desk Telephone Number
Alexandria	703-299-2101 – Civil 703-299-2102 – Criminal
Norfolk/Newport News	757-222-7201 – Civil 757-222-7202 – Criminal
Richmond	804-916-2220 – Civil 804-916-2230 – Criminal

Introduction – EDVA Internet Site

EDVA Internet Site

Anyone can use the EDVA Internet site to do the following:

- View, print, or download the most recent version of the *E-Filing Policies and Procedures*;
- Self-train on an online ECF tutorial; and
- Register for ECF (provided the mandatory certification requirements are met).

Introduction – ECF Capabilities

ECF Capabilities

Filing users can use the Court's ECF system to perform the following functions:

- Electronically file documents,
- Link to PACER to view official docket sheets and documents associated with cases, and
- View various reports for cases that were electronically filed.

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Chapter Two:
Getting Started

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Getting Started: ECF Definitions

Overview

This section defines the following basic terms associated with electronic case filing:

- Electronic Case Files System (ECF),
- Documents,
- Filing user,
- PDF,
- PACER, and
- Notice of Electronic Filing (NEF).

Electronic Case Files System (ECF)

The *Electronic Case Files system* (*ECF)* refers to the courts' automated system that receives and stores documents filed in electronic form. The program is part of the CM/ECF (Case Management/Electronic Case Files) software which was developed for the Federal Judiciary.

Documents

Documents can be any of the following:

- Pleadings,
- Memoranda,
- Briefs,
- Exhibits,
- Orders,
- Transcripts of depositions actually used in support of motions or at trial, and
- All other writings filed in the Court's case filed by the parties or the Court.

Filing User

A *filing user* is an individual who has a Court-issued login and password that allow the individual to file documents electronically in ECF.

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PDF

PDF stands for *Portable Document Format*. Portable Document Format means that the document's format is device-independent, resolution-independent, and fixed-layout. The document can be viewed as created, regardless of the software that created it, because PDF files do not encode information that is specific to the application software used to create the document.

There are two types of PDF documents:

- Electronically converted PDF documents are created from word processing documents (MS Word, WordPerfect, etc.) using Adobe Acrobat or similar software. Electronically converted PDF documents are text searchable, and their file size is small.
- Scanned Image PDF documents are produced by putting paper documents through an optical scanner. Scanned image PDFs are not text searchable and have a large file size.

Ideally, therefore, whenever possible, filing users should create PDF documents through electronic conversion rather than through scanning.

PACER

PACER (Public Access to Court Electronic Records) is an automated system that allows access to case records over the Internet. Through PACER, an individual can view, print, and download court docket information.

Notice of Electronic Filing (NEF)

A *Notice of Electronic Filing (NEF)* is a notice automatically generated by the CM/ECF system at the time a document is filed with the system.

The NEF gives the following information:

- The time of filing,
- The name of the party and attorney filing the document,
- The type of document,
- The text of the docket entry,
- The name(s) of the party and/or attorney receiving the notice, and
- Electronic links (hyperlinks) to the filed document and the docket report.

Getting Started: System Requirements and PACER Registration

System Requirements

The hardware and software needed to electronically file, view, and retrieve case documents are as follows:

- A personal computer running a standard platform such as Windows or Macintosh.
- A word processing software, such as WordPerfect or Microsoft Word.
- An e-mail account.
  Note: *Make sure that our CM/ECF address (cmecf@vaed.uscourts.gov) will get through your e-mail spam filer, or you won't receive Notices of Electronic Filing (NEFs).*
- Adobe Acrobat software or some other compatible software to convert documents from the format of their native application to portable document format (PDF).
- An Internet service provider and web browser. ECF has been certified to work with Mozilla Firefox version 15.x, Internet Explorer version 9.x and Safari versions 5.1/6.x. The system may work with other browsers, but the Court will not be able to offer any support to people who use other browsers.
- A scanner to convert paper documents not in a word processing format (e.g., medical records filed as exhibits to a document) to a digital format for electronic filing in the Court's ECF system.

Note: Scanners should be used ONLY when a document cannot be electronically prepared with word processing software and converted to PDF. See page 15 of this document for detailed information regarding scanning standards. All documents should be scanned with a "black and white" setting unless the original document is in color.

PACER Registration

Before you can register as an EDVA filing user, you must have a PACER account. With a PACER account, you can view filed documents and use the Query and Report features of the ECF system.

To register for a PACER account, you can either

- Call the PACER Service Center at 800-676-6856 or 210-301-6440 or
- Go to the PACER web site at http://pacer.psc.uscourts.gov.

Getting Started: Mandatory Certification, Registration, and Passwords

Mandatory Certification and Registration

Registering to use the Court's ECF system is free and is available through the EDVA Internet site at www.vaed.uscourts.gov.

However, as part of the registration process, registrants must first print out, complete, and sign a mandatory ECF Certification Form that indicates that they

- Are members in good standing of the bar of this Court or are attorneys with the U.S. Attorney's Office and
- Have passed the EDVA online policies and procedures quiz.

Registrants must then mail or deliver the original, signed ECF Certification Form and a photocopy of a government-issued photo id to the following address: ECF Certification, U.S. District Court, EDVA, Clerk's Office, 401 Courthouse Square, Alexandria, VA 22314-5798.

Note: Facsimile or PDFed versions of the ECF Certification Form are not acceptable.

Registrants can then complete and submit the registration form online.

Note: Out-of-District counsel must associate with local counsel who are registered filing users in ECF. Pro hac vice attorneys may not register as ECF filing users.

Logins and Passwords

After you have completed and submitted the online registration form and the clerk's office has received your original, signed ECF Certification Form and photocopy of your photo id, the system will send you an e-mail containing your EDVA ECF login and password. It is your responsibility to safeguard your login and password once you receive it.

Note: Once you have registered, you will start receiving NEFs for any case in which you are the counsel of record.

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Login and Password Security

Filing users' login and password constitute their official signature on all documents filed using that login and password.

Filing users must therefore do the following:

- Safeguard their login and password.
- Protect their login and password from unauthorized use.
- Notify the clerk's office immediately if they discover that someone has used their login and password without permission.

Note: One way to check for unauthorized use is to check the bottom left corner of the main ECF program screen, which indicates the last date logged into the system. If you believe that your last login date and time are incorrect, or suspect that an unauthorized party is using your login and password, you should immediately notify the clerk's office by calling the appropriate ECF help desk phone number.

Changing the Password

Once you receive your login and password, you can change your password to one easier to remember by taking the following steps:

Step	Action
1	Log into ECF.
2	Click on *Utilities* on the upper right side of the main blue menu bar.
3	Click on *Maintain Your Password*.
4	• Enter your new password in the password box by using your mouse to highlight the asterisks in the white box and then typing the new password. • Click the *Submit* button.
5	Click *Logout* on the upper right side of the main blue menu bar.

Note: You may now log back in using your new password. It is very important that you record your new password and keep it in a safe place. The clerk's office does not maintain a record of your password. If you forget your password, the CM/ECF system has to issue you a new one.

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Receiving a New Password

If you forget your password, to receive a new password, you must do the following:

- Click on the *Forgotten Password* button on the CM/ECF page of the EDVA Internet site at www.vaed.uscourts.gov.
- Fill out and submit the online form. Once you have submitted the form, your ECF password will be reset, and your login and new password will be e-mailed to you.

Note: The information you provide on the Forgotten Password form must be an exact match with the information already in the system in order for your password to be reset.

Delegation of Authority to Use Login and Password

Attorneys may allow a secretary, paralegal, or other person in their office to use their login and password to file documents on their behalf.

However, attorneys should remember that

- Their login and password constitute their signature, regardless of whether they personally use the login and password or delegate that authority to someone else.
- They are responsible for safeguarding and protecting their login and password at all times.

Getting Started: Training

Mandatory Certification

Attorneys must certify that they have acquired knowledge about ECF and EDVA's ECF policies before they can register to e-file in EDVA.

Attorneys can meet this mandatory certification requirement by passing the EDVA online policies and procedures quiz.

Online Tutorial

The online tutorial is designed for attorneys and law firm staff interested in learning how to use the CM/ECF system. It contains guided practice and simulated CM/ECF screens and actions. The menus and screens in the tutorial are designed to give you a feel for how the system works. They do not look and work exactly like EDVA's CM/ECF system functions. The tutorial uses simulated CM/ECF screens -- users do not upload files to the Court's server.

The tutorial is divided into four modules, each of which contains sections that guide you through specific CM/ECF functions for civil and criminal filings. The tutorial is self-paced: at any point, you can bookmark your place and return when it is convenient for you. The entire tutorial takes about one hour to complete.

The online tutorial may be found on the PACER web site at http://pacer.psc.uscourts.gov/cmecf/dc/.

Online EDVA Policies Presentation

An online presentation overview of the EDVA's policies governing e-filing in the Eastern District of Virginia may be found through EDVA's CM/ECF training page on its Internet site at www.vaed.uscourts.gov.

Online Quiz: Overview

The EDVA online policies and procedures quiz, along with details about taking and passing the quiz, may be found through EDVA's CM/ECF training page on its Internet site at www.vaed.uscourts.gov. The quiz consists of 25 multiple choice questions and may be taken open-book.

Getting Started: PDF and Document Size Requirements

PDF Software

Filing users must have PDF capability both to view and to create electronically filed documents.

To view documents that have been electronically filed with the clerk's office, filing users must install PDF conversion software.

To create documents in PDF, filing users must have software that converts electronic files from any application to Portable Document Format (PDF). All new documents prepared for ECF cases must be converted to PDF before they are entered into ECF or transmitted to the Court.

Note: The ECF system may reject non-text PDFs. If you attempt to attach such a PDF, the system will give you an error message stating that your document is not a valid PDF.

Converting Documents to PDF

Converting documents to PDF requires special software (e.g., Adobe Acrobat Writer, later versions of WordPerfect, or another word-processing application with built-in PDF conversion capabilities).

To learn more about converting documents to PDF, go to the computer-based training module at http://pacer.psc.uscourts.gov/ecfcbt/dc/cccnvtpdf/.

Viewing a PDF Document

Once you have converted a document to PDF, you should view it as a PDF document to ensure that the conversion worked correctly and that you converted the correct document.

To view a PDF document, take the following steps:

Step	Action
1	Open Adobe Acrobat or Acrobat Reader.
2	Select *File* on the menu bar and choose *Open* from the drop-down window.
3	Click on the location and file name of the PDF document you wish to view.
4	Click on the *View* menu for other options for viewing the displayed document. Choose the option that best suits your viewing needs.

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Scanning Standards

Scanned images of textual records transferred to the National Archives and Records Administration must meet the following minimum requirements for scanning resolution and pixel (bit) depth to support archival preservation and continued use.

The acceptable image quality specifications are:

- 3.2.1 Bitonal (1-bit) scanned at 300-600 ppi – This is appropriate for documents that consist exclusively of clean printed type possessing high inherent contrast (e.g., laser printed or typeset on a white background). Scanning at 600 ppi is recommended.
- 3.2.2 Gray scale (8-bit) scanned at 300-400 ppi – This is appropriate for textual documents of poor legibility because of low inherent contrast, staining, or fading (e.g., carbon copies, thermofax, or documents with handwritten annotations or other markings), or that contain halftone illustrations or photographs. Scanning at 400 ppi is recommended.
- 3.2.3 Color (24-bit RGB [Red, Green, Blue] scanned at 300-400 ppi – Color mode (if technically available) is appropriate for text containing color information important to interpretation or content. Scanning at 400 ppi is recommended.

***Note**:*

- ppi denotes pixels per inch, and
- All documents should be scanned with a “black and white” setting unless otherwise ordered by the court.

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Document Size Requirements

- Only PDF documents will be accepted by the system, and each PDF document filed electronically must be no larger than 10.0 megabytes (10,000 kilobytes or about 200 pages).
- Any documents larger than 10.0 megabytes will be automatically rejected by the system.
- If you have a document or filing, including attachments, larger than 10.0 megabytes but less than 30 megabytes, you can break that document or filing into smaller PDF documents, each one of which is less than the 10.0 megabyte limit. You can file those smaller PDF documents together as one event, with your pleading as the main document and the remaining documents as separate attachments to the main document.
- If your total filing, including attachments, is larger than 30 megabytes (about 600 pages), then split your filing into submissions of no larger than 30 megabytes each. File each submission, using the table below to guide you in filing the second and any other submissions.

Continued on next page

Documents Over 30 MB

Take the following steps to file documents that are larger than 30 megabytes:

Step	Action
1	Break your document or filing, including attachments, into smaller PDF documents of no more than 10.0 megabytes each and into submissions of less than 30 megabytes each.
2	File the first submission as usual (as a main document with attachments).
3	Create a formal document entitled *Notice of Submission of* (fill in what you are submitting) that includes a Certificate of Service. Both the *Notice of Submission* and the Certificate of Service for the *Notice of Submission* should have the filing user's (your) complete nine-element signature block.
4	File the *Notice of Submission* document using the event *Notice (other)* found under the category *Notices* and, when prompted by the system, link this Notice event to your original filing (first submission).
5	Modify the text of the docket event in the white text box to include a description of what you are submitting (e.g., Exhibits D-F) that matches the title of your *Notice of Submission* document.
6	Upload the smaller PDF documents as attachments to the *Notice of Submission*.

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Chapter Three:
Policies and Procedures

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Policies and Procedures – Overview

Overview

Effective March 26, 2007, all new cases must be filed using ECF, including these associated documents:

- Proceedings,
- Motions,
- Memoranda of law, and
- Other documents.

Exceptions are to be filed on paper and include the following:

- All cases' initial documents, including the complaint and issuance and service of the summons. These paper documents will be scanned by clerk's office staff.
- All the civil and criminal case exceptions noted in this manual.

For criminal cases filed before March 26, 2007 (paper cases) where a fugitive defendant is apprehended, that defendant's case will be converted to an electronic (e-filing) case no matter what date the case originated. Thereafter, all documents pertaining to that defendant only must be electronically filed, with the exceptions noted in this manual.

Official Court Record

The official Court record is the electronic file maintained on the Court's servers.

Note: The clerk's office will dispose of paper documents that have been scanned and docketed.

Criminal Case Sealed Documents

ALL sealed documents in criminal cases are **exempt** from electronic filing. Unless otherwise provided by law or Court rule, no document may be filed under seal without an order entered by the court in accordance with Local Criminal Rule 49.

Filing users who wish to motion the Court to file a sealed document or seal a pending criminal case must do the following:

- File the motion, the required non-confidential supporting documentation, and the Local Criminal Rule 49(D) Notice electronically.
- Submit to the clerk's office in a sealed envelope the document to be sealed and any confidential memorandum in support, if filed, as instructed in Local Criminal Rule 49.

Civil Case Sealed Documents

Documents filed in **sealed civil cases** are **exempt** from electronic filing. Sealed filings in these cases must be filed in paper form in a sealed envelope marked "Under Seal" in accordance with Local Civil Rule 5(E).

Sealed **documents** filed in **public civil cases** are to be electronically filed by registered filing users in accordance with Local Civil Rule 5 and procedures set forth in *Chapter 4, Electronic Filing of Sealed Documents in Civil Cases*, of this manual.

Filing users who wish to motion the Court to file a sealed document or seal a pending civil case must electronically file the motion to seal, the required non-confidential supporting documentation, LCvR 5(C) Notice and the sealed document.

Policies and Procedures

Redaction of Personal Identifiers

Pursuant to the Local Rules of this Court and the E-Government Act of 2002, filing users must redact the following kinds of information before filing a document either electronically or on paper:

- Social Security Number,
- Minor name,
- Birth date,
- Account number, and
- Home addresses (criminal cases only, unless the Court directs otherwise).

For more information, please refer to Local Civil Rule 7, Local Criminal Rule 47, and the Guide to Redacting Personal Identifiers which was made available by the Court in 2005 when the aforementioned Local Rules were amended.

The easiest and best way to redact a document is to print it, mark through the personal identifiers, and then scan the document to PDF. If you choose to electronically redact a document, please be aware that you may need to take extra steps to insure that personal identifiers remain redacted. Please see the links below for additional information.

http://www.fas.org/sgp/othergov/dod/nsa-redact.pdf

Civil Case Exceptions

Exceptions to electronic case filing must be filed as unbound paper documents. The following are the civil case exceptions to electronic filing:

Document Type	Manner of Processing
Initiating documents, such as complaints, removals, petitions (with the exception of petitions or motions pursuant to 28 USC § 2255), and Certifications of Registration in Another District.	• Submitted on paper by filer and • Scanned by clerk's office staff.
Consent Orders	• Submitted on paper by filer, • Submitted by clerk's office staff to chambers for judge's signature, and then • Scanned by clerk's office staff.
• Returns of Service (with the exception of subpoena returns). • Waivers of Service of Summons • Garnishment Requests and Suggestions for Garnishment Summons. • Documents filed by ➢ prisoner pro se litigants, ➢ other pro se litigants, ➢ other agencies (e.g., USMS).	• Submitted on paper by filer and • Scanned by clerk's office staff.
• Documents in Sealed Cases, • In camera documents, • Registrar Certificates, • Trial exhibits, • Offers of judgment, and • State court records.	Submitted on paper by filer and not made available electronically.
Any other document that the Court orders not to be electronically filed, imaged, or maintained in the ECF system.	Submitted on paper by filer and not made available electronically.

Policies and Procedures – Documents that May be Filed in Open Court

Civil and Criminal Documents That May Be Filed in Open Court by Attorneys

For division-specific lists of civil and criminal documents that may be filed in open court by attorneys, please see the divisional documents entitled *Courtesy Copies and Other Division-Specific Information* found on the CM/ECF section of our Internet site at www.vaed.uscourts.gov

Criminal Case Exceptions

Exceptions to electronic case filing must be filed as unbound paper documents. The following are the criminal case exceptions to electronic filing:

Document Type	Manner of Processing
Initiating documents, such as complaints, informations, indictments, or superseding indictments.	• Submitted on paper by filer and • Scanned by clerk's office staff.
Consent Orders	• Submitted on paper by filer, • Submitted by clerk's office staff to chambers for judge's signature, and then scanned by clerk's office staff.
• CJA Forms. • Documents filed by an attorney as a first appearance by an interested party. All subsequent filings on behalf of the interested party should be done electronically. • Garnishment Requests and Suggestions for Garnishment. • Documents filed by ➢ prisoner pro se litigants, ➢ other pro se litigants, ➢ other agencies (e.g., USMS).	• Submitted on paper by filer and • Scanned by clerk's office staff.
• Sealed documents, • In camera documents, • Grand jury documents, • Search warrants; Seizure warrants, • Pen registers; Wire taps, • Extradition matters, • Reports of medical or mental evaluations, and • Trial exhibits	Submitted on paper by filer and not made available electronically.
Any other document that the Court orders not to be electronically filed, imaged, or maintained in the ECF system.	Submitted on paper by filer and not made available electronically.

Note: For criminal cases filed before March 26, 2007 (paper cases) where a fugitive defendant is apprehended, that defendant's case will be converted to an electronic (e-filing) case no matter what date the case originated. Thereafter, all documents pertaining to that defendant only must be electronically filed, with the exceptions noted in this manual.

Policies and Procedures – Orders and Judgments

Entry of Orders and Judgments

Orders and judgments entered or issued by the Court will be filed in accordance with these *E-Filing Policies and Procedures*. Such filing shall constitute entry on the docket kept by the clerk under Fed.R.Civ.P. 58 and 79 and Fed.R.Crim.P. 55.

All signed orders and judgments will be electronically filed and entered on the docket by the clerk's office. Orders and judgments bearing the electronic signature of a judge shall have the same force and effect as if the judge had affixed a signature to a paper copy, which had been entered on the docket in a conventional manner.

Filing users should submit proposed and consent orders as follows:

- Proposed orders should be submitted as PDF attachments to the motion.
- Consent orders should be submitted on paper, as outlined in the Civil and Criminal Exceptions above and in the block below.

Consent Orders

Consent orders are not filed until a judge has signed them. Therefore, consent orders are exceptions to electronic filing for the filing user and will be electronically filed by the clerk's office once a judge has signed them.

Take the following steps when presenting a consent order to the Court:

Step	Action
1	Circulate the consent order for endorsement amongst counsel or parties to the case.
2	Submit the endorsed consent order on paper to the clerk's office.

Note: Once the consent order is signed by a judge, clerk's office staff will scan the consent order and electronically file the scanned version. The electronic consent order will become the original version, and the endorsed paper consent order will be destroyed.

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Notice of Court Orders and Judgments

Immediately following the entry of an order or judgment on the docket, the CM/ECF system will transmit to filing users in the case, in electronic form, a Notice of Electronic Filing (NEF). Electronic transmission of the NEF, with a hyperlink to the document, constitutes the notice required by Fed.R.Civ.P. 77(d) and Fed.R.Crim.P. 49(c). To the extent that notice is required, the clerk will give notice in paper form to people who are not registered ECF filing users.

Policies and Procedures - Signatures

Signatures: Judges

A judge signs a document by either (a) writing his or her signature in the traditional manner or (b) affixing or causing to be affixed the mark "/s/" above or beside the judge's name on the document. A judge can sign any document in either manner, and the judge's signature is effective immediately upon so doing for purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Local Rules of this Court, and any other purpose for which a signature is required in connection with proceedings before this Court.

Then, when the judge has caused a signed document to be converted into an electronic file in PDF format and docketed by the Clerk, the representation of the judge's handwritten or printed signature in the court's database becomes the judge's signature for that document for all purposes thereafter.

When a judge rules on a motion electronically, or approves an electronic record reflecting one or more dispositions or other actions on a petty offense docket managed through the Central Violations Bureau, that judge's user login and password for the ECF system constitute the judge's signature for all purposes related to the motion, dispositions, or other actions.

Signatures: Filing Users

The user login and password required to submit documents to the ECF system serve as the filing user's signature on all electronic documents filed with the Court. They serve as a signature for purposes of Fed.R.Civ.P. 11, all other Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Local Rules of this Court, and any other purpose for which a signature is required in connection with proceedings before the Court.

Therefore, it is the filing users' responsibility to safeguard their login and password.

Note: No 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.

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Signatures: Nine Element Signature Block

An electronically filed document must include a nine-element signature block that contains the following typed information about the filing user:

- "/s/" typed in the space where the signature would otherwise appear,
- Name,
- Virginia bar number,
- Attorney for [party name]
- Firm name,
- Firm address,
- Telephone number,
- Fax number, and E-mail address.

Signatures: Non-Filing Users

Filing users who are electronically filing a document for a non-filing user (e.g., a defendant in a criminal case or an affiant) will electronically file such documents in the following way:

- Obtain the non-user's actual signature on a paper version of the document.
- Scan and file the document electronically.
- Retain the signed paper version of the document for the duration of the case, including any period of appeal.

Signatures: More Than One Party/Signatory

A document requiring signatures of more than one party/signatory must be filed electronically by the filing user as follows:

- Obtain from all parties/signatories either physical or facsimile signatures which constitute authorization for an electronic signature on their behalf.
- Create an electronic version of the document with the filing user's regular signature block, as well as a typed signature block for all other parties/signatories.
- PDF the electronically signed version of the document.
- File electronically the electronically signed document.
- Retain the signed authorizations for the duration of the case, including any period of appeal.

Technical Failures

The Court considers the CM/ECF system subject to a technical failure on a given day if the system is unable to accept filings for longer than three continuous hours during the clerk's office hours of 8:30 a.m. – 5:00 p.m. that day.

If the Court concludes that the system has experienced a technical failure, the following would occur:

- A party whose filing was untimely as the result of a technical failure of the Court's CM/ECF system could seek appropriate relief from the Court.
- The court may require that filings be made via paper during a system outage.
- Known system outages and filing instructions will be posted on the EDVA Internet site, if possible.

Note: Problems on the filing users' end, such as problems with the filing users' phone lines, Internet Service Provider (ISP), hardware, or software, do not constitute a technical failure under the *ECF Policies and Procedures*, nor excuse an untimely filing. **Filing users who experience technical failures on their end are still expected to file both timely and electronically.**

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Electronic Filing and Service of Documents

Electronic Filing	Electronic transmission of a document to ECF in accordance with these procedures, together with the transmission of a Notice of Electronic Filing (NEF) from the Court with a hyperlink to the electronically filed document, 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.

Electronic Filing and Service of Documents

Filing Deadline

Filing must be completed before midnight, Eastern Standard Time or Daylight Savings Time, whichever is in place at the time a filing is effected, in order to be considered timely filed that day. However, if time of day is of the essence, the assigned judge may order a document filed by a certain time. Filing a document electronically does not alter the filing deadline for that document.

Note: The time of filing is not when the process of filing the document is begun, but when the NEF is generated.

Electronic Filing and Service of Documents

Notice of Electronic Filing (NEF) As Proof of Filing

A document filed electronically is deemed filed on the date and time stated on the Notice of Electronic Filing (NEF), so you should print out or store electronically a copy of the NEF as proof of filing. (See: *Filing Procedures - Civil Documents*, Block: *Filing a Motion in a Civil Case: Notice of Electronic Filing (NEF)* for instructions on how to save a NEF.)

Note: E-mailing a document to the clerk's office or to the assigned judge does not constitute filing of the document, nor does simply submitting a document via the CM/ECF system. A document is not filed until the system generates a NEF with a hyperlink to the electronically filed document.

Electronic Filing and Service of Documents

Official Record

The official record is the electronic recording as stored by the Court, whether the document has been filed electronically or filed on paper and scanned into the system.

Note: The filing party is bound by the document as filed.

Electronic Filing and Service of Documents

Service by Electronic Means Like Service by Mail	In accordance with Fed.R.Civ.P. 6(d) and Fed.R.Crim.P. 45(c), service by electronic means is treated the same as service by mail: when a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C),(D), (E), or (F), three days are added after the period would otherwise expire under Rule 6(a).

Docket Entry Creation and Modification

When a filing user files a document, the system creates a docket entry that uses the information provided by the filing user. Clerk's office staff will, where necessary and appropriate, modify the docket entry description to comply with quality control standards.

Filing in the Wrong Case or Attaching an Incorrect PDF

In the event a filing user electronically files a document in the wrong case or attaches an incorrect PDF document, the clerk of court, or a designee, is authorized to strike the document from the record. If a document is removed, a NEF will be sent to all parties in the case.

Electronic Filing and Service of Documents

Consent to Electronic Service

By participating in the electronic filing process, the parties consent to the electronic service of all documents and will make available electronic mail addresses for service. Upon the filing of a document by a filing user, an e-mail message containing the NEF, with a hyperlink to the electronically filed document, will be automatically generated by the ECF system and sent via electronic mail to the e-mail addresses of all parties who have registered in the case.

Note: Recipients of the e-mailed NEF get ONE free look at the linked document within the NEF. This free look expires after the recipient has clicked on the link or after 15 days have elapsed from receipt of the NEF. Further looks at the document must be taken through PACER. Therefore, recipients are encouraged to print out and/or electronically save the document during the free look.

Electronic Filing and Service of Documents

Service of Documents to Non-Filing Users

A party who is not a registered filing user is entitled to a paper copy of any electronically filed document, as well as of the NEF that constitutes proof of filing. Therefore, filing users must provide non-filing users, including terminated parties or attorneys, if appropriate, with a paper copy of the document and a copy of the NEF, pursuant to Fed.R.Civ.P. 5(b) and Fed.R.Crim.P. 49(b). The service of a paper copy of the document and of the NEF is only necessary for documents filed by the filing user.

Electronic Filing and Service of Documents

Filing Documents That Require Leave of Court	If the filing of an electronically submitted document requires leave of Court, such as an amended complaint, filing users should attach the proposed document to the motion requesting leave to file. If the Court grants the motion, the filing user should then electronically file the document.

Motions to Intervene in a Civil Case

Motions to intervene must be granted by the Court before filing users can file any documents other than the motion itself and any supporting memoranda. Filing users should attach any proposed documents to the motion to intervene. If the Court grants the motion, the filing user should then electronically file the documents.

Note: The filing user is required to add the intervening party as a movant during the process of electronically filing the motion (See *Filing Procedures: Adding/Creating a New Party*).

Electronic Filing and Service of Documents

Service of Process

A certificate of service must be included with all documents filed electronically. Such a certificate must indicate that service was accomplished pursuant to the Court's electronic filing procedures and that the document filed was sent via U.S. mail to any non-filing users. The certificate of service should have the filing user's full nine-element signature block at the bottom of the page. (For further guidance, see the sample Certificate of Service in this manual and the Internet tip sheet on preparing certificates of service.)

In accordance with Fed.R.Civ.P.6(d), service by electronic means is treated the same as service by mail: when a party may or must act within a specified time after service and service is made under Rule 5(b) (2)(C), (D), (E), or (F), three days are added after the period would otherwise expire under Rule 6(a).

Sample Certificate of Service

The following is a sample certificate of service by NEF and U.S. mail:

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of _____, 20___, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Jacob Smith
Attorney at Law
123 Main Street
Any Town, VA 22310
jsmithatty@goodlaw.com

And I hereby certify that I will mail the document by U.S. mail to the following non-filing user:

Jane Jones
224 Ivy Lane
Any Town, VA 22214

_____/s/_____
Frank Counsel, Esq.
Virginia bar number 12345
Attorney for John L. Robinson
Counsel and Parker, Attorneys at Law
987 Court Way
Any Town, VA 22315
Phone: 703-555-6745
Fax: 703-555-6746
franknstine@service.net

Courtesy Copies and Other Division Specific Information

Filing users need to stay current with each chambers' desires about courtesy copies and with other information that may be specific to filing in a particular division.

Division-specific information includes a list of civil and criminal documents that may be filed in open court by attorneys.

Filing users may find this information under the *General Information* section of the CM/ECF main page of the EDVA Internet site at www.vaed.uscourts.gov.

Policies and Procedures – Electronic Transcripts

Introduction

Effective March 1, 2009, court transcripts that are transcribed for any trial or hearing occurring after March 1, 2009, in an electronic case is available electronically. To ensure that personal identifiers are not revealed in such transcripts the following procedures must be followed.

90-Day Restriction Period

Once a transcript for a trial or hearing occurring after March 1, 2009 in an electronic case is ordered and paid for it will be electronically filed, but will not be remotely available to the general public or any attorney who has not paid for it, for 90 days from the date the transcript is filed. Attorneys and members of the public may purchase a transcript from the court reporter during the 90-day period and any time thereafter.

During the 90-day restriction period:

- Public access to view an electronic transcript will be restricted to the public terminals at the Alexandria, Richmond, Norfolk, and Newport News courthouses.
- Remote electronic access to an electronic transcript will be available only to attorneys who have purchased the transcript from the court reporter.
- No copies of the transcript will be made for attorneys or the general public by clerk's office staff.
- Once an electronic transcript is filed, it is the responsibility of all counsel of record and pro se litigants to review their portion of the electronically filed transcript to ensure it does not contain any of the personal identifiers referenced in the E-Government Act and to file proper requests for redaction if an identifier is found.

The transcript will be electronically available remotely through PACER after the 90-day restriction period unless the restriction period is extended by court order.

Continued on next page

Review for Redaction

Attorneys of record must review the transcript for redaction purposes and electronically file a *Redaction Request* within thirty (30) calendar days of the filing date of the transcript if redaction is necessary.

Pro Se litigants must review the transcript for redaction purposes and file, on paper, a *Redaction Request* within thirty (30) calendar days of the filing date of the transcript if redaction is necessary.

If no *Redaction Request* is filed, the transcript will be made remotely electronically available without redaction at the end of the 90-day restriction period.

Redaction Request

The *Redaction Request* should state where the personal identifier appears in the transcript by page and line number and the manner in which the information is to be redacted. For example, if a party wants to redact a Social Security Number appearing on page 12, line 9 of the transcript, the statement would read: Social Security Number on page 12, line 9 should be redacted to read xxx-xx-6789.

Because the *Redaction Request* will not be sealed it MUST NOT quote the personal identifier, rather it should refer to the identifier generically (i.e., Social Security Number, date of birth, etc.).

Only the personal identifiers listed below are subject to a *Redaction Request*, and the redaction should be performed as indicated in the "Redacted" portion of the chart below:

Personal Identifiers	Redacted
Social Security Numbers	To the last four digits.
Financial Account Numbers	To the last four digits.
Names of Minor Children	To the initials.
Dates of Birth	To the year.
Home Addresses in Criminal Cases	To the city and state.

Continued on next page

New Form

The following form is available on the EDVA Internet site, www.vaed.uscourts.gov, in both the civil and criminal forms categories:

Form Name	Purpose
Redaction Request	Attorneys and pro se litigants complete and file this form, **and** submit a copy to the court reporter.

New CM/ECF Filing Events

The chart below describes the CM/ECF filing events to be used:

Event	Category	Function
Redaction Request	• Civil Events – Other Documents • Criminal Events – Other Documents	Used by attorneys to electronically file the restricted *Redaction Request*. Pro Se litigants must file this document on paper.
Motion to extend time re: transcript	• Civil Events – Motions • Criminal Events – Motions	Used by attorneys to electronically file a request for an extension of time to: • File and submit a *Redaction Request* to the court reporter. • Extend the 90-day restriction period. Pro Se litigants must file this document on paper.

Redacted Transcript

If a *Redaction Request* is filed, the court reporter will file a redacted transcript within 31 calendar days from the receipt of the *Redaction Request*, or longer if ordered by the court. The redacted transcript will be remotely electronically available at the expiration of the original 90-day restriction period. The originally filed unredacted transcript will remain sealed.

CJA Attorneys

Counsel appointed pursuant to the Criminal Justice Act may claim compensation, at the applicable rate, for the time spent reviewing the transcript and preparing a *Redaction Request*, as well as for costs associated with obtaining a copy of the transcript.

Continued on next page

NOTE: **TO MINIMIZE REDACTIONS AND PREVENT HARMFUL DISCLOSURES OF PERSONAL DATA IDENTIFIERS, COUNSEL AND PRO SE LITIGANTS SHOULD NOT ELICIT SUCH INFORMATION DURING COURT PROCEEDINGS.**

Electronic Filing and Service of Documents – Electronic Filing of Sealed Documents in Civil Cases

Introduction

Sealed **documents** in public civil cases are to be electronically filed in accordance with Local Civil Rule 5. Sealed **cases** will remain inaccessible and all documents in sealed cases must be filed on paper. The filing party is responsible for serving all sealed documents and attachments on opposing counsel in compliance with the Federal Rules of Civil Procedure.

Sealed documents will be remotely inaccessible to counsel and pro se litigants but the docket entry itself will be accessible to the public.

Motions to seal are public documents and are not noticed for hearing. The Court may require additional briefing or argument.

Whenever a document is filed under seal, the filer must deliver a copy of the document filed under seal and all pleadings and documents relating to the motion to seal to the chambers of the presiding judge for review. When the proceedings are concluded, the Court will either destroy the paper copies containing confidential information or direct counsel to retrieve them.

Effective Date

January 11, 2016

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Exceptions

Exceptions must be filed on paper and delivered to the Clerk's office labeled "Under Seal" and shall be securely sealed with the container clearly labeled "Under Seal." The case number, case caption, a reference to any statute, rule, order, or motion relating to the filing and a non-confidential descriptive title of the document shall also be noted on the container.

The types of documents that are exceptions to electronic filing of sealed documents in civil cases are:

- Documents filed in sealed cases,
- In Camera Documents,
- Social Security Administrative Records, and
- Sealed documents filed by pro se litigants.

Sealed Filing Events

Sealed filing events have been created for use when filing sealed documents.

Caution: **If the sealed filing event is not used to electronically file the sealed document, then the document will be available to the public**.

The sealed filing events must be used to file the sealed documents to ensure that only the court can access the documents.

The sealed filing events are:

- Sealed Memorandum In Support
- Sealed Attachment/Exhibit(s)
- Sealed Document
- Sealed Response/Reply/Opposition
- Sealed Motion (used **ONLY** when the sealed document to be filed is a sealed motion; do not use this event to file the motion seeking permission to seal. Use the "Motion to Seal" event found under the *Motions* category. For example, if filing a "Motion for Summary Judgment" under seal, use this event to file the "Motion for Summary Judgment" but use the "Motion to Seal" to seek permission to seal the "Motion for Summary Judgment.")

These events can be found under the attorney *Civil Menu* in the category *Sealed Documents*.

Continued on next page

Notice Filing Events

In accordance with Local Civil Rule 5, two notice filing events were created as follows:

- *Notice of Under Seal Filing LCvR5(B)* to be used to electronically file Local Civil Rule 5(B) Notice and
- *Notice of Filing Sealing Motion LCvR5(C)* to be used to electronically file Local Civil Rule 5(C) Notice.

These events can be found on the Civil Menu under *Notices*. These filing events are public documents and should not contain any sealed information.

Service of Sealed Documents

Since the sealed document will not be accessible through the *Notice of Electronic Filing (NEF)*, the filing party is responsible for serving all sealed documents and attachments on the opposing counsel by other means. A certificate of service must be included with every filing and a copy of the NEF should be served with the sealed document.

Sealed Orders

Sealed orders will not be accessible remotely. Sealed orders will be mailed to attorneys and pro se litigants.

Continued on next page

Steps for Filing Sealed Documents

If you are filing a document or portion of a document under seal pursuant to a governing statute, rule, or order, take the following steps:

Step	Action
1	File the document using the appropriate sealed filing event from the following selection: • Sealed Motion • Sealed Memorandum In Support • Sealed Exhibit • Sealed Attachment • Sealed Response/Objection/Reply • Sealed Document ***Note***: This document should be clearly marked "under seal."
2	File the *Notice of Under Seal Filing LCvR 5(B)* (link to the sealed document) found under the *Notices* category. This document is available to the public.

Continued on next page

Steps for Filing a Motion to Seal

If you are motioning to file a document under seal, take the following steps:

Step	Action
1	File the Motion to Seal using the motion to seal or motion to seal case, as appropriate, found under the motions category and upload the proposed order as an attachment to the motion to seal. ***Note***: The motion to seal is a public document and should not contain any sealed information.
2	File the *Notice of Filing Sealing Motion LCvR 5(C)* (link to the motion to seal) found under the *Notices* category. This notice is available to the public.
3	File the document you wish to seal using the *Sealed Document* filing event (link to the motion to seal).
4	File the non-confidential memorandum in support of the motion to seal using the event *Memorandum In Support* found in the category *Responses/Replies/Memoranda* (link to the motion to seal).
5	File any confidential memorandum in support of the motion to seal using the sealed event *Sealed Memorandum In Support* (link to the motion to seal).

Oppositions/ Responses

If you are filing a sealed document that responds, replies, or opposes a motion to seal, use the sealed filing event *Sealed Response/Reply/Opposition* to ensure that your document cannot be viewed by the public.

Continued on next page

File Size of Documents

As with any electronic filing in the Eastern District of Virginia, your sealed document filing size is limited to PDF documents no larger than 10 megabytes (about 200 pages). The total number of megabytes in a submission, including attachments, must be no larger than 30 megabytes (about 600) pages. Each document in that submission must be no larger than 10 megabytes.

If the filing including attachments is larger than 30 megabytes, split your filing into submissions of no larger than 30 megabytes each.

Take the following steps to file **sealed** documents that are larger than 30 megabytes:

Step	Action
1	Break your document or filing, including attachments, into smaller PDF documents of no more than 10 megabytes each and into submissions of less than 30 megabytes each.
2	File the first submission as usual (as a main document with attachments) using the appropriate filing event.
3	Create formal document called *Continuation of Sealed Filing* that includes a *Certificate of Service* and your complete nine-element signature block.
4	File the *Continuation of Sealed Filing* using the sealed filing event *Sealed Attachment/Exhibit(s)*.
5	Upload the smaller PDF documents as attachments to the *Continuation of Sealed Filing*.

Continued on next page

Correcting Mistakes

If you erroneously file a sealed document without using a sealed filing event or erroneously file a public document using a sealed filing event, contact the Clerk's Office Operations Section Helpdesk for assistance.

The Clerk's Office Operations Section Helpdesk is available from 8:30a.m. to 5:00p.m. Monday through Friday with the exception of federal holidays or closures.

Division	Helpdesk Contact Number
Alexandria	703-299-2101
Norfolk/Newport News	757-222-7201
Richmond	804-916-2220

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Chapter Five:
Accessing the System

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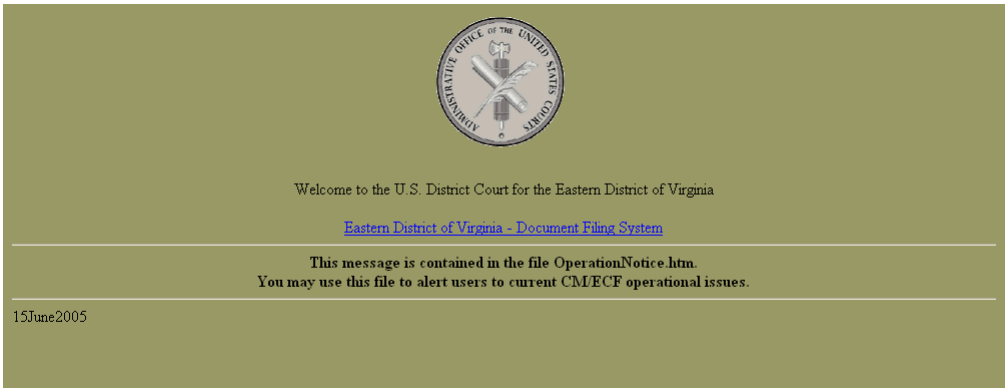
Accessing the System

How to Access the System

Filing users can access the Court's ECF system via the Internet by going to: www.vaed.uscourts.gov and clicking on the Login to ECF link in the *Logins* section on the CM/ECF page.

Once you have the main page of ECF on your screen, click on *Eastern District of Virginia – Document Filing System*.

Screen shot of the main page for ECF:



Accessing the System

Selecting ECF or PACER

The next screen is the login screen. From this screen, you can log into ECF or PACER, as follows:

- If you wish to file documents, enter your ECF login and password.
- If you wish to perform any other functions, including viewing documents previously filed (with the exception of viewing restricted documents such as Presentence Investigation Reports, civil social security cases and civil immigration cases), enter your PACER login, password, and client code.

Accessing the System

Logging In to ECF

To log into ECF, take the following steps:

- Type your ECF login and password.
- Verify that you have typed your ECF login and password correctly.
  Note: All ECF logins and passwords are case sensitive.
- Click on the *Login* button to transmit your user information to ECF.

OR, if you have typed your login and password incorrectly:

- Click on the *Clear* button to erase an incorrectly typed login and password.
- Type the correct login and password.
- Click on the *Login* button to transmit your user information to ECF.

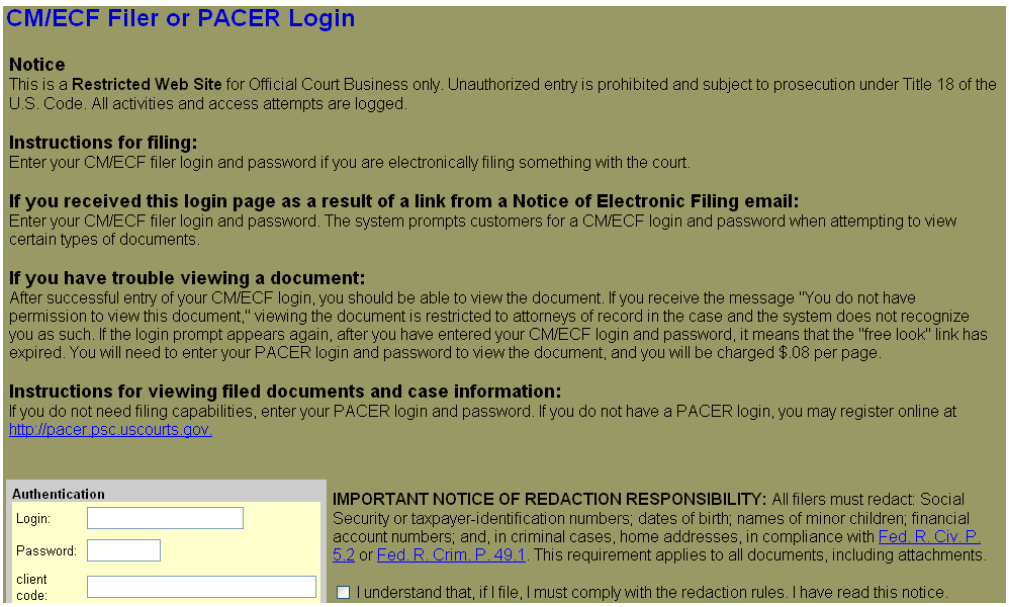
OR, if ECF does not recognize your login and password, it will display the following error message on a new screen:

Login failed either your login name or key is incorrect.

- Click on the *Back* button and re-enter your correct login and password.
- Click on the *Login* button to transmit your user information to ECF.

Screen Shot of ECF/PACER Login Screen

Below is a screen shot of the ECF/PACER login screen:



Accessing the System

Main ECF Menu Items

ECF provides the following choices on the **blue** menu bar at the top of the main ECF Menu screen:

- ***Civil*** – Select *Civil* to electronically file all civil and civil miscellaneous case documents.
- ***Criminal*** – Select *Criminal* to electronically file all criminal case documents.
- ***Query*** – Select *Query* to retrieve information and documents relevant to the case. You can query either by specific case number or party name. You must login to PACER before you can query ECF.
- ***Reports*** – Select *Reports* to retrieve docket sheets and filed case reports. You must login to PACER before you can view an ECF report, with the exception of the *Written Opinions Report*.
- ***Utilities*** – Select *Utilities* to maintain your account; view your personal ECF transaction log, which shows all transactions processed with your login and password; and maintain personal account information.
- ***Search*** – Select *Search* to find a civil or criminal filing event.
- ***Logout*** – Select *Logout* to exit from ECF and prevent further filing with your password until the next time you login.

Note: It is very important that you actually logout from ECF, rather than simply Xing out or closing the ECF window.

Continued on next page

Main Menu Bar and Opening ECF Page

Below is a screen shot of the main menu bar and opening ECF page:

Accessing the System

Civil Menu Items

Use the civil menu items to electronically file documents for civil cases.

Below is a screen shot of the Civil Menu items:

Criminal Menu Items

Use the criminal menu items to electronically file documents for criminal cases.

Below is a screen shot of the Criminal Menu items:

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Chapter Six:
System Conventions

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System Conventions

Two Choices on Each ECF Screen

Each ECF screen allows you to choose one of two buttons:

- *Clear* – Clears all characters entered in the box(es) on that screen.
- *Next* or *Submit* – Accepts the entry just made and displays the next entry screen, if any.

System Conventions

Correcting a Mistake

You can correct a mistake any time before you commit a transaction. However, only clerk's office employees can make changes or corrections once a transaction has been committed.

Do **not** attempt to correct a mistake by using your *Back* browser button. We have learned that, about 15% of the time, using your *Back* browser button will mean that your document does not get attached to your filing, and you won't discover this problem until you get the NEF, which will not have a hyperlink to your filed document.

Therefore, to correct a mistake before you commit your transaction, simply click on the blue menu bar and begin filing your document again. This is the same as aborting your transaction (see below).

Note: To correct a mistake **after** committing a transaction, you must call the appropriate clerk's office help desk number between 8:30 a.m. and 5:00 p.m. and ask the clerk's office staff member who answers the phone to help you correct your mistake.

Aborting a Transaction

If you wish to abort a transaction entirely, simply click on any item on the main blue menu bar at any point before committing the transaction. The system will retain no memory of the steps you took before aborting.

System Conventions

Timing Out

If you are logged in to the ECF system, after 30 minutes of inactivity, the following will occur:

Stage	Description
1	The system will automatically time out.
2	When you start to type again, the system will take you back to the login screen.
3	When you login again, the system will give you an error message that reads as follows: *Warning: the account you entered is already logged in.*
4	The message will give you an option of clicking one of the two following choices: • The *Continue login* button, which will allow you to continue filing in the same session. OR • The *Cancel* button, which will cancel the session and return you once more to the login screen. If you select the *Cancel* option before having committed your transaction, your transaction will be aborted.

Note: Only one person at a time may use the same account. If a second person attempts to login using someone else's account while that person is working in ECF, the first person will be automatically kicked out of the system

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Chapter Seven:
Filing Procedures

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Filing Procedures – Civil Documents

Overview

This section outlines the process and procedures to use when filing civil documents.

Filing a Civil Complaint, Petition, or Notice of Removal

Complaints, petitions, and notices of removal are not currently accepted electronically and must be filed by sending them through the U.S. mail or delivering them in person to the clerk's office, along with the filing fee, which may be paid by check, money order, or credit card. Complaints, petitions, and notices of removal will then be scanned, electronically filed, and docketed by clerk's office staff.

Civil Documents That May Be Filed Electronically

Following is a list of categories of civil documents that may be filed electronically:

- Answers to Complaints,
- Other Answers,
- Motions,
- Responses and Replies,
- Discovery Documents,
- Notices,
- Trial Documents,
- Appeal Documents,
- Other Documents, and
- Sealed Documents in public cases.

Continued on next page

Filing a Civil Document Electronically: Overview

Below is an overview of the process for filing a civil document electronically:

Stage	Description
1	Login to ECF. Select *Civil* from the blue menu bar at the top of the screen.
2	Click on the name of the type of document you are filing (e.g., motion, answer, etc.).
3	Select the specific document you are filing (e.g., motion to dismiss).
4	Enter the case number in which the document is to be filed.
5	Select the party or parties for whom the document is being filed.
6	Select the PDF document to be filed.
7	Add attachments, if any, to the document being filed.
8	Modify docket text as necessary.
9	Submit the document to ECF.
10	Retain Notification of Electronic Filing (NEF).
11	Mail a paper copy of the document to any non-filing user, along with a paper copy of the NEF.

Filing a Motion in a Civil Case: Introduction

To give you a sense of how the ECF process and its screens work, the material below describes the steps for filing a civil motion. These steps are similar to those for filing other documents in ECF.

Continued on next page

Filing a Motion in a Civil Case: Selecting *Civil* from the Menu

Step 1 – Login to the system. Then, select *Civil* from the blue menu bar at the top of the screen.

Filing a Motion in a Civil Case: Selecting *Motions* from the Menu

Step 2 – Select *Motions* as the type of document to file.

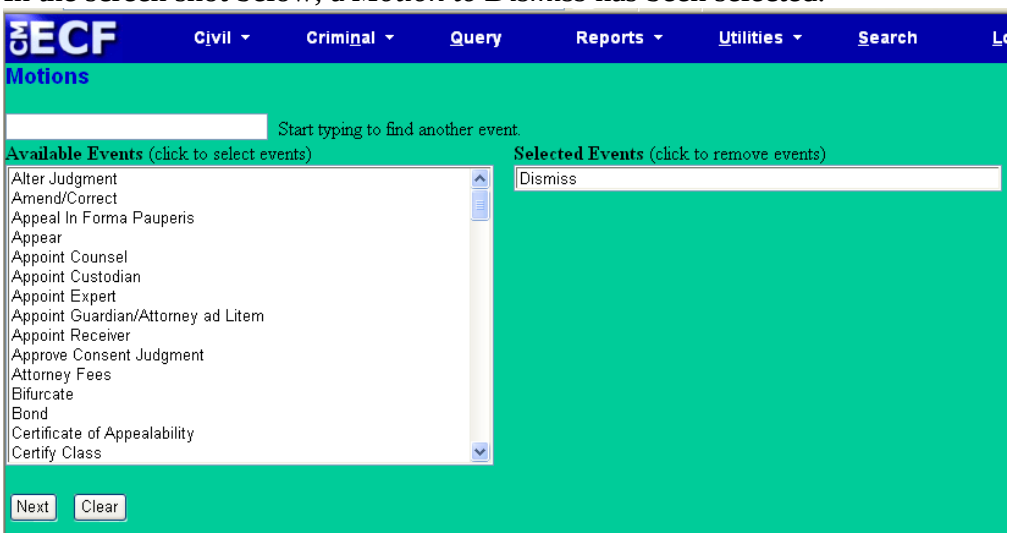
Continued on next page

Filing a Motion in a Civil Case: Selecting the Type of Motion

Step 3 – Select the type of motion that you are filing by either beginning to type the name of the motion in the white box at the top of the screen and then clicking on its name in the dropdown list or by scrolling in the dropdown list and then clicking on its name in the dropdown list and then click on *Next*.

The name of the motion will appear in the *Selected Events* white box to the right of the dropdown list.

In the screen shot below, a *Motion to Dismiss* has been selected.



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Filing a Motion in a Civil Case: Entering the Case Number

Step 4a – Enter the case number in which the document is to be filed.

The case number format is as follows: *division: year-type-number* (e.g., *1:06-cv-690*), although you must type only a year and number when first prompted for a case number.

The division number denotes the division in which the case is pending, as follows:

- Alexandria is 1,
- Norfolk is 2,
- Richmond is 3, and
- Newport News is 4.

The codes for the two civil case types are *cv* for civil cases and *mc* for miscellaneous civil cases.

Note: ECF defaults to the number for the last case in which you worked. Ensure that the proper case number is entered to avoid filing your document in the wrong case.

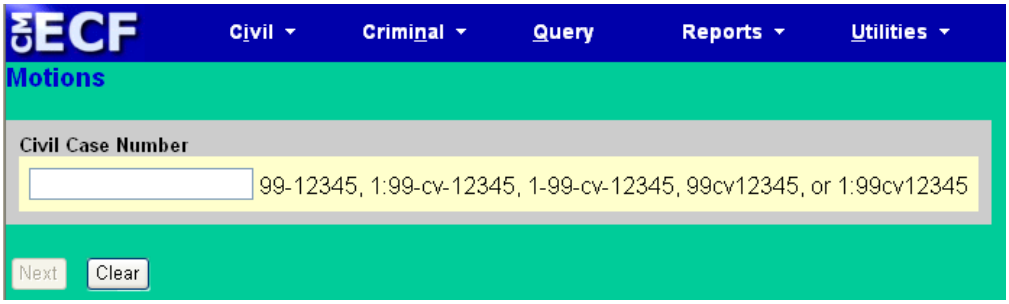
If the case number was:

- Entered incorrectly, click on the *Clear* button to re-enter.
- Rejected by the computer as an invalid case number, click on the *Back* button on your browser menu bar to re-enter the number.

Continued on next page

Filing a Motion in a Civil Case: Entering the Case Number – Screen Shot

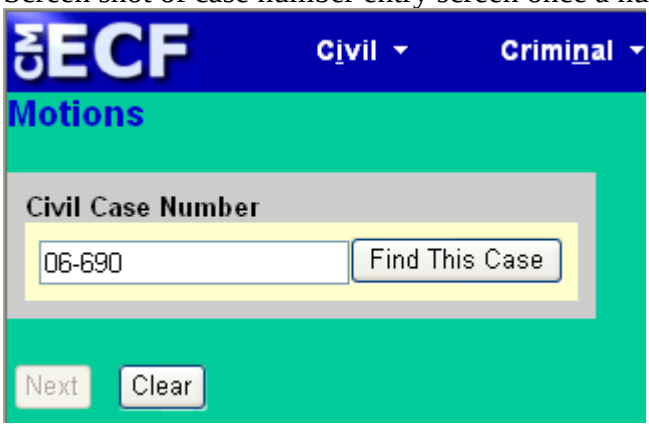
Screen shot of the case number entry screen.



Note: If you submit a case number that is formatted incorrectly, ECF will give an error message advising you of the correct format for entering the case number. Take the following steps:

- Click *OK* to acknowledge and close the error message.
- Click the *Clear* button on the screen and re-enter the case number in the correct format.
- Click on the *Next* button.

Screen shot of case number entry screen once a number has been entered.



Click on the *Find This Case* button to search for your case.

Continued on next page

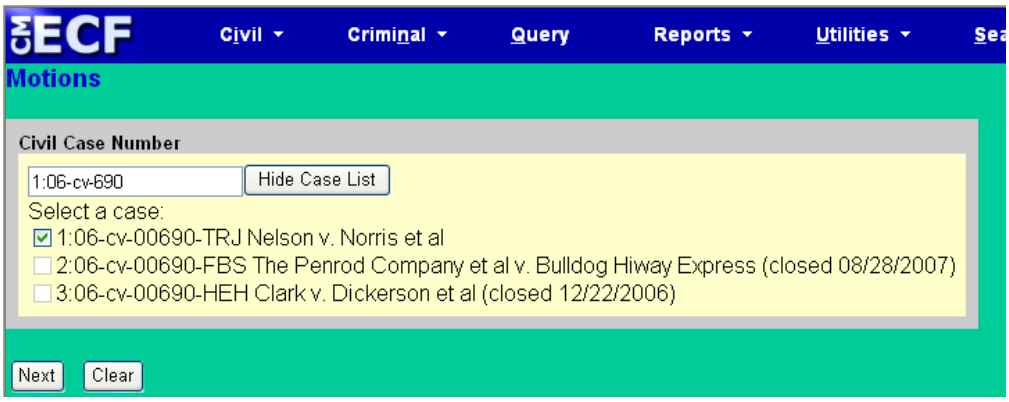
Filing a Motion in a Civil Case: Selecting the Case

Step 4b – Select the correct case, if a list is provided.

If ECF finds more than one civil or miscellaneous case with the same number, it will list the cases, including the case number and short title of the case, which will allow you to select the correct case.

The screen shot below shows that two civil cases numbered 06-690 exist in the system: one is in Alexandria, one in Norfolk, and the other is in Richmond. The correct case has been selected by clicking in the box next to that case.

Once you have selected the correct case, click on the *Next* button.



Continued on next page

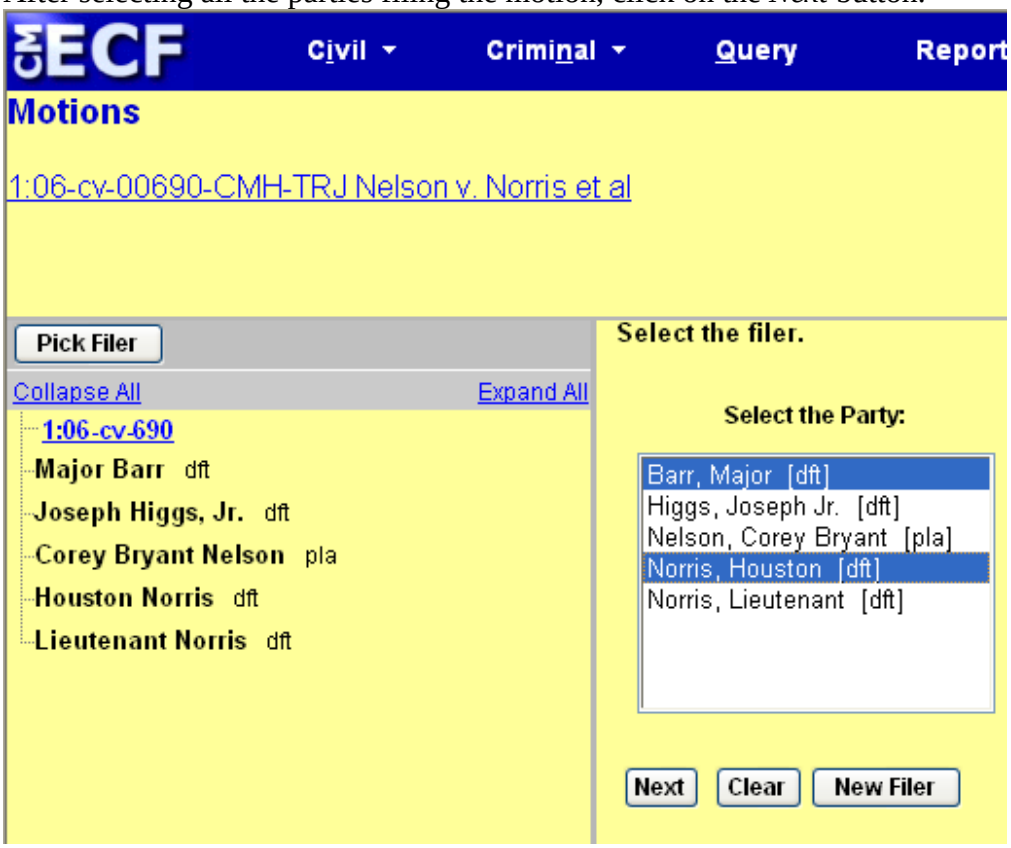
Filing a Motion in a Civil Case: Selecting the Parties

Step 5a – Select the party or parties filing the motion by clicking on the party name(s). The list of party names is presented on the screen in alphabetical order.

- If you represent more than one defendant or plaintiff, you may select all the parties you represent by holding down the *CTRL* key while clicking on the name of each party.
- When filing a joint document, select the party(ies) you represent as the filer of the document. When presented with a text box during filing, you may enter the name(s) of the opposing party in the text box.

Note: To deselect a party, hold down the *CTRL* key while clicking on the party(ies) you wish to deselect.

After selecting all the parties filing the motion, click on the *Next* button.



Note: If your party does not appear on the list, see the section of this manual titled "Adding/Creating a New Party."

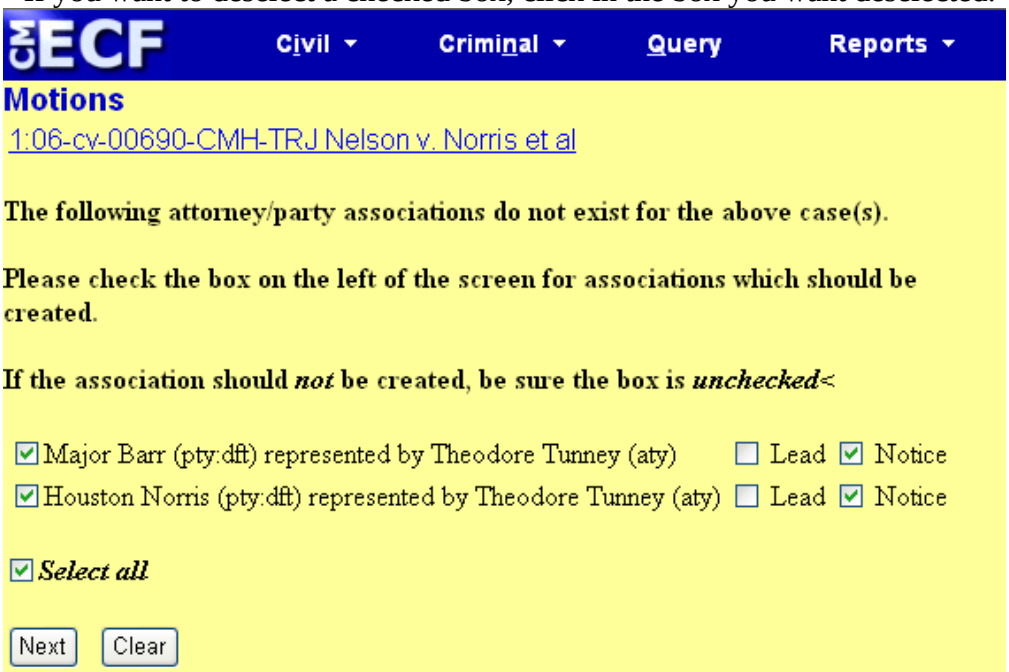
Continued on next page

Filing a Motion in a Civil Case: First Appearance of an Attorney

Step 5b – Create an association between you and the party, if necessary.

If this document is your first appearance in the case on behalf of the party, you will see the screen depicted in the screen shot below. Then, take the following steps:

- Click the box next to the party name to select the party or parties you represent AND deselect *Select all* if you do not represent all the parties listed.
- Click the box next to the word *Lead* if you are lead counsel for the party, and click the box next to the word *Notice*, if it is not already checked, to receive notices from the Court and other attorneys.
- If you want to deselect a checked box, click in the box you want deselected.



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Filing a Motion in a Civil Case: Selecting the PDF File Name and Location

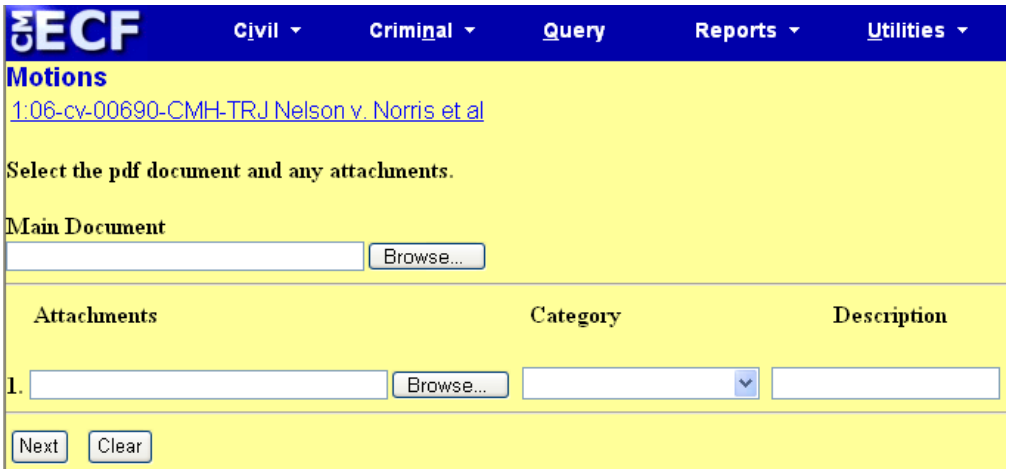
Step 6 – Select the PDF file name and location for the document you are filing by doing the following:

- Click on the *Browse* button to navigate to the appropriate directory and file.
- Select the document. Its name should appear in the *Filename* box.
- Verify that you have attached the correct document by viewing it.
- Click on *Next*.

Continued on next page

Filing a Motion in a Civil Case: Selecting the PDF File Name and Location -- Screen Shot and Notes

Below is a shot of the screen that asks you to select the PDF file name and location, with accompanying notes:



Notes:

- The file selected **MUST** be in PDF format with a .pdf suffix. If the file is not in PDF format, the system will not be able to read the file.
- If you do not attach a document, the following prompt will occur:

- Click on the *OK* button and then click on the *Browse* button.
- If you need additional assistance with the PDF process, you may wish to view the computer-based training module, "Filing a Civil Motion."

Continued on next page

Filing a Motion in a Civil Case: Verifying That You Have Attached the Correct Document

Step 7 – Verify that you have attached the correct document by taking the following steps:

- Right click on the highlighted file name to open a quick menu.
- Left click on *open*. The PDF document will be opened by Adobe Acrobat or Acrobat Reader so that you can view the document and verify that it is the correct one.
- Close Adobe Acrobat or Acrobat Reader.
- Click the *open* button on the file upload screen.

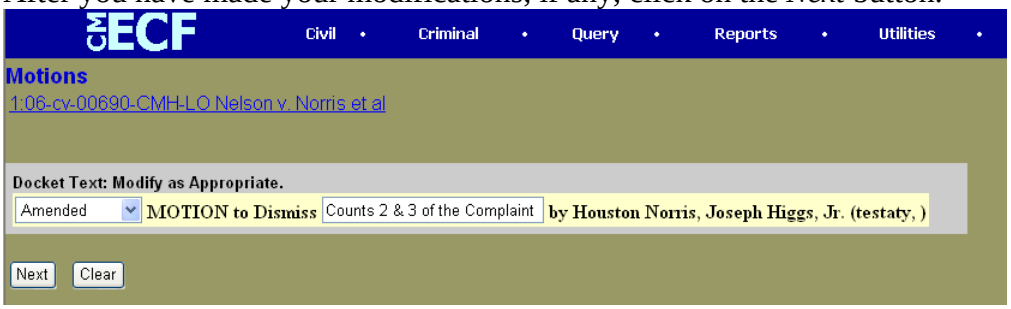
Filing a Motion in Civil Case: Modifying the Docket Entry

Step 8 – Modify the docket entry, if appropriate.

You can modify the docket entry in two ways:

- By selecting a modifier to go before the word *motion* from the dropdown list by clicking on the arrow and
- By typing more information about the motion in the white box following the *Motion* title as well as entering names of opposing party(ies) when filing a joint document. In general, white boxes in docket entries allow you to add additional text to the entries.

After you have made your modifications, if any, click on the *Next* button.



Continued on next page

Filing a Motion in a Civil Case: Reviewing the Docket Entry for Accuracy

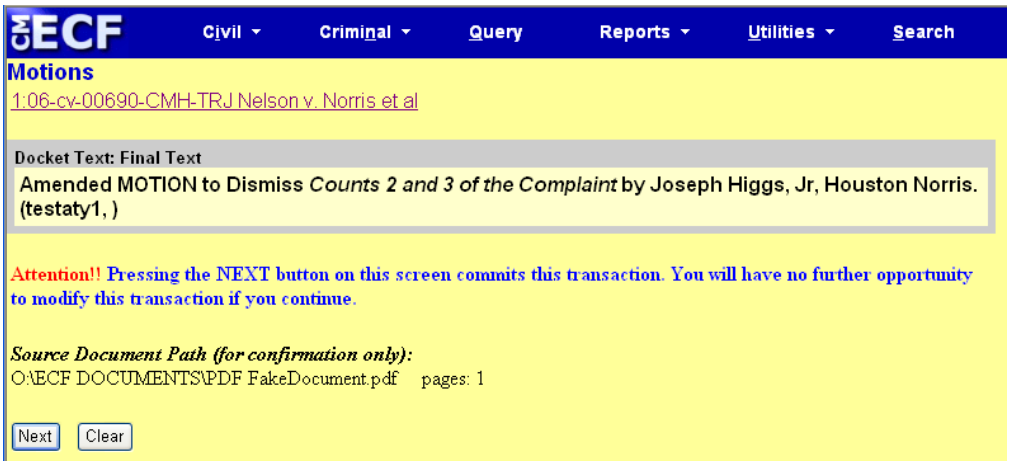
Step 9 – Review your docket entry for accuracy.

If the docket entry is…	Then…
Correct	Click on the *Next* button to commit the transaction. ***Note***: Once you click on the *Next* button, only clerk's office staff will be able to make any changes to the submission.
Incorrect	Click on *Civil* on the main blue menu bar to abort the entry and start over.

Note: Once you have committed the transaction, the next screen that appears is the Notice of Electronic Filing (NEF), your official filing receipt. To ensure that your transaction is complete, wait for the NEF before clicking on any other function.

The screen shot below shows that "Amended" was selected from the dropdown list and "Counts 2 and 3 of the Complaint" was typed into the white box, so that the final docket text now reads, "Amended Motion to Dismiss Counts 2 and 3 of the Complaint."

This docket text is correct, so the next step would be to click on the *Next* button to commit the transaction.



Continued on next page

Filing a Motion in a Civil Case: Notice of Electronic Filing (NEF)

ECF electronically transmits the NEF to the attorneys in the case who have supplied their e-mail addresses to the Court. Your transaction is complete once you have received the NEF, and the NEF is your proof of filing with the Court. Therefore, you should save either an electronic or a paper copy of the NEF.

To save a copy of the NEF either as an electronic record or as a paper document, see the chart below:

If you want to…	Then…
Save an electronic copy of the NEF	• Select *File* on your browser's menu bar. • Select *Save Frame As*… from the drop-down window and complete the rest of the steps.
Print a copy of the NEF	Select *Print* on your browser's toolbar.

Note: The NEF also displays the names and addresses of individuals who will not be electronically notified of the filing. It is the filing user's responsibility to serve paper copies of the document and of the NEF to attorneys and parties who are not receiving electronic notification.

Filing Procedures – Criminal Documents

Overview

This section outlines the procedures to use when filing criminal documents.

Filing a Criminal Indictment, Information, or Complaint

Indictments, superseding indictments, informations, and complaints are not currently accepted electronically and must be filed by sending them through the U.S. mail or by delivering them in person to the clerk's office.

Criminal Documents That May Be Filed Electronically

Following is a list of categories of criminal documents that may be filed electronically:

- Plea-Related Documents,
- Motions,
- Responses and Replies,
- Discovery Documents,
- Waivers,
- Notices,
- Trial Documents,
- Appeal Documents, and
- Other Documents.

Continued on next page

Filing a Criminal Document Electronically: Overview

Below is an overview of the process for filing a criminal document electronically:

Stage	Description
1	Login to ECF. Select *Criminal* from the blue menu bar at the top of the screen.
2	Click on the name of the type of document you are filing (e.g., motion, responses, etc.).
3	Enter the case number in which the document is to be filed.
4	Select either *All defendants* or the defendant(s) you represent, if there is more than one defendant in the case.
5	Select the party or parties for whom the document is being filed.
6	Select the specific document you are filing (e.g., motion to dismiss).
7	Select the PDF document to be filed.
8	Add attachments, if any, to the document being filed.
9	Modify docket text as necessary.
10	Submit the document to ECF.
11	Retain Notification of Electronic Filing (NEF).
12	Mail paper copies of the document and of the NEF to any non-filing user.

Filing a Criminal Motion: Introduction

To give you a sense of how the ECF process and its screens work, the material below describes the steps for filing a criminal motion. These steps are similar to those for filing other documents in ECF.

Continued on next page

Filing a Criminal Motion: Selecting *Criminal* from the Menu

Step 1 – Login to the system. Then, select *Criminal* from the blue menu bar at the top of the screen.

Filing a Criminal Motion: Selecting *Motions* from the Menu

Step 2 – Select *Motions* as the type of document to file.

Continued on next page

Filing a Motion in a Criminal Case: Entering the Case Number

Step 3a – Enter the case number in which the document is to be filed.

The case number format is as follows: *division: year-type-number* (e.g., *1*:*06-cr-525*), although you must type only a year and number when first prompted for a case number. The screen shot in the next block shows the case number entry screen and its examples of case number formats acceptable to the system.

The division number denotes the division in which the case is pending, as follows:

- Alexandria is 1,
- Norfolk is 2,
- Richmond is 3, and
- Newport News is 4.

The codes for the three criminal case types are *cr* for criminal felony cases, *mj* for criminal misdemeanor cases, and *po* for criminal petty offense cases.

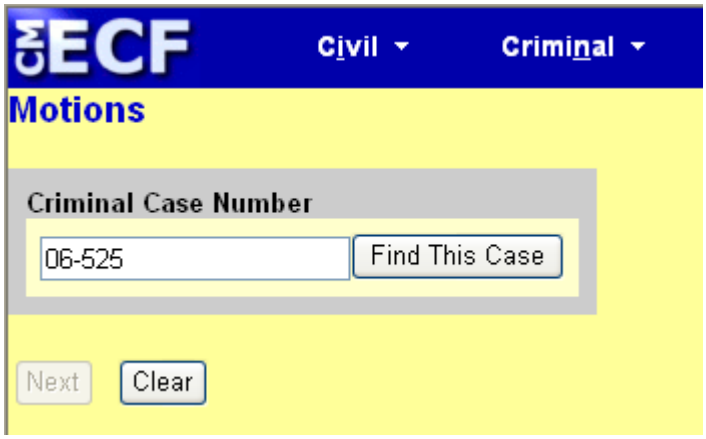
Note: ECF defaults to the number for the last case in which you worked. Ensure that the proper case number is entered to avoid filing your document in the wrong case.

If the case number was:
- Entered incorrectly, click on the *Clear* button to re-enter.
- Rejected by the computer as an invalid case number, click on the *Back* button on your browser menu bar to re-enter.

Continued on next page

Filing a Motion in a Criminal Case: Entering the Case Number – Screen Shot

Screen shot of the case number entry screen.



Note: Once you type in the case number, the button *Find This Case* appears. Click on the *Find This Case* button to continue.

Continued on next page

Filing a Motion in a Criminal Case: Selecting the Case

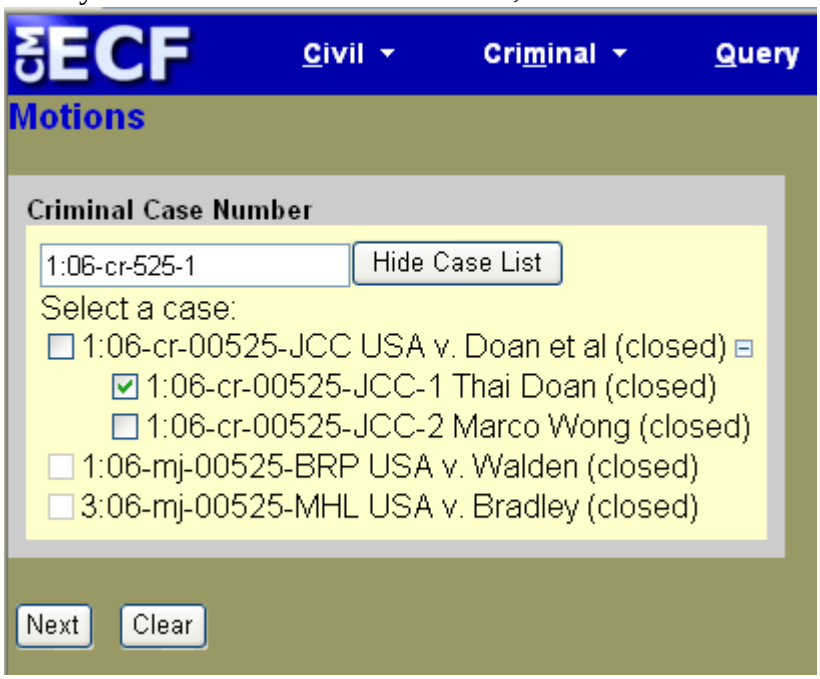
Step 3b – Select the correct case, if a list is provided.

If ECF finds more than one criminal case with the same number, it will list the cases, including the case number and short title of the case, which will allow you to select the correct case.

The screen shot below shows that three criminal cases numbered 06-525 exist in the system. Two of the cases are in Alexandria: one is a *cr* multi-defendant case, and the other is an *mj* case. The third case is in Richmond.

A criminal case may contain more than one defendant. Each defendant has an individual docket sheet within the case docket sheet. When filing a document for a defendant, be sure to select the correct defendant, defendants, or entire case by clicking the appropriate check box.

Once you have selected the correct case, click on the *Next* button.



Continued on next page

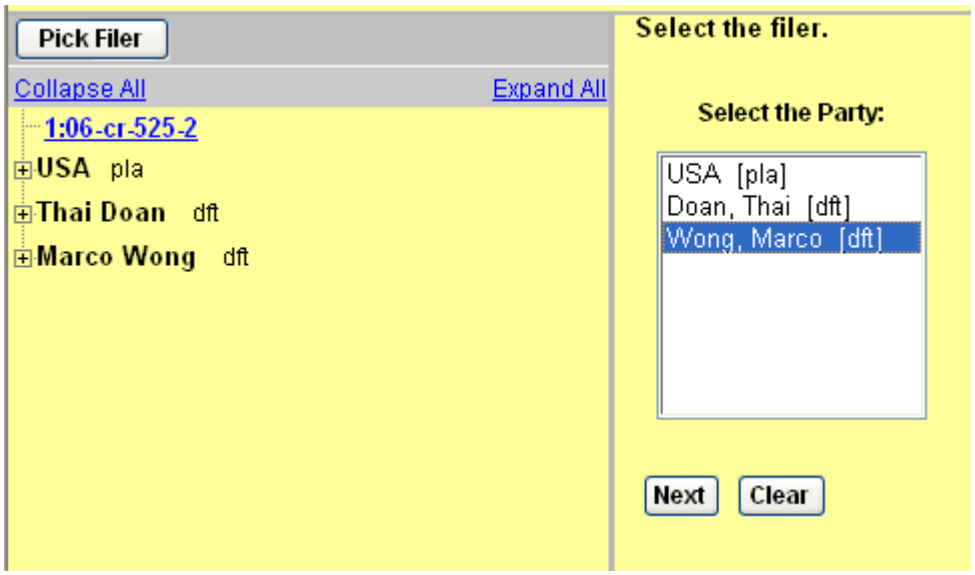
Filing a Motion in a Criminal Case: Selecting the Parties

Step 4a – Select the party or parties filing the motion by clicking on the party name(s) in the white box on the right of the screen. The list of party names is presented on the screen in alphabetical order.

- If you represent more than one defendant, you may select all the defendants you represent by holding down the *CTRL* key while clicking on the name of each defendant.
- When filing a joint document, select the party(ies) you represent as the filer of the document. When presented with a text box during filing, you may enter the name(s) of the opposing party in the text box.

Note: To deselect a party, hold down the *CTRL* key while clicking on the party(ies) you wish to deselect.

After selecting all the parties filing the motion, click on the *Next* button.



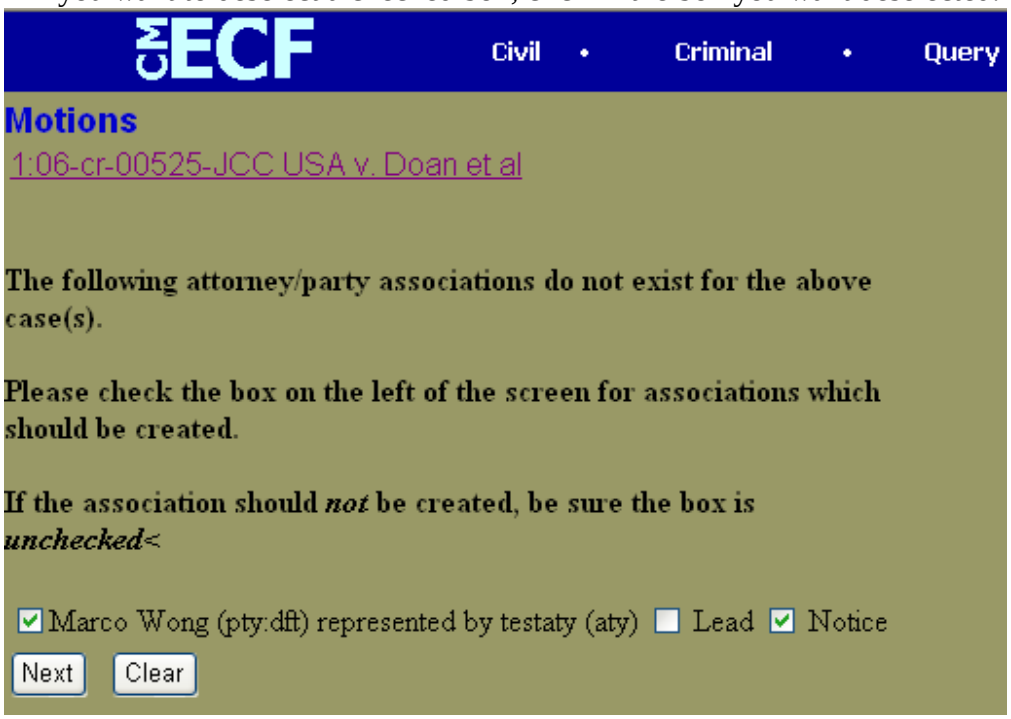
Continued on next page

Filing a Motion in a Criminal Case: First Appearance of an Attorney

Step 4b – Create an association between you and the party, if necessary.

If this document is your first appearance in the case on behalf of the party, you will see the screen depicted in the screen shot below.

- Click the box next to the party name to select the party or parties you represent AND deselect *Select all* if you do not represent all the parties listed.
  Note: In this example, only one party is filing the motion. Therefore, in the screen shot below, the system has not provided a *Select all* button.
- Click the box next to the word *Lead* if you are lead counsel for the party, and click the box next to the word *Notice*, if it is not already checked, to receive notices from the Court and other attorneys.
- If you want to deselect a checked box, click in the box you want deselected.

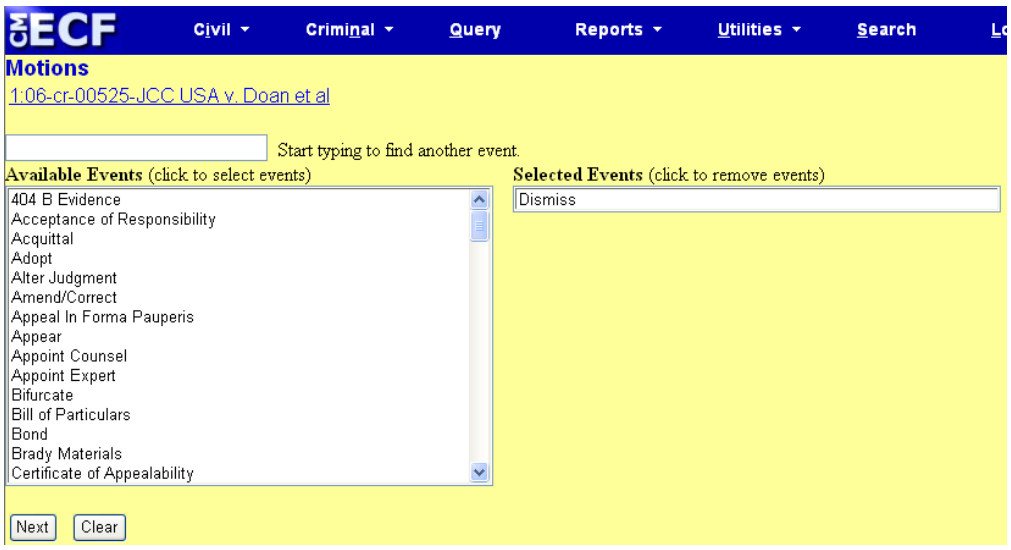


Continued on next page

Filing a Motion in a Criminal Case: Selecting the Type of Motion

Step 5 – Select the type of motion that you are filing by clicking on its name from the dropdown list and then click on the *Next* button.

In the screen shot below, a *Motion to Dismiss* has been selected.



Filing a Motion in a Criminal Case: Selecting the PDF File Name and Location

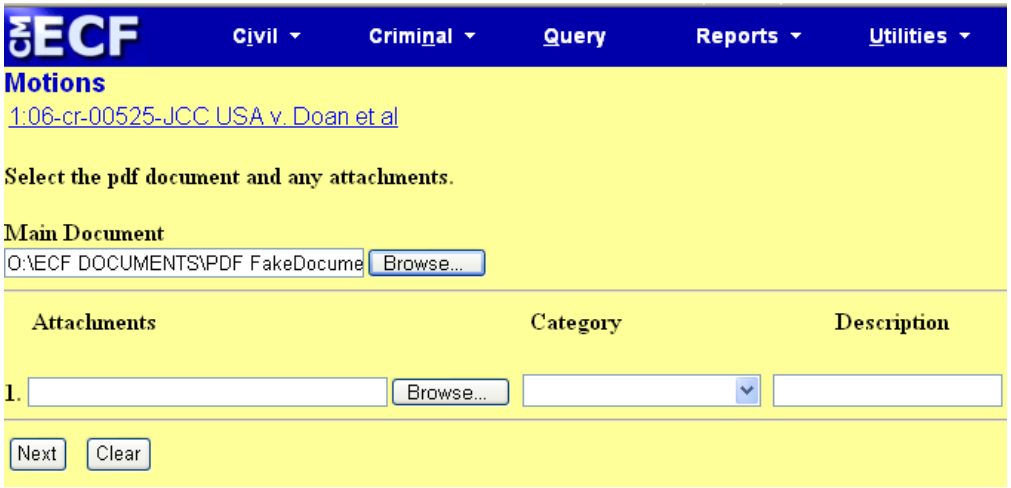
Step 6 – Select the PDF file name and location for the document you are filing by doing the following:

- Click on the *Browse* button to navigate to the appropriate directory and file.
- Select the document. Its name should appear in the *Filename* box.
- Verify that you have attached the correct document by viewing it.
- Click on *Next*.

Continued on next page

Filing a Motion in a Criminal Case: Selecting the PDF File Name and Location – Screen Shot with Notes

Below is a shot of the screen that asks you to select the PDF file name and location, with accompanying notes:



Notes:

- The file selected **MUST** be in PDF format with a .pdf suffix. If the file is not in PDF format, the system will not be able to read the file.
- If you do not attach a document, the following prompt will occur:

- Click on the *OK* button and then click on the *Browse* button.
- If you need additional assistance with the PDF process, you may wish to view the computer-based training module, "Filing a Criminal Motion."

Continued on next page

Filing a Motion in a Criminal Case: Verifying That You Have Attached the Correct Document

Step 7 – Verify that you have attached the correct document by taking the following steps:

- Right click on the highlighted file name to open a quick menu.
- Left click on *open*. The PDF document will be opened by Adobe Acrobat or Acrobat Reader so that you can view the document and verify that it is the correct one.
- Close Adobe Acrobat or Acrobat Reader.
- Click the *open* button on the file upload screen.

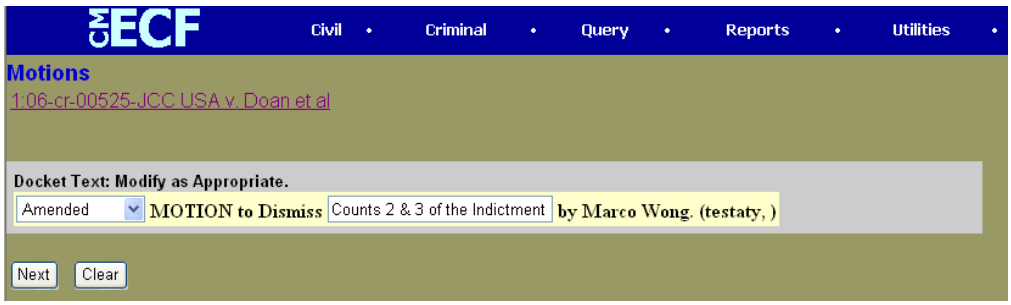
Filing a Motion in a Criminal Case: Modifying the Docket Entry

Step 8 – Modify the docket entry, if appropriate.

You can modify the docket entry in two ways:

- By selecting a modifier to go before the word *motion* from the dropdown list by clicking on the arrow and
- By typing more information about the motion in the white box following the word *Motion* title as well as entering names of opposing party(ies) when filing a joint document. In general, white boxes in docket entries allow you to add additional text to the entries.

After you have made your modifications, if any, click on the *Next* button.



Continued on next page

Filing a Motion in a Criminal Case: Reviewing the Docket Entry for Accuracy

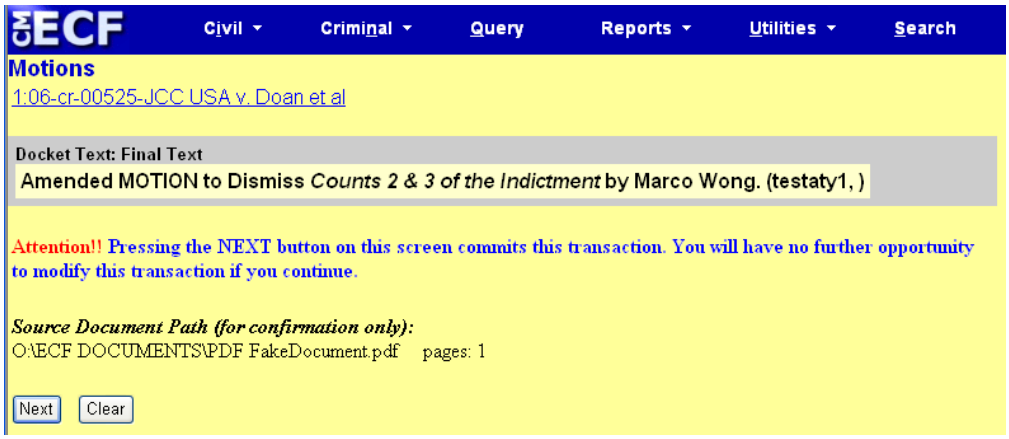
Step 9 – Review your docket entry for accuracy.

If the docket entry is…	Then…
Correct	Click on the *Next* button to commit the transaction. ***Note***: Once you click on the *Next* button, only clerk's office staff will be able to make any changes to the submission.
Incorrect	Click on *Criminal* on the main blue menu bar to abort the entry and start over.

Note: Once you have committed the transaction, the next screen that appears is the Notice of Electronic Filing (NEF), your official filing receipt. To ensure that your transaction is complete, wait for the NEF before clicking on any other function.

The screen shot below shows that "Amended" was selected from the dropdown list and "Counts 2 and 3 of the indictment" was typed into the white box, so that the final docket text now reads, "Amended Motion to Dismiss Counts 2 and 3 of the Indictment."

This docket text is correct, so the next step would be to click on the *Next* button to commit the transaction.



Continued on next page

Filing a Motion in a Criminal Case: Notice of Electronic Filing (NEF)

ECF electronically transmits the NEF to the attorneys in the case who have supplied their e-mail addresses to the Court. Your transaction is complete once you have received the NEF, and the NEF is your proof of filing with the Court. Therefore, you should save either an electronic or a paper copy of the NEF.

To save a copy of the NEF either as an electronic record or as a paper document, see the chart below:

If you want to…	Then…
Save an electronic copy of the NEF	• Select *File* on your browser's menu bar. • Select *Save Frame As*… from the drop-down window and complete the rest of the steps.
Print a copy of the NEF	Select Print on your browser's toolbar.

Note: The NEF also displays the names and addresses of individuals who will not be electronically notified of the filing. It is the filing user's responsibility to serve paper copies of the document and of the NEF to attorneys and parties who are not receiving electronic notification.

Filing Procedures – Multi-Part Documents

Introduction

Because individual pleadings and motion reliefs require different responses from the Court and from the CM/ECF system, filing users are strongly encouraged to create a separate document for each pleading or motion relief.

However, if a filing user prepares a single document containing more than one pleading or more than one motion relief, the filing user must file the document as many times as there are pleadings or motion reliefs.

More Than One Pleading

A filing user who prepares a single document that contains more than one pleading must file that document as many times as there are pleadings and use a separate entry for each filing.

For example, if filing one document that contains both the *Plaintiff's Response to Defendant's Motion to Dismiss* and the *Plaintiff's Motion to Amend Complaint*, the filing user would first file the document using the event *Response to Motion* – and link it to the *Motion to Dismiss*. Once the filing user received the NEF for the *Response* filing, the filing user would then file and attach the same document again, this time using the event *Motion* as a separate entry.

More Than One Motion for Relief

A filing user who prepares a single document that contains more than one motion for relief must file that document as many times as there are motions for reliefs and use a separate motion relief entry for each filing.

For example, if filing one document that contains a motion to dismiss, a motion for summary judgment, and a motion to compel, the filing user would file and attach the same document three separate times as three separate motion reliefs.

Filing Procedures – Attachments to Documents

Overview

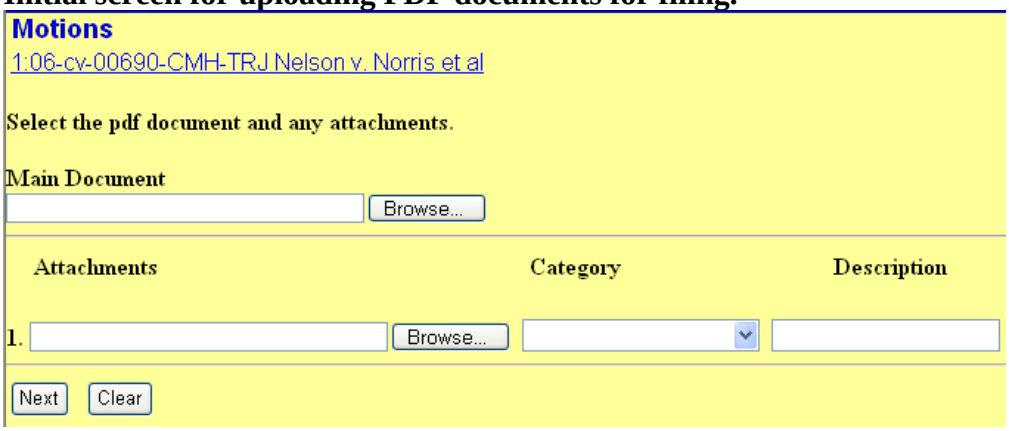
Sometimes it is necessary to attach a document to your filing, such as when submitting an exhibit with a motion, a proposed order with a motion, or a proposed amended complaint with a motion for leave to file an amended complaint. The procedures below show you how to attach a document to your filing.

Selecting the PDF Document Attachment

The screen where you select the PDF document you are filing is also the same screen where you select your attachment to the PDF document you are filing. To file an attachment with your document, after selecting the PDF main document:

- Click the *Browse* button under *Attachments* and select your PDF attachment document.
- Select a category or enter a description or both. A category must be selected or description must be entered for the attachment document. An error message will appear when you click the *Next* button if neither a category is selected nor a description entered.
- Click the *Next* button when finished uploading attachments.

Initial screen for uploading PDF documents for filing.



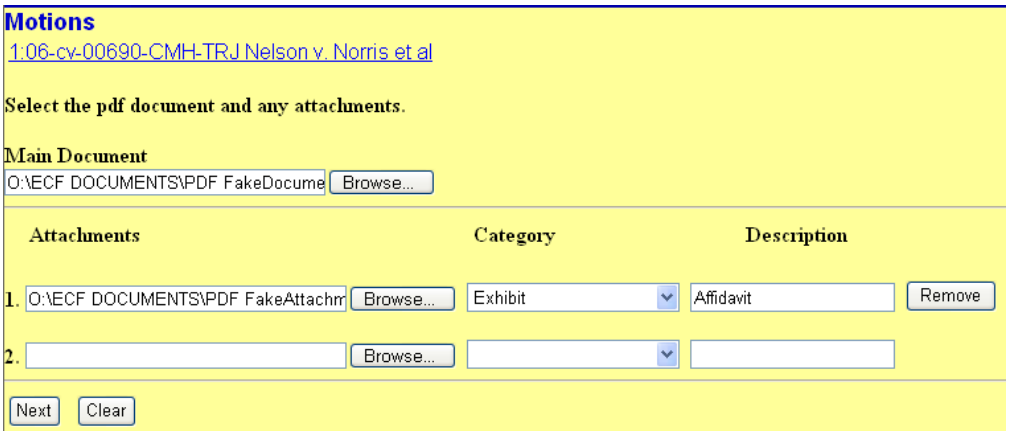
Information with respect to attachments:

- A new row will appear each time once an attachment is uploaded and the necessary category or description is entered.
- The last attachment space should remain blank when finished uploading attachments.
- The *Remove* button is used to completely remove an attachment.
- The *Browse* button is used to upload the PDF attachment as well as replacing one PDF attachment with another.
- The *Clear* button returns the screen to its original default state.

Continued on next page

Screen Shot of the Completed PDF Document Selection and Attachment Screen

This screen shows that the PDF *Main Document* has been selected and an attachment PDF document has been selected. *Exhibit* was chosen as the *Category* and *Affidavit* was entered as the description for the attachment.



Filing Procedures – Adding/Creating a New Party

Overview

Sometimes, during the course of filing a document, filing users will need to add a new party to a case, such as when filing amended complaints, third party complaints, and motions by interested parties.

Note: Verify that you are filing in the correct case before adding a new party to the case.

Adding/ Creating a New Party: Process Overview

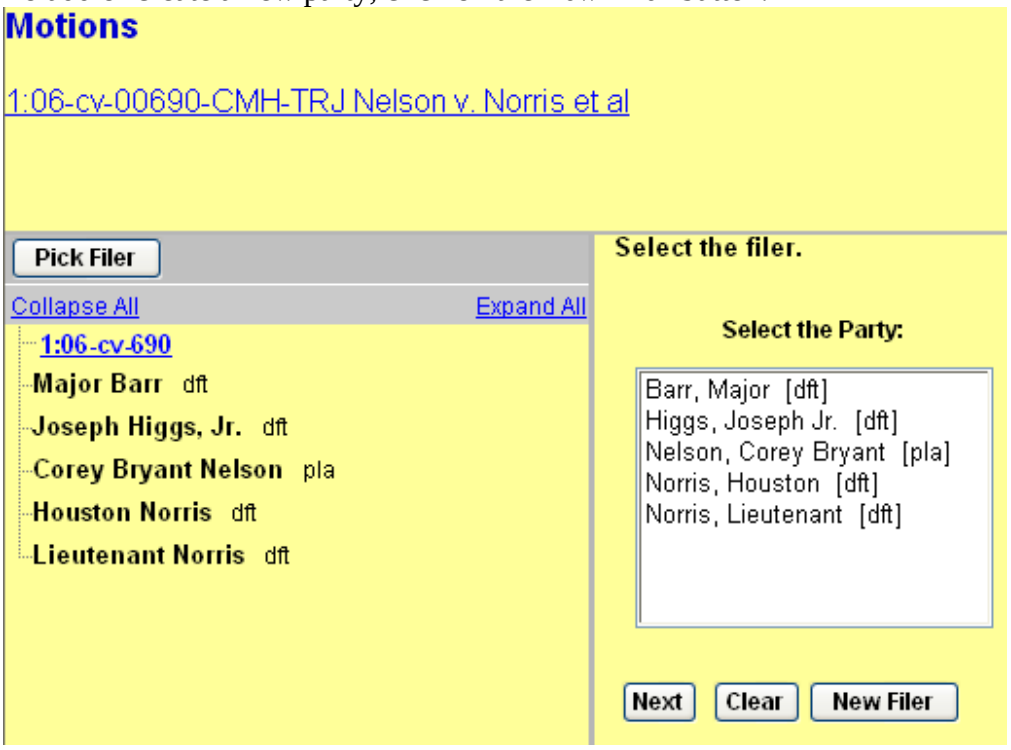
Below is an overview of the process for adding/creating a new party:

<table>
<tr><th>Step</th><th>Action</th></tr>
<tr><td>1</td><td>Click on the New Filer button on the right side of the pick filer screen during filing.</td></tr>
<tr><td>2</td><td>Search for the party name in the system.
<table>
<tr><th>If the search results…</th><th>Then…</th></tr>
<tr><td>Show a list of party names in the system, and your party name appears on the list</td><td>Select the party name by clicking on it and then click on the Select Party button.</td></tr>
<tr><td>Show a list of party names in the system, and your party name does not appear on the list</td><td>Click on the Create New Party button.</td></tr>
<tr><td>Indicate No person found</td><td>Click on the Create New Party button.</td></tr>
</table></td></tr>
<tr><td>3</td><td>Fill in the party’s complete name and the role of the party (i.e., movant) on the Party Information screen.
Note: Do not enter a party’s address.</td></tr>
<tr><td>4</td><td>Click on the Add Party button at the bottom of the screen.</td></tr>
<tr><td>5</td><td>Click the Next button or New Filer button if adding more parties.</td></tr>
<tr><td>6</td><td>Create the attorney/party association.</td></tr>
<tr><td>7</td><td>Continue with the filing.</td></tr>
</table>

Continued on next page

Adding/ Creating a New Party: ***Add/Create New Party*** **Link**

To add or create a new party, click on the *New Filer* button.



Note: The following pages will take you through two different possibilities and the accompanying examples.

- Example 1 (*Adding a New Party*) goes through what happens when a party's name is already in the system but not associated with the case. In this example, an individual's name has been used, but the same process would apply to a business name.
- Example 2 (*Creating a New Party*) goes through what happens when a party's name is not already in the system. In this example, a business name has been used, but the same process would apply to an individual's name.

Continued on next page

Adding a New Party: Searching for an Individual's Name in the System

Example 1 - Search for the party name in the system by taking the following steps:

- Type the last name of the individual. Capitalize the first letter of the individual's last name (e.g., *Smith*).
- Click on the *Search* button.

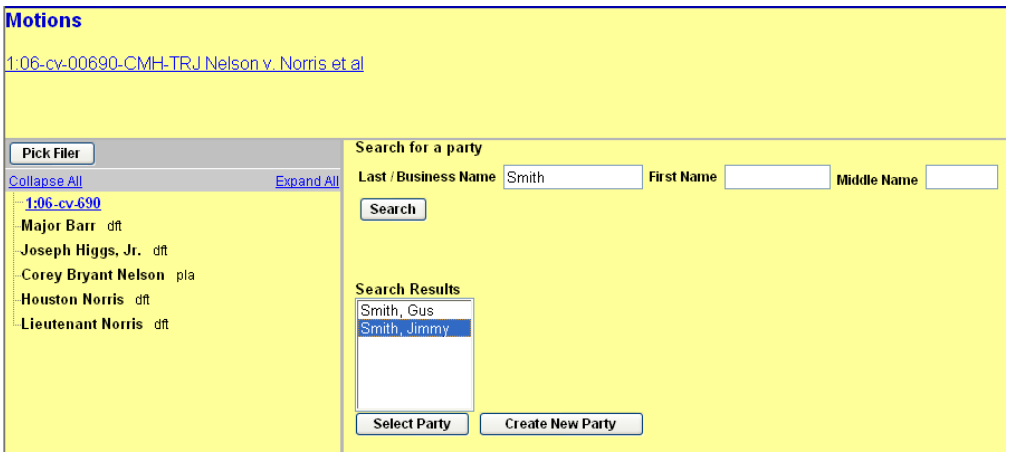
Continued on next page

Adding a New Party: Selecting from Search Results

Example 1 (continued) - Select the correct party from the search results, when applicable, as follows:

- Scroll through the party search results to find your party name.
- Click on the party name to select the correct party.
- Click on the *Select Party* button.

The screen shot below shows that *Jimmy Smith* was selected from the search results. The next step would be to click on the *Select Party* button.



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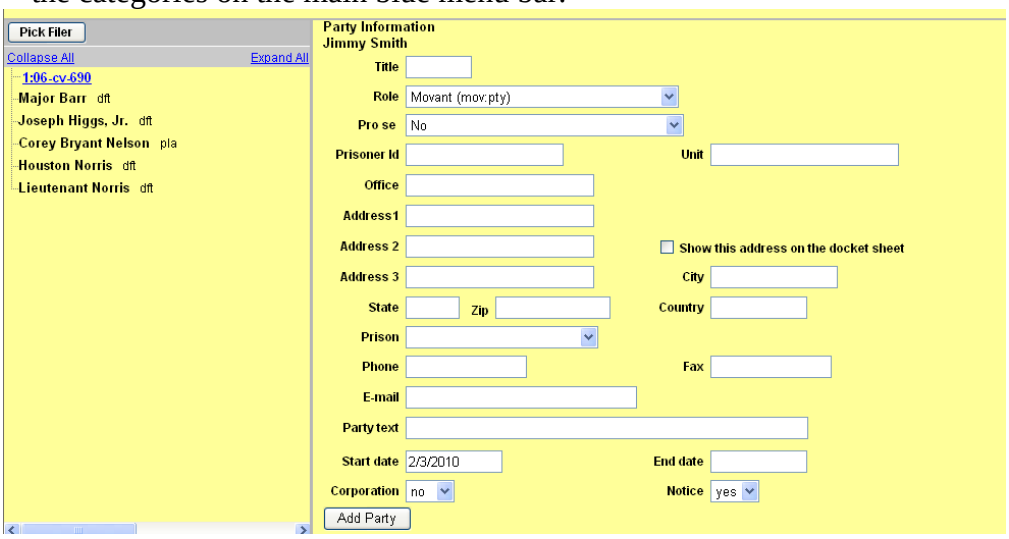
Adding a New Party: Party Information Screen

Example 1 (continued) - When you click on the *Select Party* button, the *Party Information* screen appears. Note that the party's name has been supplied at the top of the screen and cannot be modified.

- Use the *Party Information* screen to make changes as necessary:
  - *Role* -- change the party role by using the dropdown menu.
  - *Party text* -- add a description of the party (e.g., *President and C.E.O.*) if appropriate.
- After you make all necessary changes, click on the *Add Party* button.

Notes:

- You should not need to change the start date, since that field defaults to the date on which you enter the party information.
- Whatever information you enter into the *Party Information* screen's fields will subsequently be displayed at the beginning of the case's docket sheet.
- The party is not added to the case until you have completed the process. If you need to abort the process of adding the party to the case, click on one of the categories on the main blue menu bar.



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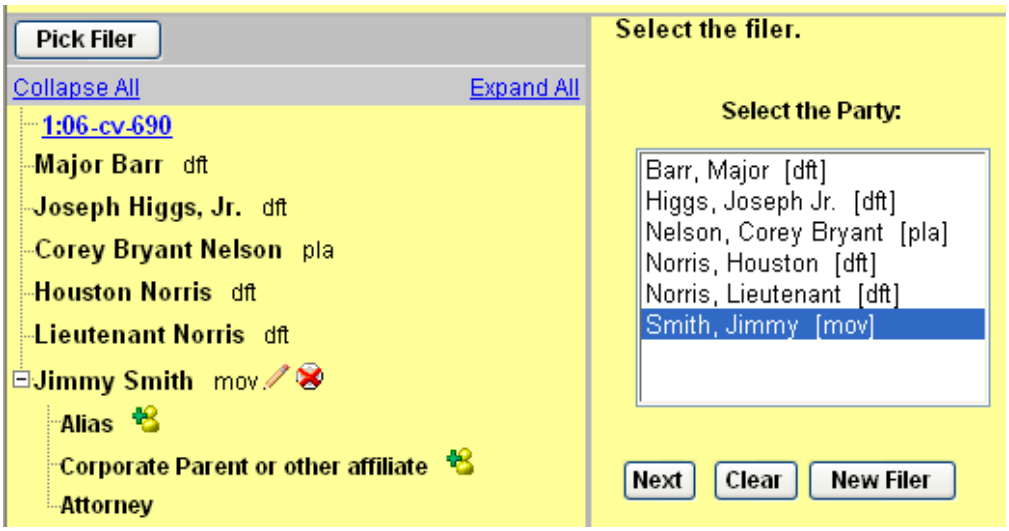
Adding a New Party: Completing the Process

Example 1 (continued) - Complete the process of adding a new party to the case by clicking on the *Add Party* button.

Note: The party is not added to the case until you have completed the process. If you need to abort the process of adding the party to the case, click on one of the categories on the main blue menu bar.

The screen shot below shows that the new party *Jimmy Smith* has been added to the party list. The next step would be to click on the *Next* button.



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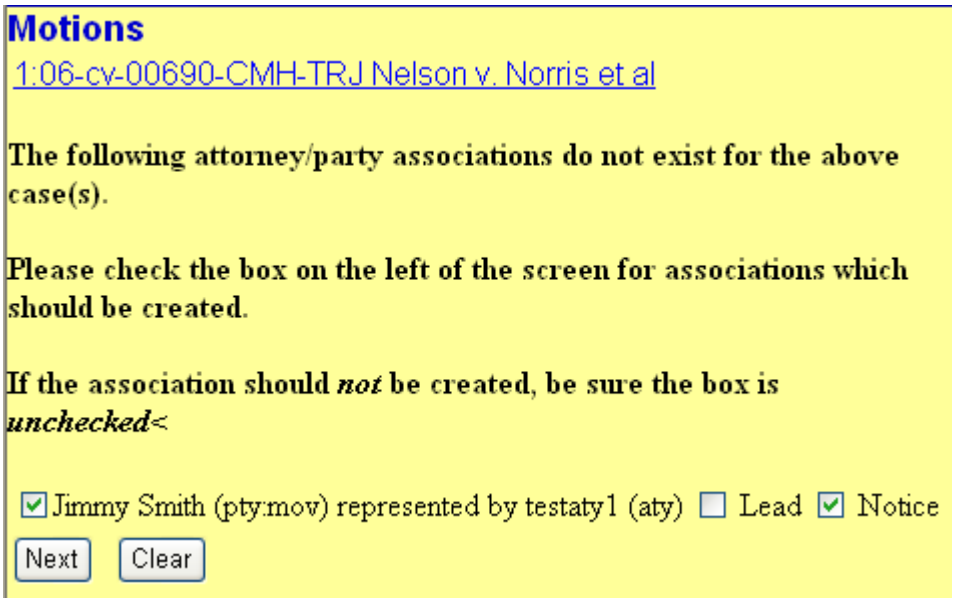
Adding a New Party: Creating the Attorney/Party Association

Example 1 (continued) - Create the attorney/party association by checking the *Lead* box and then clicking on the *Next* button. Continue filing in the case.

This shot shows what the screen looks like before you click in the *Lead* box.



Creating a New Party: Searching for a Business Name in the System

Example 2 - Search for a business name in the system by taking the following steps:

- Type the first few words of the company name, using initial caps (e.g., *Smith Fence*).
- Click on the *Search* button.

Continued on next page

Creating a New Party: Search Results

Example 2 (continued) - Create a new party in the system when the search does not yield the name of your party.

In the example below, searching for *Smith Fence Company* found no parties in the system with that name. The next step would be to click on the *Create new party* button.

Creating a New Party: Party Information Screen -- Notes

Example 2 (continued) – When you click on the *Create new party* button, the *Party Information* screen appears. Note that the party's name has been supplied in the *Last name* field at the top of the screen but may be modified. (See following page.)

- Use the *Party Information* screen to make changes as necessary:
  - *Last name* -- complete the last name, if necessary. (If you searched for the party using only a portion of the company name, e.g., *Jones Fence*, as shown below, you would need to complete the name by entering the word *Company* after *Fence* in the *Last name* field.)
  - *Role* -- change the party role by using the dropdown menu.
  - *Party text* -- add a description of the party (e.g., *a Virginia Corporation*).
- After you make all the necessary changes, click on the *Submit* button.

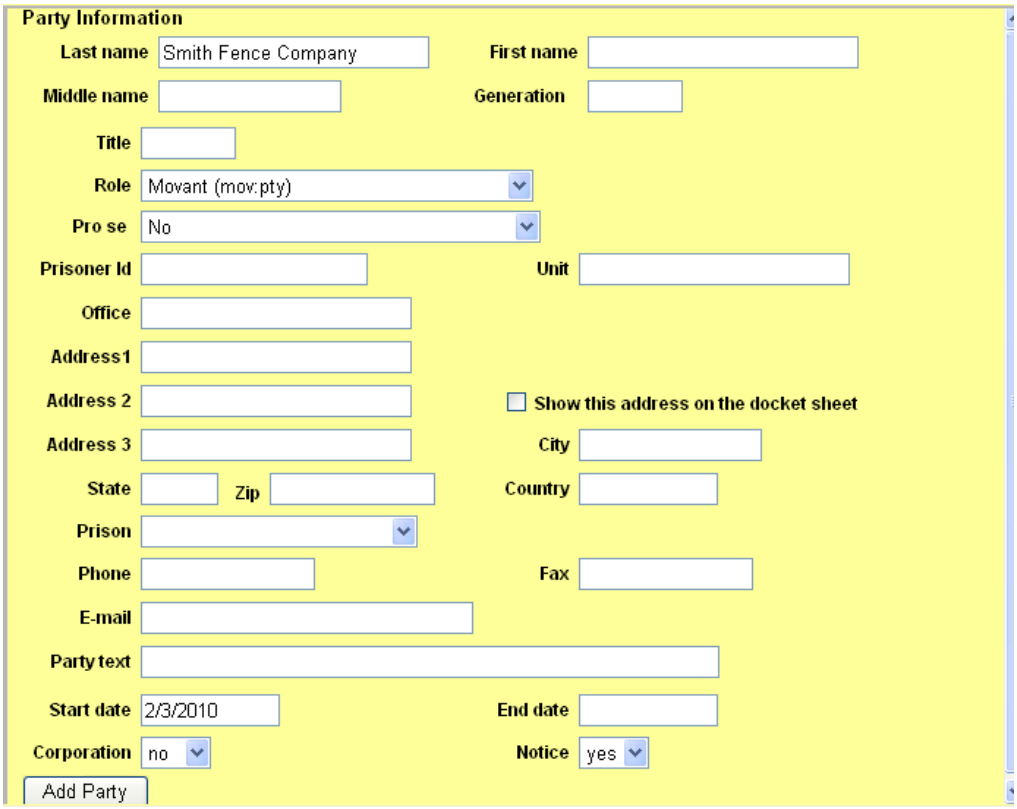
Notes:

- You should not need to change the start date, since that field defaults to the date on which you entered the party information.
- Whatever information you enter into the *Party Information* screen's fields will subsequently be displayed at the beginning of the case's docket sheet.

Continued on next page

Creating a New Party: Party Information Screen – Screen Shot

Continued from previous page.



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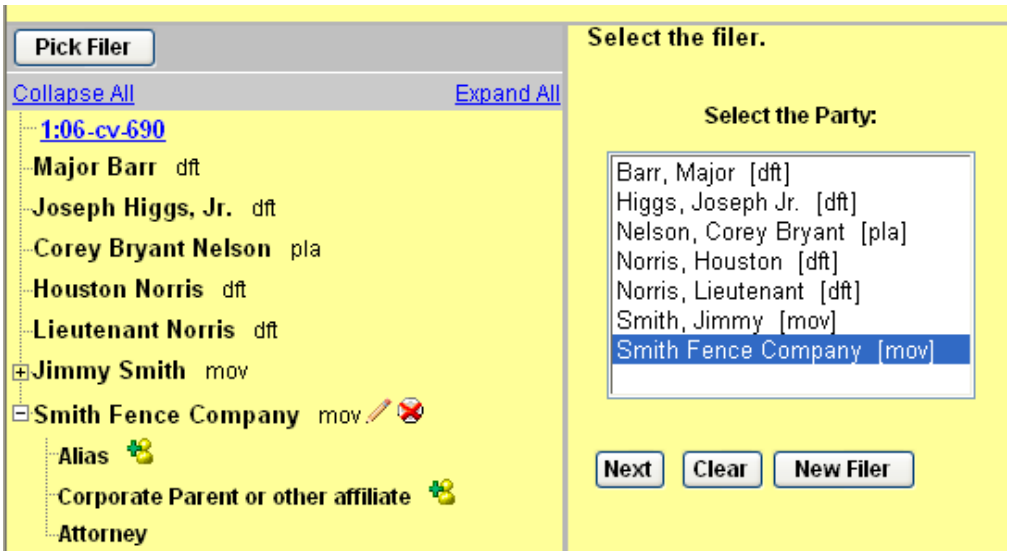
Creating a New Party: Completing the Process

Example 2 (continued) - Complete the process of adding a new party to the case by clicking on the *Next* button.

Note: The party is not added to the case until you have completed the process. If you need to abort the process of adding the party to the case, click on one of the categories on the main blue menu bar.

The screen shot below shows that the new party *Smith Fence Company* has been added to the party list.

The next step would be to click on the *Next* button.



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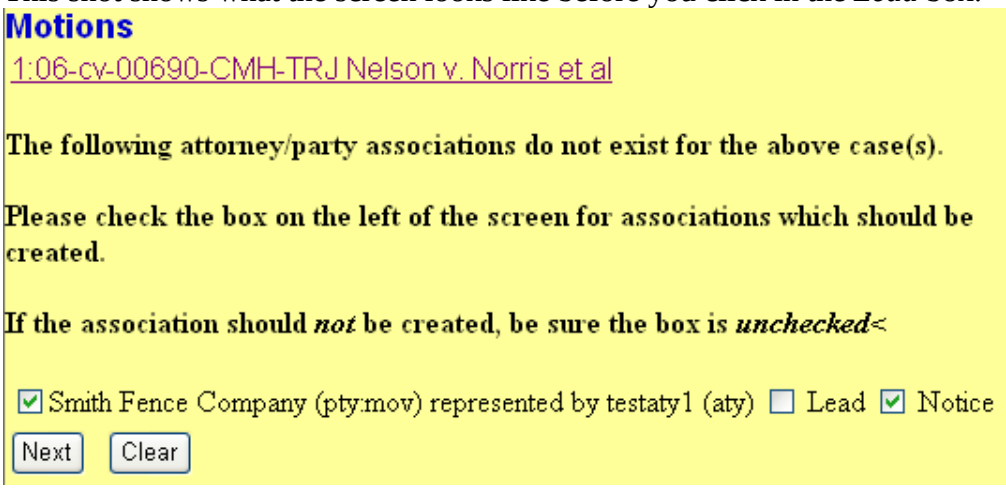
Creating a New Party: Creating the Attorney/Party Association

Example 2 - Create the attorney/party association by checking the *Lead* box and then clicking on the *Next* button. Continue filing in the case.

This shot shows what the screen looks like before you click in the *Lead* box.



Filing Procedures – Linking Documents

Overview

Some documents are related to other documents. You will need to create a link between those related documents, so that the following can occur:

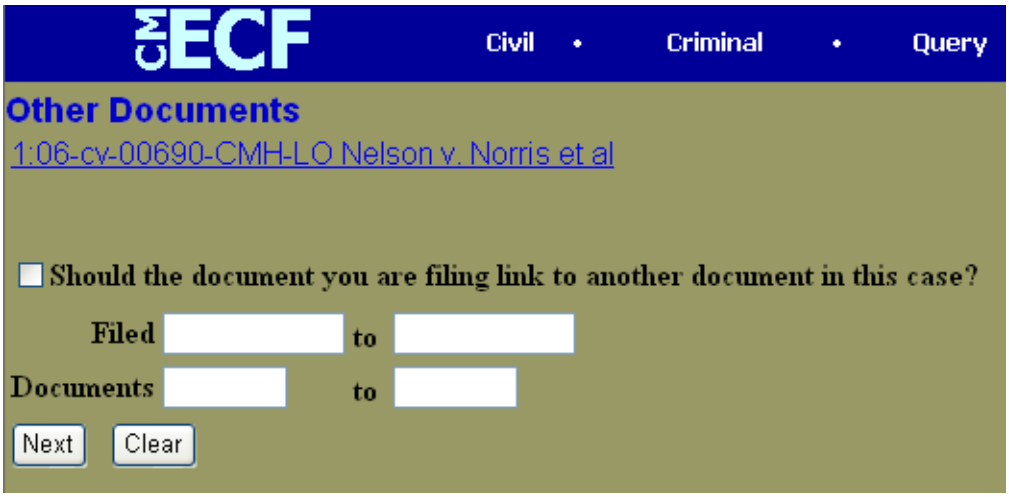
- the system knows to process the linked documents together (e.g., setting the same deadlines in regard to each document)
- the clerk's office knows which documents relate to which other documents and why you might be filing a particular document (e.g., when you are filing a response, you would link to the document to which you are responding), and
- readers of docket sheets can view the related documents (e.g., reading the motion for which a memorandum in support is filed).

The information below describes how to link related documents.

Linking Related Documents: Sample Screen Shot

When filing a document that may need to be linked to a previously filed document, you will be presented with the question, *Should the document you are filing link to another document in this case?*

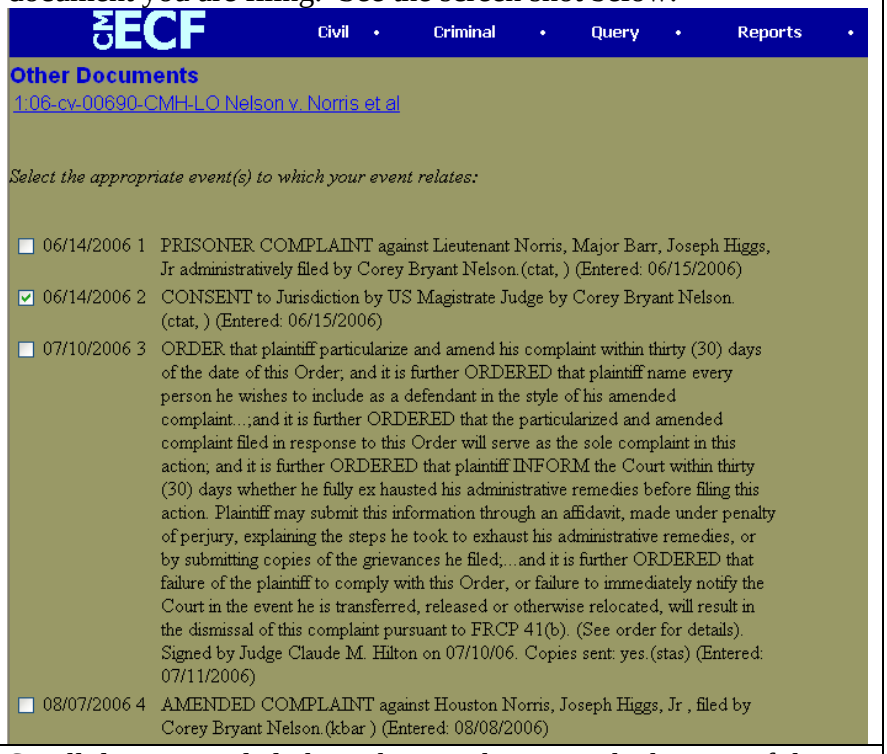
See the sample screen shot below:



Continued on next page

Linking Related Documents: Steps

Take the following steps to create a link between the document you are filing and a document previously filed:

Step	Action
1	Check the box next to the question *Should the document you are filing link to another document in this case?* ***Note***: Do not check the box if you do not need to create a link. Instead, simply click on the *Next* button and continue filing.
2	Click the *Next* button.
3	Check the box next to the document you want to link to the document you are filing. See the screen shot below: 
4	Scroll down to and click on the *Next* button at the bottom of the list of documents.
5	Modify the screen as appropriate and click on the *Next* button.
6	Click on the *Next* button on the next screen to commit the transaction.

Filing Procedures: Error Correction and Quality Control

Correcting a Mistake: Before You Commit a Transaction

You can correct a mistake any time before you commit a transaction by simply starting the filing process again. However, only clerk's office employees can make changes or corrections once a document has been transmitted.

Note: Do **not** attempt to correct a mistake by using your *Back* browser button. We have learned that, about 15% of the time, using your *Back* browser button will mean that your document does not get attached to your filing, and you won't discover this problem until you get the NEF, which will not have a hyperlink to your filed document. Therefore, to correct a mistake before you commit your transaction, simply click on the blue menu bar and begin filing your document again.

Correcting a Mistake: After You Commit a Transaction

If you realize, after you have committed a transaction, that you have made a mistake, do the following immediately:

- File the correct document or the corrected document, when appropriate.
- Call the appropriate clerk's office help desk phone number (between the hours of 8:30 a.m. and 5:00 p.m.).

Continued on next page

Common Mistakes

Here is a list of ten common mistakes for which you should check before transmitting a document:

- Should this document be filed electronically, or is it one of the exceptions that should be filed on paper?
- Have you chosen the correct event?
- Have you filed in the correct case?
- Have you used the correct case caption on your document?
- Have you included a complete signature block?
- Have you redacted any personal identifiers in your PDF?
- Does your PDF have all the document's pages?
- Is the PDF or scanned document legible?
- Is the document you are filing the right one?
- Have you attached the correct documents, if any?

Note: Once you have transmitted your document, be sure to do the following:

- Save a copy of the NEF.
- Serve via U.S. mail any non-filing users in the case with a paper copy of the document and of the NEF.

Quality Control

The EDVA will be implementing a quality control program, in which all docket entries made by filing users will be checked.

When clerk's office staff members discover errors or when filing users call the help desk to notify clerk's office staff members of errors, clerk's office staff members will do the following:

- Notify the filing user by e-mail that the filing user has made an error (when clerk's office staff members discover the error).
- Correct the error or instruct the filing users to correct the error.
- Docket a *Notice of Correction* that will
  - appear as an entry on the docket sheet,
  - indicate what the error was and how it was corrected, and
  - send out NEFs to all filing users in the case.
- Send out paper copies of the NEF to all non-filing users in the case.

Filing Procedures: Computer-Based Training Modules

List of Topics

For your convenience, the EDVA has provided a link here to the PACER web site, which provides free access to some useful – though generic – computer-based training modules (created by the Administrative Office of the U.S. Courts) on the following topics:

- An Introduction to CM/ECF,
- Logging in to CM/ECF,
- Converting Documents to PDF,
- Windows File Management Part 1,
- Windows File Management Part 2,
- Setting Up Automatic E-mail,
- Filing a Civil Answer,
- Filing a Civil Motion,
- Filing a Civil Response to Motion,
- Queries,
- Filing a Criminal Motion, and
- Filing a Criminal Response to Motion.

Eastern District of Virginia
Electronic Case Filing
Policies and Procedures Manual

Chapter Eight:
Miscellaneous Information

Section	Page
Query	110
Reports	112
Utilities	119
Logout	124
Public Access	125
Questions/Help	126

Note: To go directly to a particular page, click on the bookmark icon on the left of this page

Miscellaneous Information: Query

Introduction

The *Query* function allows filing users to access case specific information. Filing users can query cases either directly from PACER or indirectly from ECF.

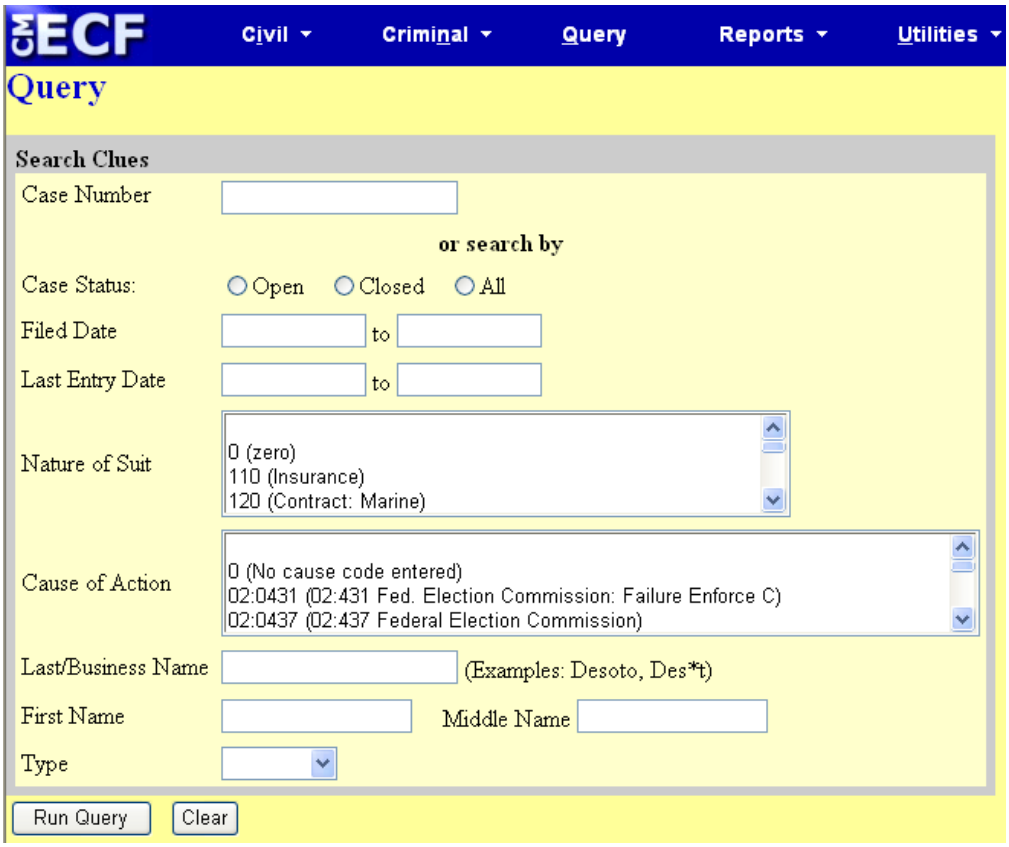
Entering the Query Mode from ECF

To use the *Query* function while in ECF, take the following steps:

Step	Action
1	Click on *Query* from the blue menu bar, which will open the PACER login screen.
2	Enter your PACER login and password.

Screen Shot of Query Data Entry Screen

The following screen shot depicts the *Query* data entry screen.



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Searching for a Case

To search for your case from the *Query* data entry screen, do the following:

If you…	Then…
Know the case number of the case you wish to query	• Enter the case number in the *Case Number* field and • Click on the *Run Query* button.
Don't know the case number you wish to query	• Enter the party's name in the party name fields as follows: ➢ Company name in the Last Name field. ➢ Individual's last name in the *Last Name* field and first name in the *First Name* field, then • Click on the *Run Query* button.

Search Results from the Query Data Entry Screen

More than one case may result from a party search; therefore, you will need to click on the appropriate party name to access the case docket.

Screen shot of party name search results for party Alan Jones:

Miscellaneous Information: Reports

Introduction

The *Reports* function of ECF provides the filing user with the following report options:

- Docket Sheet,
- Civil Cases,
- Criminal Cases,
- Calendar Events,
- Docket Activity, and
- Written Opinions.

Filing users can access the *Reports* function either directly from PACER or indirectly from ECF.

Enter the Reports Feature from ECF

To enter the *Reports* function while in ECF, take the following steps:

Step	Action
1	Click on *Reports* from the blue menu bar, which will open the PACER login screen.
2	Enter your PACER login and password.

Screen shot of Reports Feature Screen

The following screen shot depicts the *Reports* function screen.

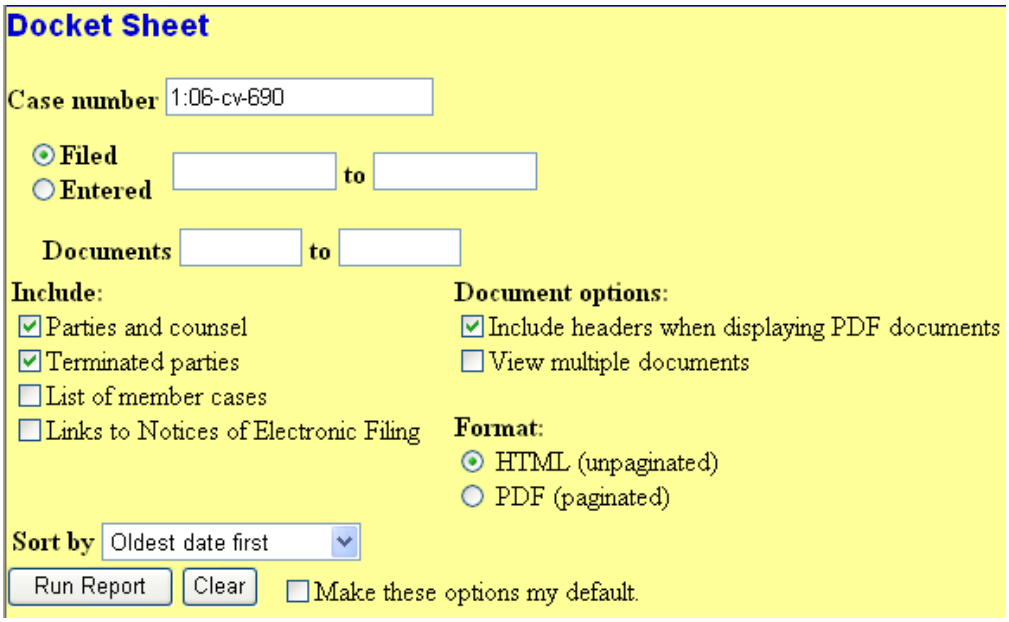
Continued on next page

Docket Sheet Report

The *Docket Sheet* report allows you to view a docket sheet.

To view a docket sheet for a particular case, do the following:

- Enter the case number in the *Case number* field.
- Click on the *Find This Case* button.
- Check the boxes to include the information next to the box.
- Select either *Oldest date first* to sort the docket sheet by the oldest entry to the most recent or *Most recent date first* to sort the docket sheet by the most recent entry to the oldest entry.
- Click on the *Run Report* button.



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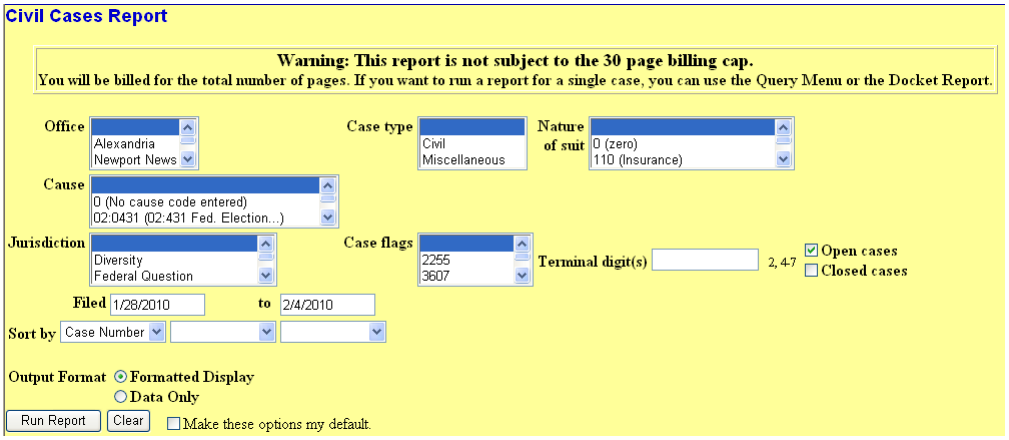
Civil Cases Report

The *Civil Cases Report* allows you to run a civil case report by any of the selection criteria on the *Civil Cases Report* screen, including the following:

- Office (division),
- Case type,
- Nature of suit,
- Cause,
- Jurisdiction, and
- Case flags.

Note: As usual, the system allows you to pick more than one item from the dropdown lists if you hold down the *CTRL* key while clicking on the items.



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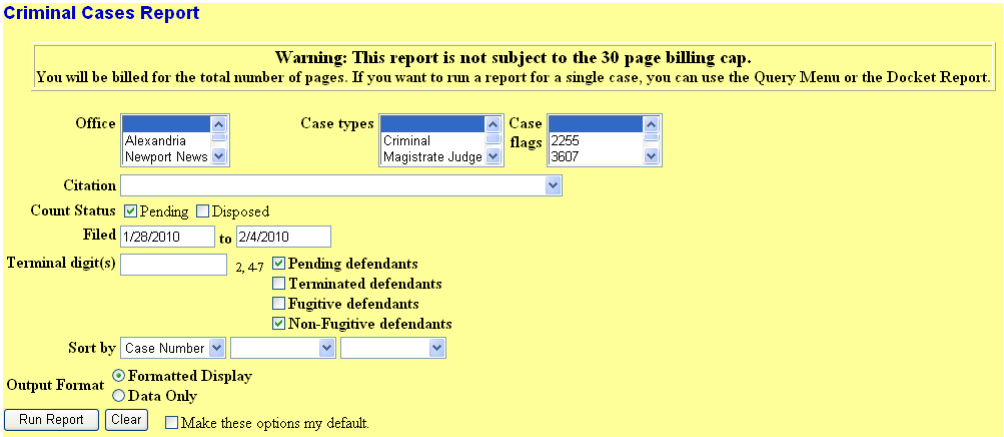
Criminal Cases Report

The *Criminal Cases Report* allows you to run a criminal case report by any of the selection criteria on the *Criminal Cases Report* screen, including the following:

- Office (division),
- Case types,
- Case flags,
- Citation,
- Filing date, and
- Status of defendants.

Note: As usual, the system allows you to pick more than one item from the dropdown lists if you hold down the *CTRL* key while clicking on the items.



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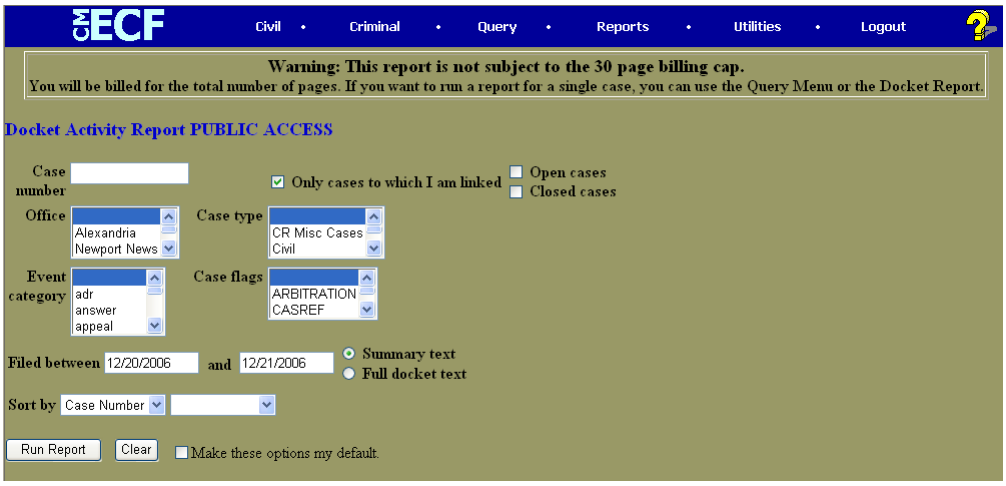
Docket Activity Report PUBLIC ACCESS

The *Docket Activity Report PUBLIC ACCESS* allows you to run a report by any of the selection criteria on the *Docket Activity Report PUBLIC ACCESS* screen, including the following:

- Case number,
- Whether the cases are open or closed,
- Office (division),
- Case types,
- Event category, and
- Case flags.

Note: As usual, the system allows you to pick more than one item from the dropdown lists if you hold down the *CTRL* key while clicking on the items.



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Written Opinions Report

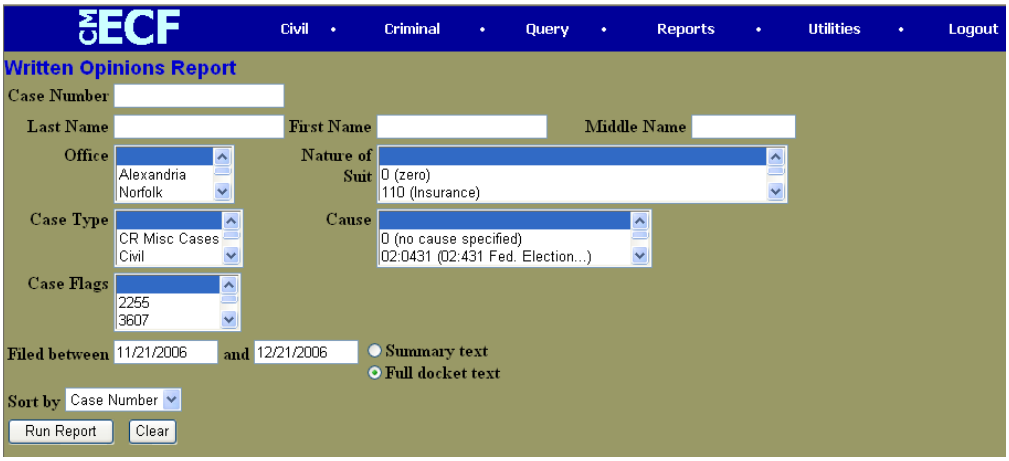
The *Written Opinions Report* allows you to search for written opinions that were filed by the Court after April 16, 2005, which are available at no cost to ECF and PACER users.

Note: To access this report, you will not be prompted to enter your PACER login and password.

You can run a *Written Opinions* report by any of the selection criteria on the *Written Opinions Report* screen, including the following:

- Case number,
- Office (division),
- Nature of suit,
- Case type,
- Cause,
- Case flags, and
- Filing date.

Note: As usual, the system allows you to pick more than one item from the dropdown lists if you hold down the *CTRL* key while clicking on the items.



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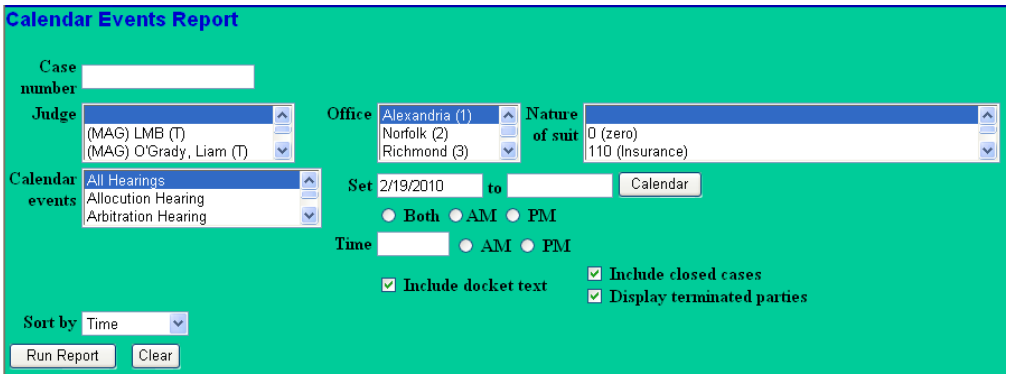
Calendar Events Report

The Calendar Events report allows you to search for hearings that are scheduled. The selection criteria for a search are as follows:

- Case Number,
- Judge,
- Office,
- Nature of Suit,
- Type of Hearing,
- Date range, and
- Include docket text, closed cases and display terminated parties.



Miscellaneous Information: Utilities

Introduction

The *Utilities* function provides the means for filing users to maintain their account in ECF and to view all of their ECF transactions and some PACER-related account information.

The screen shot below shows all the main categories available to filing users.

Continued on next page

Changing Your Password

Change your password by taking the following steps:

Step	Action
1	Click *Utilities* on the upper right side of the main blue menu bar.
2	Click on *Maintain Your Password.*
3	• Enter your new password in the password box by using your mouse to highlight the asterisks in the white box, typing the new password, and then typing the new password. • Click the *Submit* button.
4	Click *Logout* on the upper right side of the main blue menu bar. You may now log back in using your new password.

Note: It is very important that you record your new password and keep it in a safe place. The clerk's office does not maintain a record of your password. If you forget your password, you must click on the *Forgotten Password* link on the CM/ECF section of our Internet site, and the CM/ECF system will issue you a new password, which you can then change by going into *Utilities* as described above.

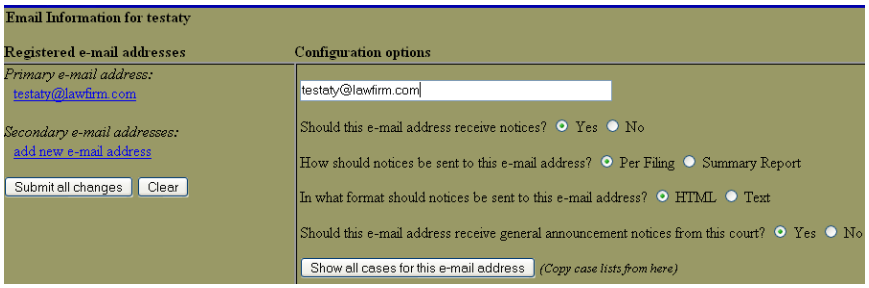
Continued on next page

Changing Your E-mail Address

You can update e-mail information by clicking the *Maintain Your Email* on the *Utilities* screen.

Note: It is very important that you keep this e-mail information current, since ECF will e-mail the NEFs based upon the information entered in this screen.

To change your e-mail address, take the following steps:

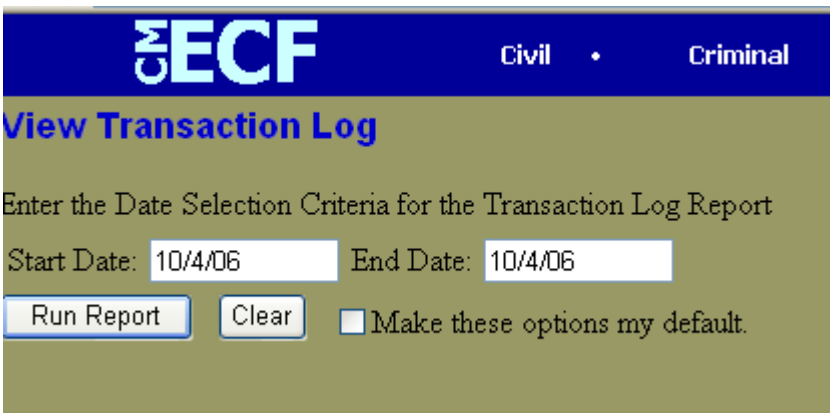
Step	Action
1	Click *Utilities* on the blue menu bar.
2	Click *Maintain Your Email* link.
3	Click on your e-mail address on the left of the screen.  ***Note*:** Configuration options and a white box with your e-mail address will appear on the right side of the screen.
4	Remove your old e-mail address and add your new e-mail address in the white box on the right of the screen containing your old e-mail address in any of the following manners: • Highlighting your old address and then typing in your new address, • Highlighting your old address, deleting the old address, and then typing in your new address, or • Deleting your old address and then typing in your new address.
5	Click the *Submit all changes* button on the left of the screen. ***Note:*** You may need to click additional *Submit* buttons to apply this change to all of your cases.

Note: See additional information under *Tips* under *General Information* on the CM/ECF section of the EDVA Internet site.

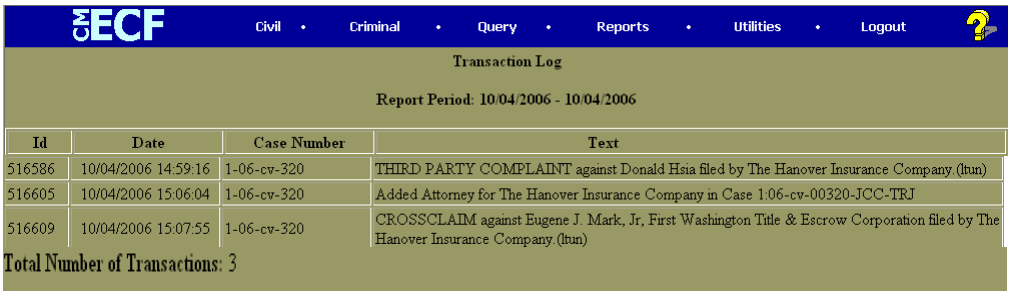
Continued on next page

View Your Transaction Log

When you click on the menu item, *View Your Transaction Log*, from the main *Utilities* screen, you can enter a date range to view all of your ECF transactions in the date range specified.



Below is a screen shot of the results from running the *Transaction Log* report:



Id	Date	Case Number	Text
516586	10/04/2006 14:59:16	1-06-cv-320	THIRD PARTY COMPLAINT against Donald Hsia filed by The Hanover Insurance Company.(ltun)
516605	10/04/2006 15:06:04	1-06-cv-320	Added Attorney for The Hanover Insurance Company in Case 1:06-cv-00320-JCC-TRJ
516609	10/04/2006 15:07:55	1-06-cv-320	CROSSCLAIM against Eugene J. Mark, Jr, First Washington Title & Escrow Corporation filed by The Hanover Insurance Company.(ltun)

PACER Options

The *Utilities* function also allows you to access and maintain the following PACER-related account information:

- Change Client Code,
- Change Your PACER Login,
- Review Billing History,
- Show PACER Account, and
- Remove Default PACER Account.

Continued on next page

Miscellaneous Functions

The *Utilities* function provides the following three miscellaneous activities:

- Legal Research, which links you to the following external resources:
  - Law Dictionary,
  - Lexis via the Internet,
  - Medical Dictionary, and
  - Westlaw via the Internet.

  Note: You must have your own account to access the information within Lexis and Westlaw.

- Mailing Information for a Case which allows you to check the recipient list for a particular case.

Miscellaneous Information: Logout

Logout

After you have completed all of your transactions for a particular session in ECF, you should exit the system clicking on the *Logout* function in the blue menu bar. Take the following steps to Logout:

Step	Action
1	Click on the *Logout* function on the blue menu bar, which returns you to the ECF login screen.
2	Click on the X in the upper right-hand corner of the program. ***Note***: Do not click on the X until have you have clicked on Logout.

Miscellaneous Information: Public Access

Overview	This section outlines all the ways the public can access information, either remotely or at a courthouse.
PACER Access	A person may receive information from the ECF system by obtaining a PACER login and password. A person who has PACER access may retrieve docket sheets and documents (unless otherwise sealed or restricted) in criminal and civil cases.
Paper Document Access	Any document that was submitted on paper, was not made available electronically, and is not sealed can be viewed at the courthouse. In such instances, only the docket sheet may be available electronically.
Clerk's Office Access	All electronic docket sheets and documents (unless they are sealed) are available for free public viewing from dedicated courthouse computer terminals during regular clerk's office hours.
Copies of Filed Documents	Paper copies and certified copies of electronically filed documents may be obtained at the clerk's office. The fee for copying and certifying is in accordance with 28 USC 1914.

Miscellaneous Information: Questions/Help

Getting Assistance with Questions and Concerns

Our goal is to make your EDVA electronic filing experience as easy and smooth as possible. We are available to assist you with your questions.

The following are types of help provided:

- Quick information on specific filing questions.
- Error correction when filing users realize that they have made a mistake after they have committed a transaction.
- Walk-through for first-time filers.

Below is a summary of the various ways you can contact clerk's office staff for assistance:

Help Source	Contact Information
Alexandria Help Desk	• 703-299-2101 – Civil • 703-299-2102 – Criminal
Norfolk/ Newport News Help Desk	• 757-222-7201 – Civil • 757-222-7202 – Criminal
Richmond Help Desk	• 804-916-2220 – Civil • 804-916-2230 – Criminal
Frequently Asked Questions (FAQ) List	May be accessed by going to the: • EDVA Internet page, • CM/ECF main page, • FAQ page.
Clerk's Office Staff Responsible for FAQ List and Revising Manual	vaed_ecf_questions@vaed.uscourts.gov ***Note***: Questions and comments about the FAQ list, the *E-Filing Policies and Procedures* manual, or other ECF policies and materials will be taken under advisement. They may be answered through the EDVA CM/ECF FAQ Internet page or through revisions to the manual, but the individuals posing questions to this e-mail box may not receive individualized responses.