

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



Revised September 23, 2020

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Section	Page
Chapter One: Introduction	1
Chapter Two: Getting Started	6
Chapter Three: Policies and Procedures	19
Chapter Four: Accessing the System	31
Chapter Five: System Conventions	38
Chapter Six: Miscellaneous Information	41
Chapter Seven: Filing Procedures	58
Chapter Eight: Electronic Filing and Service of Documents	104

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

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter One: Introduction

Section	Page
Overview	1
Basic Requirements	2
Help Desk	3
EDVA Internet Site	4
ECF Capabilities	5

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

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.uscourts.gov/register-account>.)
-

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.
-

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter Two: Getting Started

Section	Page
ECF Definitions	6
System Requirements and PACER Registration	8
Registration, Mandatory Certification, and Passwords	9
Pro Se Litigant E-Noticing	12
CM/ECF Resources	14
Portable Document Form (PDF), Scanning, and Document Size Requirements	15

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

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.

Continued on next page

Getting Started – ECF Definitions, Continued

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 Microsoft Word.
- An e-mail account.
- 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 16 of this document for detailed information regarding scanning standards. All documents should be scanned with a “black and white” setting unless otherwise ordered by the Court.

PACER Registration

Each attorney admitted to practice in the Eastern District of Virginia who is in good standing, will be entitled to one individual PACER login for e-filing. Additional PACER accounts are available from the PACER Service Center, as needed, for firm billing and staff use for document retrieval. With the conversion to NextGen, each attorney must register for an individual, upgraded PACER account through the PACER website, www.pacer.gov. An attorney who registers to file in this district for the first time on or after April 19, 2021 must request e-file access through PACER. Instructions on this process appear on the Court’s website under [NextGen Resources/Information](#).

Getting Started – Mandatory Certification, Registration, and Passwords

Mandatory Certification and Registration

Registering to use the Court's ECF system is available through the EDVA Internet site at [NextGen_CM/ECF_E-FilingRegistration](#). You must have an individual upgraded pacer account in order to e-file.

You may not register as an E-Filer if you are not admitted to VAED or not associated with the EDVA U.S. Attorney's Office or Government Agency. If you are in good standing with the Western District of Virginia, you may submit your certificate of good standing and other required documents in place of being admitted. If you are Pro Hac Vice (PHV), you may request access to our court for Non-Filing Access to receive NEFs and to keep your account current. We do not allow PHV to e-file and will need to associate with local counsel.

Continued on next page

Getting Started – Mandatory Certification, Registration, and Passwords, Continued

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.

Resetting Username or Password

Go to pacer.uscourts.gov, login to *Manage Your Account* and select *Forgot Username or Password?* It will take you to the screen below to reset password or retrieve username.

If you are a PACER-only user or a NextGen CM/ECF filer

Reset Password

Retrieve Username

Getting Started – Mandatory Certification, Registration, and Passwords, Continued

Receiving a New Password for Legacy Accounts

If you have a legacy account and have not linked your CM/ECF account to your individual upgraded pacer account because you have forgotten your CM/ECF login/password, send an email to the help desk at VAED_ECF_Helpdesk@vaed.uscourts.gov requesting your credentials.

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.
 - No attorney shall knowingly permit, or cause to permit, his or her password to be utilized by anyone other than an authorized employee of his or her office. Foreign attorneys admitted to practice pursuant to Local Civil Rule 83.1 (D) are not authorized users. Violation of these requirements may result in loss of the local attorney's login and password.
-

Getting Started – Pro Se Litigant E-Noticing

E-Noticing

Although pro se litigants are prohibited from filing documents electronically and are not issued ECF filing log ins and passwords, pro se litigants who are not currently incarcerated have the option to receive documents in their cases electronically (by e-mail) instead of by regular mail.

Note: Social Security and Civil Immigration case documents (with the exception of orders of the court) are restricted from remote electronic access for non-filing users. If a pro se litigant is granted approval for E-Noticing in a social security or civil immigration case, then the pro se litigant must still receive documents either on paper or via email from opposing counsel for cases with social security or civil immigration causes of action.

Receiving documents by regular mail is still an option, but if you would rather receive them only electronically, you must do the following:

1. Sign up for a PACER login and password by contacting PACER at <https://pacer.uscourts.gov/register-account> or calling 1-800-676-6856 (PACER stands for Public Access to Court Electronic Records which is an electronic public access service that allows users to obtain case and docket information from federal appellate, district, and bankruptcy courts, and the PACER Case Locator over the internet.); and
2. Complete and sign the [E-Noticing Registration](#) form.

If you consent to receive documents electronically and the request is approved by the judge, you will receive a *Notice of Electronic Filing (NEF)* by e-mail each time a document is filed in your case. After receiving the notice, you are permitted one “free look” at the document by clicking on the hyperlinked document number in the e-mail. Once you click the hyperlink and access the document, you will not be able to access the document for free again. After 15 days, the hyperlink will no longer provide free access. Any time the hyperlink is accessed after the “free look” or the 15 days has expired, you will be asked for a PACER login and will be charged to view the document. For this reason, ***you should print or save the document during the “free look” to avoid future charges.***

Continued on next page

Getting Started – Pro Se Litigant E-Noticing, Continued

E-Noticing
(continued)

IMPORTANT NOTICE

Under Rule 5 of the Federal Rules of Civil Procedure, Local Civil Rule 1, and the Court’s Electronic Case Filing Policies and Procedures, documents may be served by electronic means. If you register for electronic service:

1. You will no longer receive documents in the mail.
2. If you do not view and download your documents during the “free look” and within 15 days of when the court sends the e-mail notice, you will be charged for looking at the document (s).
3. This service does *not* allow you to electronically file your documents.
4. It will be your duty to regularly review the docket sheet of your case. (The docket sheet is the official record of all filings in a case. You can view the docket sheet, including images of electronically filed documents, using PACER or you can use one of the public access computers available in the Clerk’s Office at the Court.)
5. You will still be required to serve paper documents on opposing counsel or pro se litigants by mail unless the parties agree to accept service by e-mail in lieu of a paper document. If the document is one that is exempt from electronic case filing or the document is one that is not electronically viewable, such as a sealed document, then you must serve paper documents on opposing counsel or pro se litigants even if the parties agree to accept service by e-mail in lieu of a paper document.

You will be responsible for immediately notifying the court in writing of any change of your e-mail address.

Getting Started – CM/ECF Resources

Mandatory PACER Account Attorneys must have an individual upgraded pacer account before requesting e-filing privileges.

PACER Resources Additional resources called **How to Use NextGen CM/ECF** may be found at the PACER website at <https://pacer.uscourts.gov/help/cmecf>.

PACER - Frequently Asked Questions PACER - Frequently Asked Questions may be found at [PACER](#).

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).

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 <i>File</i> on the menu bar and choose <i>Open</i> 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 <i>View</i> menu for other options for viewing the displayed document. Choose the option that best suits your viewing needs.

Continued on next page

Getting Started – PDF and Document Size Requirements, Continued

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.

Continued on next page

Getting Started – PDF and Document Size Requirements, Continued

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

Getting Started – PDF and Document Size Requirements,

Continued

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 <i>Notice of Submission</i> (fill in what you are submitting) that includes a Certificate of Service if necessary. Both the <i>Notice of Submission</i> and any required Certificate of Service for the <i>Notice of Submission</i> should have the filing user's (your) complete nine-element signature block. See Fed.R.Civ.P. 5(d); Fed.R.Crim.P. 49(b).
4	File the <i>Notice of Submission</i> document using the event <i>Notice (other)</i> found under the category <i>Notices</i> 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 <i>Notice of Submission</i> document.
6	Upload the smaller PDF documents as attachments to the <i>Notice of Submission</i> .

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter Three: Policies and Procedures

Section	Page
Overview	19
Official Court Record	20
Sealed Documents	21
Redaction of Personal Identifiers	22
Civil Case Exceptions to E-Filing	23
Documents That May Be Filed in Open Court by Attorneys	24
Criminal Case Exceptions to E-Filing	25
Entry of Orders and Judgments	26
Signatures	28
Technical Failures	30

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

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.

Civil exceptions can be found on page 23 and criminal exceptions can be found on page 25 of 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 the 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 – Official Court Record

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.

Policies and Procedures – Sealed Documents

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 8, 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

Redaction of Personal Identifiers

Pursuant to the Local Civil Rule 7, Local Criminal Rule 47 of this Court and the E-Government Act of 2002. You should not include sensitive information in any document filed with the court unless such inclusion is necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the Internet via CM/ECF and/or PACER ([Redaction Guide](#)). The following personal data identifiers must be partially redacted from the document, whether it is filed traditionally or electronically:

1. Minors' names: Use only the minors' initials;
2. Social security numbers: Use only the last four numbers;
3. Dates of birth: Use only the year of birth;
4. Financial account numbers: Identify the type of account and the financial institution, and use only the last four numbers of the account number;
5. Home addresses: Use city and state. (Criminal only)

Policies and Procedures – Civil Case Exceptions

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
<p>The following initiating documents:</p> <ul style="list-style-type: none"> • Cases to be filed under seal. • Qui Tam Cases • Ship Attachment Cases • Receiverships. • Cases filed by pro se litigants. 	<ul style="list-style-type: none"> • Submitted on paper by filer and • Scanned by clerk’s office staff.
<p>Consent Orders (Note: consent orders may be electronically filed if they are attached to a motion or notice but never filed as the main document.)</p>	<ul style="list-style-type: none"> • 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.
<ul style="list-style-type: none"> • Waivers of Service of Summons • Garnishment Requests and Suggestions for Garnishment Summons. • Documents filed by <ul style="list-style-type: none"> ➢ prisoner pro se litigants, ➢ other pro se litigants, ➢ other agencies (e.g., USMS). 	<ul style="list-style-type: none"> • Submitted on paper by filer and • Scanned by clerk’s office staff.
<ul style="list-style-type: none"> • Documents in Sealed Cases, • In camera documents, • Registrar Certificates, • Trial exhibits, • Offers of judgment (unless filed with an acceptance of the offer of judgment), and • State court records. 	<p>Submitted on paper by filer and not made available electronically.</p>
<p>Any other document that the Court orders not to be electronically filed, imaged, or maintained in the ECF system.</p>	<p>Submitted on paper by filer and not made available electronically.</p>

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

Policies and Procedures – Criminal Case Exceptions

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.	<ul style="list-style-type: none"> • Submitted on paper by filer and • Scanned by clerk’s office staff.
Consent Orders	<ul style="list-style-type: none"> • 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.
<ul style="list-style-type: none"> • 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. • Documents filed by <ul style="list-style-type: none"> ➤ prisoner pro se litigants, ➤ other pro se litigants, ➤ other agencies (e.g., USMS). 	<ul style="list-style-type: none"> • Submitted on paper by filer and • Scanned by clerk’s office staff.
<ul style="list-style-type: none"> • 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.

Continued on next page

Policies and Procedures – Orders and Judgments, Continued

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.

Continued on next page

Policies and Procedures - Signatures, Continued

**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.
 - Convert the electronically signed version of the document to PDF.
 - File electronically the electronically signed document.
 - Retain the signed authorizations for the duration of the case, including any period of appeal.
-

Policies and Procedures – Technical Failures

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.**

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter Four: Accessing the System

Section	Page
How to Access the System	31
Selecting ECF or PACER	32
Logging in to ECF	33
Main ECF Menu Items	34
Civil Menu Items	36
Criminal Menu Items	37

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

Accessing the System – How to Access the System

How to Access the System

Filing users can access the Court's NextGen CM/ECF system via the Internet by going to: www.vaed.uscourts.gov and clicking on the E-Filing (CM/ECF) link on our homepage.

E-Filing (CM/ECF) »

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

Screen shot of the main page for ECF:



Welcome to the U.S. District Court for the Eastern District of Virginia -

[Eastern District of Virginia - - Document Filing System](#)

Accessing the System – NextGen CM/ECF and PACER

NextGen CM/ECF and PACER

The Case Management/Electronic Case Filing (NextGen CM/ECF) allows courts to accept electronically filed documents and provides access to filed documents on-line. The Federal Judiciary has developed a next generation (NextGen) CM/ECF system functionality that allows you to use the same account for both PACER and electronic filing access.

Apply for e-file registration in each court individually. Once you complete a registration in one court, you may register to e-file in another court. The same username and password will allow nationwide search access and e-file access in the NextGen CM/ECF courts in which you are registered as an e-filer.

Wait for reply from court on whether the registration has been accepted. Processing time for e-file registration can vary from court to court. Once your request is processed, you will receive an email notification of the court's determination.

District and Bankruptcy Court E-File Registration

Registration for district and bankruptcy ECF is separate from and in addition to PACER registration. PACER allows you to view docket reports and documents from a court's database, while ECF registration allows you to e-file. When you register for a filer account, you must already have a PACER account. Each district and bankruptcy court handles filer registrations individually. To register for filing privileges in one of these courts, you must contact that court directly.

PACER account specialists are available to assist you at (800) 676-6856 between the hours of 8 AM and 6 PM CT Monday through Friday, or by email at pacer@psc.uscourts.gov.

Accessing the System – Logging In to ECF

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:

CM/ECF Filer or PACER Login

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

Instructions for filing:
Enter your CM/ECF filer login and password if you are electronically filing something with the court.

If you received this login page as a result of a link from a Notice of Electronic Filing email:
Enter your CM/ECF filer login and password. The system prompts customers for a CM/ECF login and password when attempting to view certain types of documents.

If you have trouble viewing a document:
After successful entry of your CM/ECF login, you should be able to view the document. If you receive the message "You do not have permission to view this document," viewing the document is restricted to attorneys of record in the case and the system does not recognize you as such. If the login prompt appears again, after you have entered your CM/ECF login and password, it means that the "free look" link has expired. You will need to enter your PACER login and password to view the document, and you will be charged \$.08 per page.

Instructions for viewing filed documents and case information:
If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, you may register online at <http://pacer.psc.uscourts.gov>.

Authentication

Login:

Password:

client code:

IMPORTANT NOTICE OF REDACTION RESPONSIBILITY: All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers, and, in criminal cases, home addresses, in compliance with [Fed. R. Civ. P. 5.2](#) or [Fed. R. Crim. P. 49.1](#). This requirement applies to all documents, including attachments.

I understand that, if I file, I must comply with the redaction rules. I have read this notice.

Accessing the System – Main ECF Menu Items

Main ECF Menu Items

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

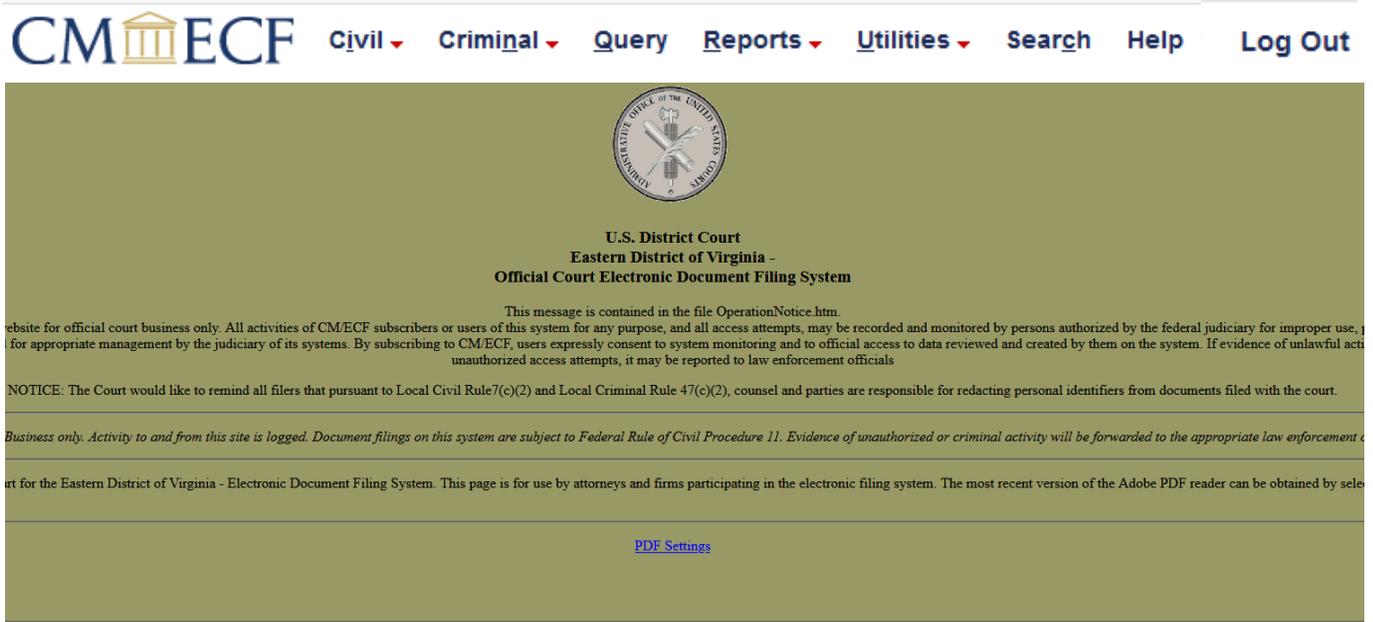
- **Civil** – Select *Civil* to electronically file all civil and civil miscellaneous case documents.
- **Criminal** – Select *Criminal* to electronically file all criminal case documents.
- **Query** – Select *Query* to retrieve information and documents relevant to the case. You can query either by 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 add or delete secondary email addresses.
- **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

Accessing the System – Main CM/ECF Menu Items, Continued

Main Menu Bar and Opening CM/ECF Page Below is a screen shot of the main menu bar and opening CM/ECF page:

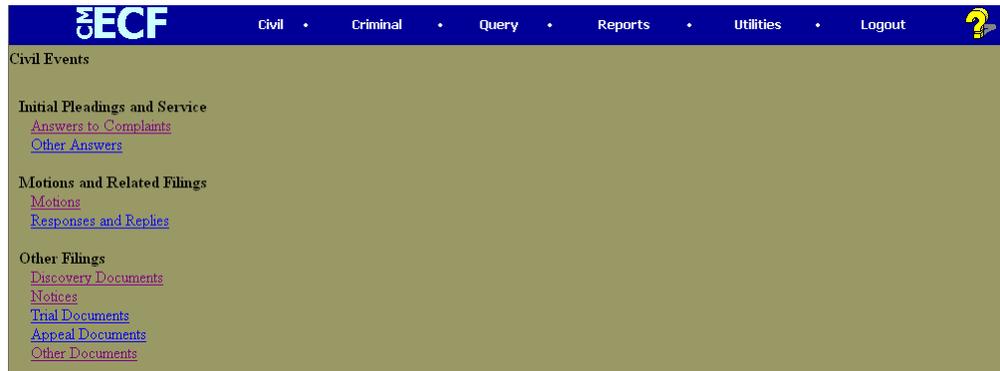


Accessing the System – Civil Menu Items

Civil Menu Items

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

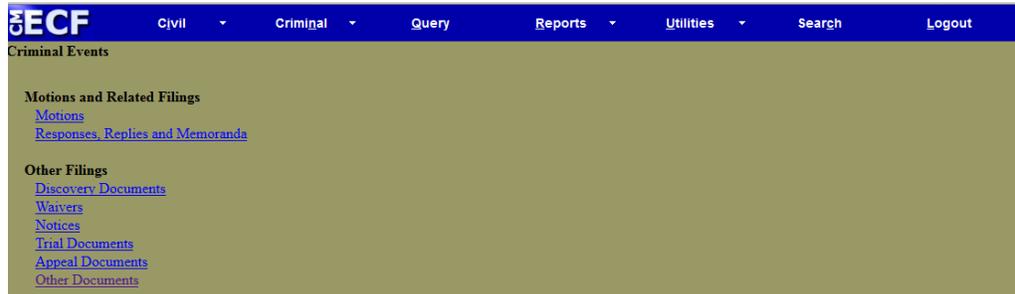
Below is a screen shot of the Civil Menu items:



Accessing the System – Criminal 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:



Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter Five: System Conventions

Section	Page
Two Choices on Each ECF Screen	38
Correcting a Mistake/Aborting a Transaction	39
Timing Out	40

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

System Conventions – Two Choices on Each ECF Screen

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 Mistakes

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

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: <i>Warning: the account you entered is already logged in.</i>
4	The message will give you an option of clicking one of the two following choices: <ul style="list-style-type: none">• The <i>Continue login</i> button, which will allow you to continue filing in the same session. OR• The <i>Cancel</i> button, which will cancel the session and return you once more to the login screen. If you select the <i>Cancel</i> 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

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter Six: Miscellaneous Information

Section	Page
Query	41
Reports	43
Utilities	50
Logout	55
Public Access	56
Questions/Help	57

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 <i>Query</i> 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.

The screenshot shows the ECF Query data entry screen. The interface has a blue header with 'ECF' and navigation tabs for 'Civil', 'Criminal', 'Query', 'Reports', and 'Utilities'. The main area is yellow and titled 'Query'. It contains several search fields: 'Case Number' (text input), 'Case Status' (radio buttons for Open, Closed, All), 'Filed Date' (text input with 'to' separator), 'Last Entry Date' (text input with 'to' separator), 'Nature of Suit' (dropdown menu with options: 0 (zero), 110 (Insurance), 120 (Contract: Marine)), 'Cause of Action' (dropdown menu with options: 0 (No cause code entered), 02:0431 (02:431 Fed. Election Commission: Failure Enforce C), 02:0437 (02:437 Federal Election Commission)), 'Last/Business Name' (text input with examples: Desoto, Des*t), 'First Name' (text input), 'Middle Name' (text input), and 'Type' (dropdown menu). At the bottom are 'Run Query' and 'Clear' buttons.

Continued on next page

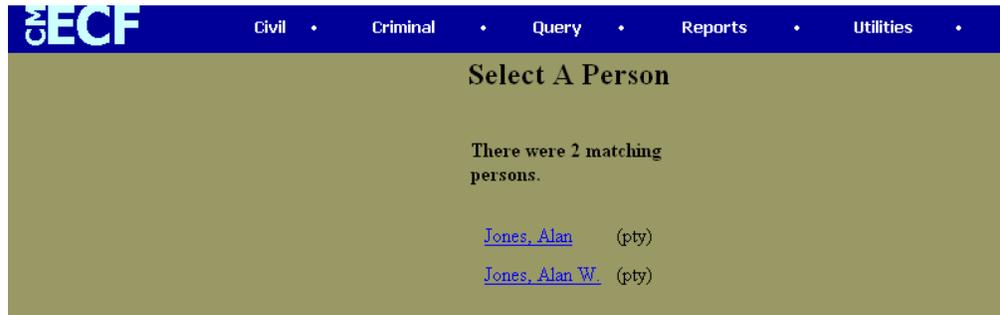
Miscellaneous Information – Query, Continued

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	<ul style="list-style-type: none">• Enter the case number in the <i>Case Number</i> field and• Click on the <i>Run Query</i> button.
Don't know the case number you wish to query	<ul style="list-style-type: none">• Enter the party's name in the party name fields as follows:<ul style="list-style-type: none">➤ Company name in the Last Name field.➤ Individual's last name in the <i>Last Name</i> field and first name in the <i>First Name</i> field, then• Click on the <i>Run Query</i> 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 <i>Reports</i> 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

Miscellaneous Information – Reports, Continued

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.

Docket Sheet

Case number:

Filed to

Entered to

Documents to

Include:

- Parties and counsel
- Terminated parties
- List of member cases
- Links to Notices of Electronic Filing

Document options:

- Include headers when displaying PDF documents
- View multiple documents

Format:

- HTML (unpaginated)
- PDF (paginated)

Sort by:

Make these options my default.

Continued on next page

Miscellaneous Information – Reports, Continued

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.

Civil Cases Report

Warning: This report is not subject to the 30 page billing cap.
You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.

Office: Alexandria, Newport News
Cause: 0 (No cause code entered), 02:0431 (02:431 Fed. Election...)
Jurisdiction: Diversity, Federal Question
Case type: Civil, Miscellaneous
Nature of suit: 0 (zero), 110 (Insurance)
Case flags: 2255, 3607
Terminal digit(s): 2, 4-7
Filed: 1/28/2010 to 2/4/2010
Sort by: Case Number
Output Format: Formatted Display, Data Only
 Make these options my default

Continued on next page

Miscellaneous Information – Reports, Continued

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.

Criminal Cases Report

Warning: This report is not subject to the 30 page billing cap.
You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.

Office:
Case types:
Case flags:
Citation:

Count Status: Pending Disposed
Filed: to
Terminal digit(s): Pending defendants
 Terminated defendants
 Fugitive defendants
 Non-Fugitive defendants

Sort by:

Output Format: Formatted Display Data Only

Make these options my default.

Continued on next page

Miscellaneous Information – Reports, Continued

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.

The screenshot shows the ECF (Electronic Case Filing) interface for the 'Docket Activity Report PUBLIC ACCESS'. At the top, there is a navigation bar with 'ECF' logo and links for 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', and 'Logout'. A warning message states: 'Warning: This report is not subject to the 30 page billing cap. You will be billed for the total number of pages. If you want to run a report for a single case, you can use the Query Menu or the Docket Report.' The main form area is titled 'Docket Activity Report PUBLIC ACCESS' and contains several input fields and checkboxes. The 'Case number' field is empty. The 'Office' dropdown menu is set to 'Alexandria'. The 'Case type' dropdown menu is set to 'CR Misc Cases'. The 'Event category' dropdown menu is set to 'adr'. The 'Case flags' dropdown menu is set to 'ARBITRATION'. The 'Filed between' field is set to '12/20/2006' and '12/21/2006'. The 'Sort by' dropdown menu is set to 'Case Number'. There are checkboxes for 'Only cases to which I am linked' (checked), 'Open cases', and 'Closed cases'. There are radio buttons for 'Summary text' (selected) and 'Full docket text'. At the bottom, there are buttons for 'Run Report', 'Clear', and a checkbox for 'Make these options my default'.

Continued on next page

Miscellaneous Information – Reports, Continued

Written Opinions Report

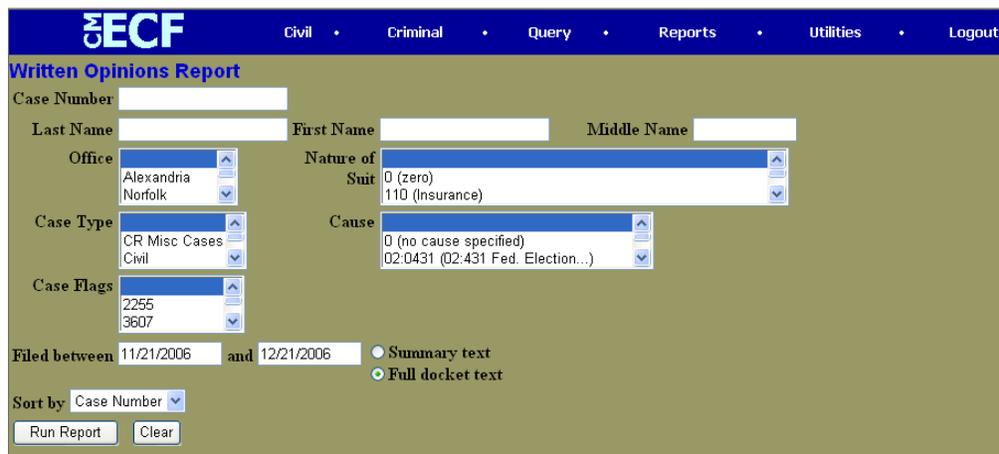
The *Written Opinions Report* allows you to search for written opinions that were filed by the Court after April 16, 2005, which are available at no cost to ECF and PACER users.

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.



The screenshot shows the ECF (Electronic Case Filing) interface for the "Written Opinions Report". The top navigation bar includes "Civil", "Criminal", "Query", "Reports", "Utilities", and "Logout". The main form contains the following fields and options:

- Case Number:** Text input field.
- Last Name:** Text input field.
- First Name:** Text input field.
- Middle Name:** Text input field.
- Office:** Dropdown menu with options "Alexandria" and "Norfolk".
- Nature of Suit:** Dropdown menu with options "0 (zero)" and "110 (Insurance)".
- Case Type:** Dropdown menu with options "CR Misc Cases" and "Civil".
- Cause:** Dropdown menu with options "0 (no cause specified)" and "02:0431 (02:431 Fed. Election...)".
- Case Flags:** Dropdown menu with options "2255" and "3607".
- Filed between:** Date range selector with "11/21/2006" and "12/21/2006".
- Text Selection:** Radio buttons for "Summary text" (selected) and "Full docket text".
- Sort by:** Dropdown menu set to "Case Number".
- Buttons:** "Run Report" and "Clear".

Continued on next page

Miscellaneous Information – Reports, Continued

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.

The screenshot shows a web-based search interface for the 'Calendar Events Report'. The interface is titled 'Calendar Events Report' in blue text. It features several search criteria fields: 'Case number' (text input), 'Judge' (dropdown menu with options '(MAG) LMB (T)' and '(MAG) O'Grady, Liam (T)'), 'Office' (dropdown menu with options 'Alexandria (1)', 'Norfolk (2)', and 'Richmond (3)'), and 'Nature of suit' (dropdown menu with options '0 (zero)' and '110 (Insurance)'). There is also a 'Calendar events' dropdown menu with options 'All Hearings', 'Allocation Hearing', and 'Arbitration Hearing'. A date range search is available with 'Set' and 'to' fields, a 'Calendar' button, and radio buttons for 'Both', 'AM', and 'PM'. A 'Time' field is also present with 'AM' and 'PM' radio buttons. At the bottom, there are checkboxes for 'Include docket text', 'Include closed cases', and 'Display terminated parties'. A 'Sort by' dropdown menu is set to 'Time'. At the very bottom, there are 'Run Report' and 'Clear' buttons.

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

Miscellaneous Information – Utilities, Continued

Changing Your Password Change your password by taking the following steps:

Step	Action
1	Click <i>Utilities</i> on the upper right side of the main blue menu bar.
2	Click on <i>Maintain Password</i> .
3	<ul style="list-style-type: none">• 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 <i>Submit</i> button.
4	Click <i>Logout</i> 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.

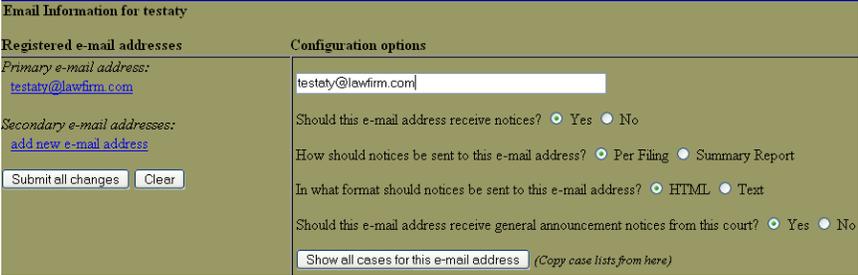
Continued on next page

Miscellaneous Information – Utilities, Continued

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 <i>Utilities</i> on the blue menu bar.
2	Click <i>Maintain Your Email</i> link.
3	<p>Click on your e-mail address on the left of the screen.</p>  <p>Note: Configuration options and a white box with your e-mail address will appear on the right side of the screen.</p>
4	<p>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:</p> <ul style="list-style-type: none"> • 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	<p>Click the <i>Submit all changes</i> button on the left of the screen.</p> <p>Note: You may need to click additional <i>Submit</i> buttons to apply this change to all of your cases.</p>

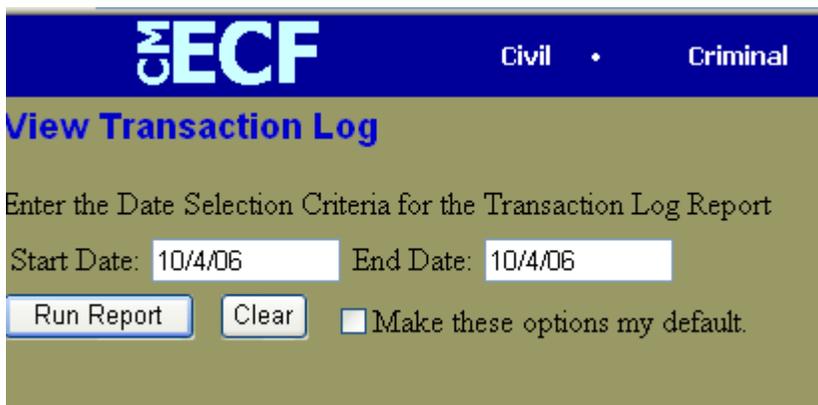
Note: See additional information under *Tips* under *General Information* on the CM/ECF section of the EDVA Internet site.

Continued on next page

Miscellaneous Information – Utilities, Continued

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 (ltn)
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 (ltn)

Total Number of Transactions: 3

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 Information – Utilities, Continued

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 <i>Logout</i> 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. <i>Note:</i> 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 an upgraded PACER account. A person who has PACER access may retrieve docket sheets and documents (unless otherwise sealed or restricted) in criminal and civil cases. Attorneys who are admitted to VAED and have e-filing status can e-file through PACER or our website www.vaed.uscourts.gov.

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	<ul style="list-style-type: none"> • 703-299-2101 – Civil • 703-299-2102 – Criminal
Norfolk/ Newport News Help Desk	<ul style="list-style-type: none"> • 757-222-7201 – Civil • 757-222-7202 – Criminal
Richmond Help Desk	<ul style="list-style-type: none"> • 804-916-2220 – Civil • 804-916-2230 – Criminal
Frequently Asked Questions (FAQ) List	May be accessed by going to the: <ul style="list-style-type: none"> • 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 <i>Note:</i> Questions and comments about the FAQ list, the <i>E-Filing Policies and Procedures</i> 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.

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter Seven: Filing Procedures

Section	Page
Civil Documents	58
Criminal Documents	72
Multi-Part Documents	85
Attachments to Documents	86
Adding/Creating a New Party	88
Linking Documents	99
Error Correction and Quality Control	101

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

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 Attorneys must electronically submit complaints, petitions, and notices of removal electronically and pay the fee electronically via Pay.Gov. Pro se litigants must send these documents through the U.S. mail or deliver them in person to the clerk’s office, along with the filing fee, which may be paid by check, money order, or credit card. The complaints, petitions, and notices of removal that are filed as paper documents 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 Procedures – Civil Documents, Continued

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 <i>Civil</i> 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 Procedures – Civil Documents, Continued

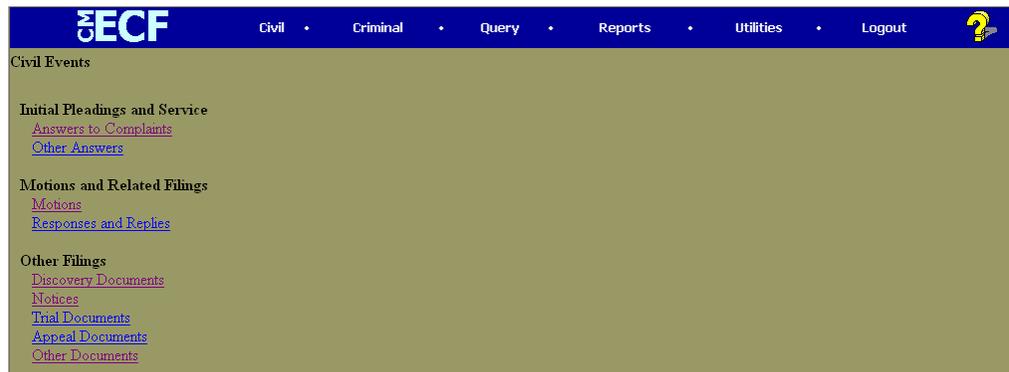
Filing a Motion in a Civil Case: Selecting *Civil* from the Menu

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

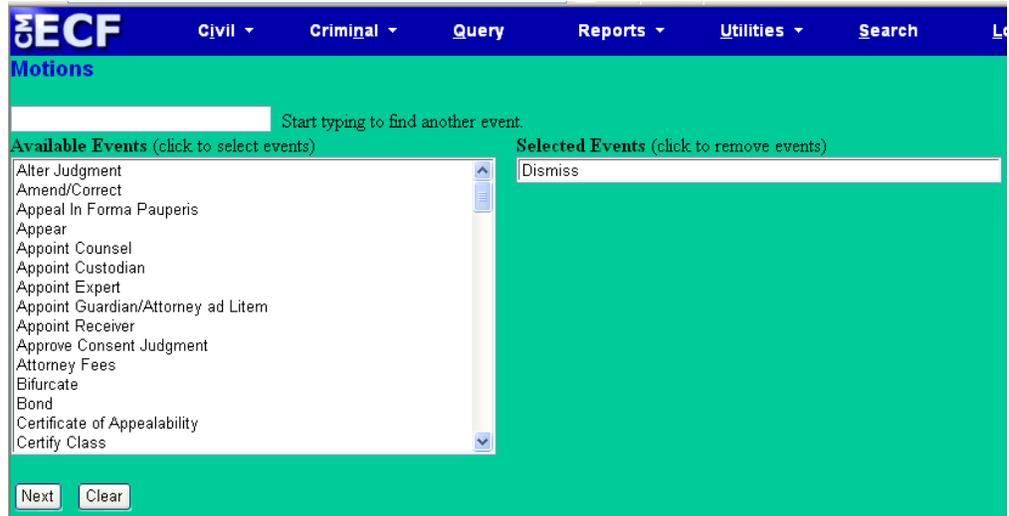
Filing Procedures – Civil Documents, Continued

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.



The screenshot shows the ECF (Electronic Case Filing) interface for selecting a motion. The top navigation bar includes 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', and 'Search'. The main heading is 'Motions'. Below this is a search box with the placeholder text 'Start typing to find another event.' To the left is a list of 'Available Events' with a scroll bar, including: Alter Judgment, Amend/Correct, Appeal In Forma Pauperis, Appear, Appoint Counsel, Appoint Custodian, Appoint Expert, Appoint Guardian/Attorney ad Litem, Appoint Receiver, Approve Consent Judgment, Attorney Fees, Bifurcate, Bond, Certificate of Appealability, and Certify Class. To the right is a 'Selected Events' box containing 'Dismiss'. At the bottom are 'Next' and 'Clear' buttons.

Continued on next page

Filing Procedures – Civil Documents, Continued

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:

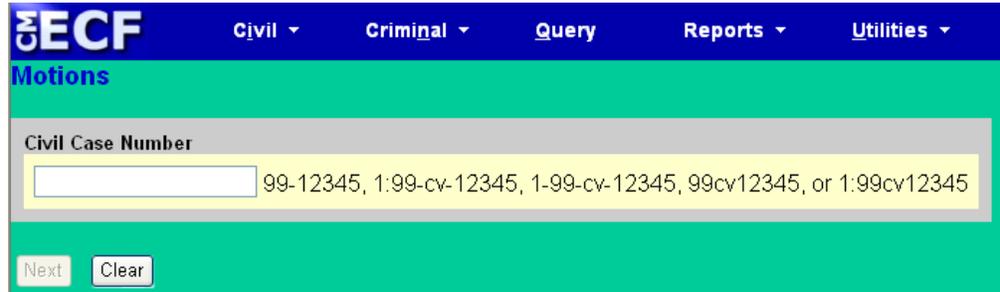
- Entered incorrectly, click on the *Clear* button to re-enter.
- Rejected by the computer as an invalid case number, click on the *Back* button on your browser menu bar to re-enter the number.

Continued on next page

Filing Procedures – Civil Documents, Continued

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

Screen shot of the case number entry screen.

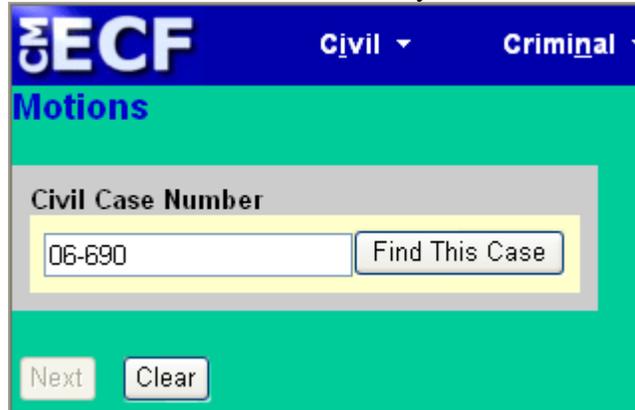


The screenshot shows the ECF Motions interface. At the top, there is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, and Utilities. Below this is a green header with the word "Motions" in blue. The main content area has a grey background with the label "Civil Case Number" above a text input field. The input field contains the text "99-12345, 1:99-cv-12345, 1-99-cv-12345, 99cv12345, or 1:99cv12345". Below the input field are two buttons: "Next" and "Clear".

Note: 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.



The screenshot shows the ECF Motions interface. At the top, there is a blue navigation bar with the ECF logo and menu items: Civil and Criminal. Below this is a green header with the word "Motions" in blue. The main content area has a grey background with the label "Civil Case Number" above a text input field. The input field contains the text "06-690". To the right of the input field is a button labeled "Find This Case". Below the input field are two buttons: "Next" and "Clear".

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

Continued on next page

Filing Procedures – Civil Documents, Continued

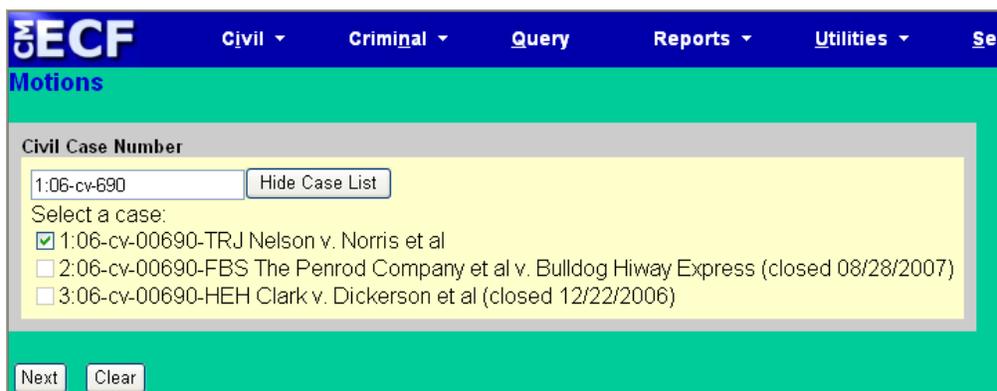
Filing a Motion in a Civil Case: Selecting the Case

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 three 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.



The screenshot shows the ECF Motions interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', and 'Search' options. Below this, the 'Motions' section is highlighted in green. A form titled 'Civil Case Number' contains a text input field with '1:06-cv-690' and a 'Hide Case List' button. Below the input field, the text 'Select a case:' is followed by three radio button options:
1:06-cv-00690-TRJ Nelson v. Norris et al (checked)
2:06-cv-00690-FBS The Penrod Company et al v. Bulldog Hiway Express (closed 08/28/2007)
3:06-cv-00690-HEH Clark v. Dickerson et al (closed 12/22/2006)
At the bottom of the form, there are 'Next' and 'Clear' buttons.

Continued on next page

Filing Procedures – Civil Documents, Continued

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.

The screenshot displays the ECF Motions interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', and 'Report' options. Below this, the case title '1:06-cv-00690-CMH-TRJ Nelson v. Norris et al' is shown. A 'Pick Filer' button is present, along with 'Collapse All' and 'Expand All' links. A list of parties is displayed under the case title: Major Barr dft, Joseph Higgs, Jr. dft, Corey Bryant Nelson pla, Houston Norris dft, and Lieutenant Norris dft. To the right, a 'Select the filer.' window is open, showing a list of parties: Barr, Major [dft], Higgs, Joseph Jr. [dft], Nelson, Corey Bryant [pla], Norris, Houston [dft], and Norris, Lieutenant [dft]. Below the list are 'Next', 'Clear', and 'New Filer' buttons.

Note: If your party does not appear on the list, see page 88 titled *Adding/Creating a New Party*.

Continued on next page

Filing Procedures – Civil Documents, Continued

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.

ECF Civil Criminal Query Reports

Motions
[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

The following attorney/party associations do not exist for the above case(s).

Please check the box on the left of the screen for associations which should be created.

If the association should *not* be created, be sure the box is *unchecked*.

Major Barr (pty:dft) represented by Theodore Tunney (aty) Lead Notice
 Houston Norris (pty:dft) represented by Theodore Tunney (aty) Lead Notice

Select all

Next Clear

Continued on next page

Filing Procedures – Civil Documents, Continued

**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. The document 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 Procedures – Civil Documents, Continued

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:

ECF Civil Criminal Query Reports Utilities

Motions
[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

Select the pdf document and any attachments.

Main Document
 Browse...

Attachments	Category	Description
1. <input type="text"/> Browse...	<input type="text"/>	<input type="text"/>

Next Clear

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.

Continued on next page

Filing Procedures – Civil Documents, Continued

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.

The screenshot shows the ECF interface for modifying a docket entry. The navigation bar at the top includes 'Civil', 'Criminal', 'Query', 'Reports', and 'Utilities'. The page title is 'Motions' and the case number is '1:06-cv-00690-CMH-LO Nelson v. Norris et al'. The 'Docket Text: Modify as Appropriate.' section shows a dropdown menu set to 'Amended', followed by the text 'MOTION to Dismiss Counts 2 & 3 of the Complaint by Houston Norris, Joseph Higgs, Jr. (testaty,)'. At the bottom of the form are 'Next' and 'Clear' buttons.

Continued on next page

Filing Procedures – Civil Documents, Continued

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 <i>Next</i> button to commit the transaction. <i>Note:</i> Once you click on the <i>Next</i> button, only clerk’s office staff will be able to make any changes to the submission.
Incorrect	Click on <i>Civil</i> 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 Procedures – Civil Documents, Continued

**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	<ul style="list-style-type: none">• Select <i>File</i> on your browser's menu bar.• Select <i>Save Frame As...</i> from the drop-down window and complete the rest of the steps.
Print a copy of the NEF	Select <i>Print</i> 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.

Subpoena Duces Tecum Motions for the issuance of a subpoena duces tecum returnable before trial pursuant to Federal Rule of Criminal Procedure 17(c) may not be made *ex parte* except in unusual circumstances. The district court may allow the application process to proceed *ex parte* upon a showing that the disclosure of the application for a pre-trial subpoena would: (i) divulge trial strategy, witness lists, or attorney work-product; (ii) imperil the source or integrity of subpoenaed evidence; or (iii) undermine a fundamental privacy or constitutional interest of the requesting party. See, *United States v. Beckford*, 964 F.Supp. 1010, 1030 (E.D. Va. 1997).

Continued on next page

Filing Procedures – Criminal Documents, Continued

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 <i>Criminal</i> 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 <i>All defendants</i> 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 Procedures – Criminal Documents, Continued

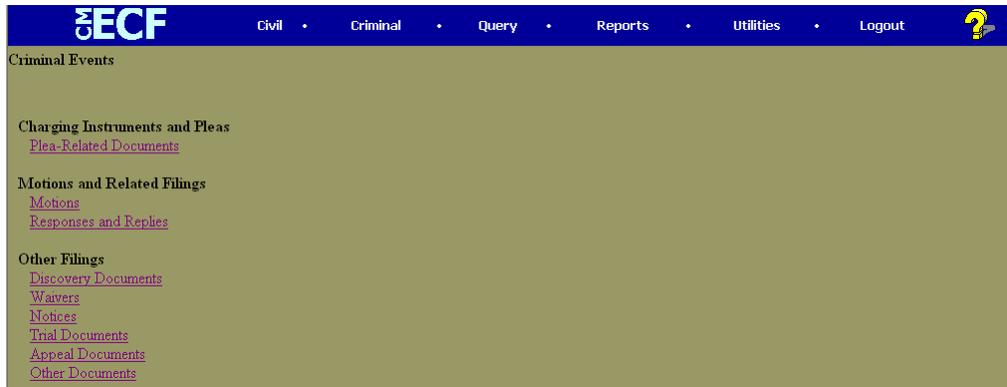
Filing a Criminal Motion: Selecting *Criminal* from the Menu

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 Procedures – Criminal Documents, Continued

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:

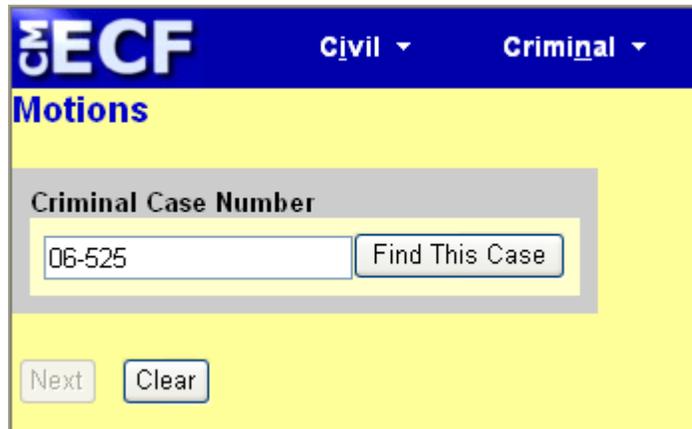
- Entered incorrectly, click on the *Clear* button to re-enter.
- Rejected by the computer as an invalid case number, click on the *Back* button on your browser menu bar to re-enter.

Continued on next page

Filing Procedures – Criminal Documents, Continued

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

Screen shot of the case number entry screen.



The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a blue header with the ECF logo and two dropdown menus labeled "Civil" and "Criminal". Below the header, the word "Motions" is displayed in blue. The main content area has a yellow background. A grey box contains the text "Criminal Case Number" above a text input field with the value "06-525" and a "Find This Case" button. Below this box, there are two buttons: "Next" and "Clear".

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 Procedures – Criminal Documents, Continued

Filing a Motion in a Criminal

Case: Selecting the Case

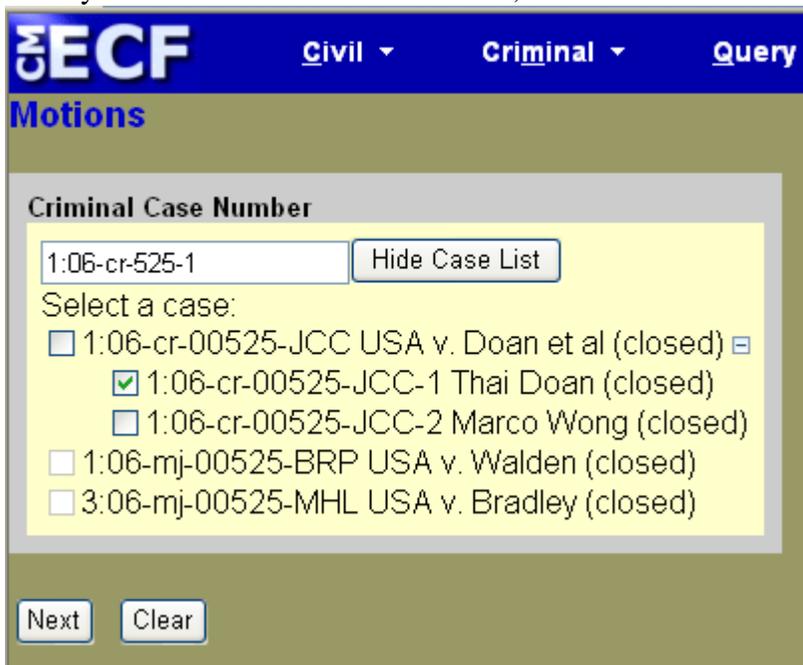
Step 3b – Select the correct case, if a list is provided.

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.



The screenshot shows the ECF Motions interface. At the top, there is a navigation bar with 'Civil', 'Criminal', and 'Query' dropdown menus. Below this, the word 'Motions' is displayed. A search box contains the text '1:06-cr-525-1' and a 'Hide Case List' button. Underneath, the text 'Select a case:' is followed by a list of cases with checkboxes:

- 1:06-cr-00525-JCC USA v. Doan et al (closed)
- 1:06-cr-00525-JCC-1 Thai Doan (closed)
- 1:06-cr-00525-JCC-2 Marco Wong (closed)
- 1:06-mj-00525-BRP USA v. Walden (closed)
- 3:06-mj-00525-MHL USA v. Bradley (closed)

At the bottom of the form, there are 'Next' and 'Clear' buttons.

Continued on next page

Filing Procedures – Criminal Documents, Continued

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.

The screenshot shows a software interface for selecting a filer. On the left, a panel titled "Pick Filer" contains a tree view with a "Collapse All" button at the top left and an "Expand All" button at the top right. The tree view shows a case identifier "1:06-cr-525-2" and three parties: "USA pla", "Thai Doan dft", and "Marco Wong dft". On the right, a panel titled "Select the filer." contains a "Select the Party:" label and a list box. The list box contains three entries: "USA [pla]", "Doan, Thai [dft]", and "Wong, Marco [dft]". The "Wong, Marco [dft]" entry is selected. Below the list box are two buttons: "Next" and "Clear".

Continued on next page

Filing Procedures – Criminal Documents, Continued

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.

The screenshot shows the ECF system interface. At the top, there is a blue navigation bar with the ECF logo and links for Civil, Criminal, and Query. Below the navigation bar, the page title is "Motions" and the case name is "1:06-cr-00525-JCC USA v. Doan et al". The main content area has a light green background and contains the following text: "The following attorney/party associations do not exist for the above case(s). Please check the box on the left of the screen for associations which should be created. If the association should *not* be created, be sure the box is *unchecked*". Below this text, there is a list of associations with checkboxes: Marco Wong (pty.dft) represented by testaty (aty), Lead, and Notice. At the bottom of the list, there are two buttons: "Next" and "Clear".

Continued on next page

Filing Procedures – Criminal Documents, Continued

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.

The screenshot shows the ECF system interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', and 'Search' dropdown menus. Below this, the page title is 'Motions' and the case name is '1:06-cr-00525-JCC USA v. Doan et al'. There is a search box with the text 'Start typing to find another event.' Below the search box, there are two columns: 'Available Events (click to select events)' and 'Selected Events (click to remove events)'. The 'Available Events' list includes: 404 B Evidence, Acceptance of Responsibility, Acquittal, Adopt, Alter Judgment, Amend/Correct, Appeal In Forma Pauperis, Appear, Appoint Counsel, Appoint Expert, Bifurcate, Bill of Particulars, Bond, Brady Materials, and Certificate of Appealability. The 'Selected Events' list contains 'Dismiss'. At the bottom of the interface, there are 'Next' and 'Clear' buttons.

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:

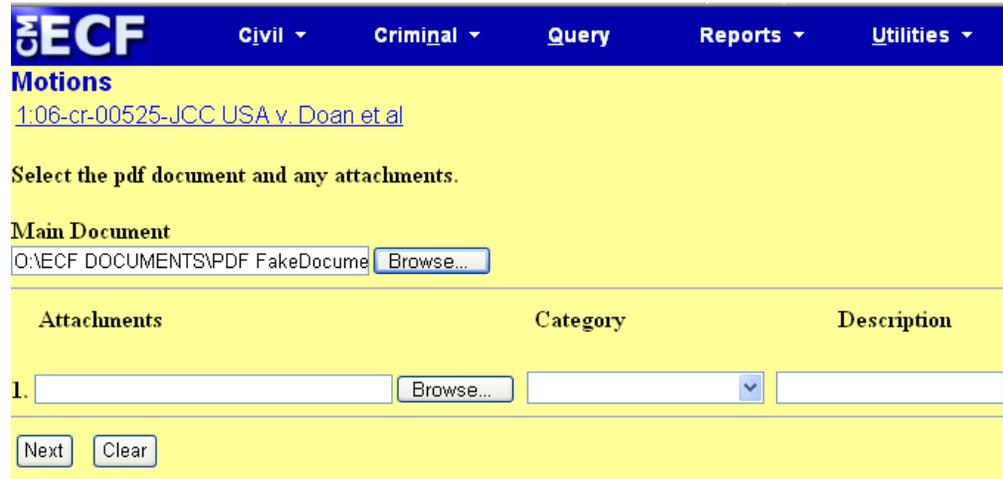
- Click on the *Browse* button to navigate to the appropriate directory and file.
- Select the document. Its name should appear in the *Filename* box.
- Verify that you have attached the correct document by viewing it.
- Click on *Next*.

Continued on next page

Filing Procedures – Criminal Documents, Continued

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:



The screenshot shows the ECF Motions filing interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', 'Reports', and 'Utilities' dropdown menus. Below this, the page title is 'Motions' and the case name is '1:06-cr-00525-JCC USA v. Doan et al'. The main instruction is 'Select the pdf document and any attachments.' Under 'Main Document', there is a text input field containing 'O:\ECF DOCUMENTS\PDF FakeDocume' and a 'Browse...' button. Below this is a table for attachments with columns for 'Attachments', 'Category', and 'Description'. The first row has an input field for the attachment name, a 'Browse...' button, a dropdown menu for the category, and an empty description field. At the bottom, there are 'Next' and 'Clear' buttons.

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.

Continued on next page

Filing Procedures – Criminal Documents, Continued

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.

The screenshot shows the ECF interface for filing a motion. The top navigation bar includes 'Civil', 'Criminal', 'Query', 'Reports', and 'Utilities'. The main heading is 'Motions' for case '1:06-cr-00525-JCC USA v. Doan et al'. The 'Docket Text: Modify as Appropriate.' section contains a dropdown menu with 'Amended' selected, followed by the text 'MOTION to Dismiss Counts 2 & 3 of the Indictment by Marco Wong. (testaty,)'. Below this, there are 'Next' and 'Clear' buttons.

Continued on next page

Filing Procedures – Criminal Documents, Continued

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 <i>Next</i> button to commit the transaction. <i>Note:</i> Once you click on the <i>Next</i> button, only clerk’s office staff will be able to make any changes to the submission.
Incorrect	Click on <i>Criminal</i> 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.

The screenshot shows the ECF interface with a blue header containing navigation tabs: Civil, Criminal, Query, Reports, Utilities, and Search. The main content area is yellow and displays the following information:

- Motions**
- Case: [1:06-cr-00525-JCC USA v. Doan et al](#)
- Docket Text: Final Text
- Amended MOTION to Dismiss Counts 2 & 3 of the Indictment by Marco Wong. (testaty1,)
- Attention!!** Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.
- Source Document Path (for confirmation only): O:\ECF DOCUMENTS\PDF FakeDocument.pdf pages: 1
- Buttons: Next, Clear

Continued on next page

Filing Procedures – Criminal Documents, Continued

**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	<ul style="list-style-type: none">• Select <i>File</i> on your browser's menu bar.• Select <i>Save Frame As...</i> 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.

Motions
[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

Select the pdf document and any attachments.

Main Document

Attachments	Category	Description
1. <input type="text"/> <input type="button" value="Browse..."/>	<input type="text"/>	<input type="text"/>

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

Filing Procedures – Attachments to Documents, Continued

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.

Motions
[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

Select the pdf document and any attachments.

Main Document
O:\ECF DOCUMENTS\PDF FakeDocume

	Attachments	Category	Description	
1.	O:\ECF DOCUMENTS\PDF FakeAttachr <input type="button" value="Browse..."/>	Exhibit <input type="button" value="v"/>	Affidavit <input type="text"/>	<input type="button" value="Remove"/>
2.	<input type="text"/> <input type="button" value="Browse..."/>	<input type="button" value="v"/>	<input type="text"/>	

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:

Step	Action								
1	Click on the <i>New Filer</i> button on the right side of the pick filer screen during filing.								
2	Search for the party name in the system. <table border="1" data-bbox="565 995 1386 1367"> <thead> <tr> <th>If the search results...</th> <th>Then...</th> </tr> </thead> <tbody> <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 <i>Select Party</i> 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 <i>Create New Party</i> button.</td> </tr> <tr> <td>Indicate <i>No person found</i></td> <td>Click on the <i>Create New Party</i> button.</td> </tr> </tbody> </table>	If the search results...	Then...	Show a list of party names in the system, and your party name appears on the list	Select the party name by clicking on it and then click on the <i>Select Party</i> button.	Show a list of party names in the system, and your party name does not appear on the list	Click on the <i>Create New Party</i> button.	Indicate <i>No person found</i>	Click on the <i>Create New Party</i> button.
If the search results...	Then...								
Show a list of party names in the system, and your party name appears on the list	Select the party name by clicking on it and then click on the <i>Select Party</i> button.								
Show a list of party names in the system, and your party name does not appear on the list	Click on the <i>Create New Party</i> button.								
Indicate <i>No person found</i>	Click on the <i>Create New Party</i> button.								
3	Fill in the party's complete name and the role of the party (i.e., movant) on the <i>Party Information</i> screen. Note: Do not enter a party's address.								
4	Click on the <i>Add Party</i> button at the bottom of the screen.								
5	Click the <i>Next</i> button or <i>New Filer</i> button if adding more parties.								
6	Create the attorney/party association.								
7	Continue with the filing.								

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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

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

Motions

[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

Pick Filer

[Collapse All](#) [Expand All](#)

- 1:06-cv-690
 - Major Barr dft
 - Joseph Higgs, Jr. dft
 - Corey Bryant Nelson pla
 - Houston Norris dft
 - Lieutenant Norris dft

Select the filer.

Select the Party:

- Barr, Major [dft]
- Higgs, Joseph Jr. [dft]
- Nelson, Corey Bryant [pla]
- Norris, Houston [dft]
- Norris, Lieutenant [dft]

Next **Clear** **New Filer**

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

Filing Procedures – Adding/Creating a New Party, Continued

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.

The screenshot shows a web interface for a legal system. At the top, there is a yellow header with the word "Motions" in blue. Below the header is a link: "1:06-cv-00690-CMH-TRJ Nelson v. Norris et al". The main content area is divided into two columns. The left column has a "Pick Filer" button at the top, followed by "Collapse All" and "Expand All" links. Below these are several entries: "1:06-cv-690", "Major Barr dft", "Joseph Higgs, Jr. dft", "Corey Bryant Nelson pla", "Houston Norris dft", and "Lieutenant Norris dft". The right column is titled "Search for a party" and contains a search form with three input fields: "Last / Business Name" (containing "Smith"), "First Name", and "Middle Name". A "Search" button is located below the input fields.

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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.

The screenshot shows a web interface for 'Motions' with the case number '1:06-cv-00690-CMH-TRJ Nelson v. Norris et al'. On the left, there is a 'Pick Filer' section with a tree view containing '1:06-cv-690' and several filers: Major Barr (dft), Joseph Higgs, Jr. (dft), Corey Bryant Nelson (pla), Houston Norris (dft), and Lieutenant Norris (dft). On the right, there is a 'Search for a party' section with input fields for 'Last / Business Name' (containing 'Smith'), 'First Name', and 'Middle Name', and a 'Search' button. Below the search fields, the 'Search Results' list shows 'Smith, Gus' and 'Smith, Jimmy' (which is highlighted in blue). At the bottom of the search results, there are two buttons: 'Select Party' and 'Create New Party'.

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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.

The screenshot shows the 'Party Information' screen for a party named 'Jimmy Smith'. The form includes fields for Title, Role (Movant), Pro se status, Prisoner Id, Unit, Office, Address (1-3), State, Zip, City, Country, Prison, Phone, Fax, E-mail, Party text, Start date (2/3/2010), End date, Corporation (no), and Notice (yes). An 'Add Party' button is located at the bottom of the form.

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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.

The screenshot displays a software interface for adding a party to a case. On the left, under the heading "Pick Filer", there is a tree view of parties. The case number "1:06-cv-690" is at the top. Below it, several parties are listed: Major Barr (dft), Joseph Higgs, Jr. (dft), Corey Bryant Nelson (pla), Houston Norris (dft), Lieutenant Norris (dft), and Jimmy Smith (mov). The "Jimmy Smith" entry is expanded, showing sub-categories: "Alias", "Corporate Parent or other affiliate", and "Attorney". On the right, a "Select the filer." panel contains a "Select the Party:" dropdown menu. The dropdown list includes: Barr, Major [dft], Higgs, Joseph Jr. [dft], Nelson, Corey Bryant [pla], Norris, Houston [dft], Norris, Lieutenant [dft], and Smith, Jimmy [mov]. The "Smith, Jimmy [mov]" option is currently selected. At the bottom of the right panel are three buttons: "Next", "Clear", and "New Filer".

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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.

Motions
[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

The following attorney/party associations do not exist for the above case(s).

Please check the box on the left of the screen for associations which should be created.

If the association should *not* be created, be sure the box is *unchecked*.

Jimmy Smith (pty:mov) represented by testaty1 (aty) Lead Notice

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.

Motions
[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

Pick Filer

Collapse All Expand All

1:06-cv-690

- Major Barr dft
- Joseph Higgs, Jr. dft
- Corey Bryant Nelson pla
- Houston Norris dft
- Lieutenant Norris dft
- Jimmy Smith mov

Search for a party

Last / Business Name First Name Middle Name

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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.

The screenshot shows a web interface for searching parties. At the top, the case number '1:06-cv-00690-CMH-TRJ Nelson v. Norris et al' is displayed. Below this is a 'Pick Filer' button and a search section titled 'Search for a party'. The search section contains three input fields: 'Last / Business Name' with the value 'Smith Fence', 'First Name', and 'Middle Name'. A 'Search' button is located below these fields. To the left of the search section is a list of existing parties, including 'Major Barr', 'Joseph Higgs, Jr.', 'Corey Bryant Nelson', 'Houston Norris', 'Lieutenant Norris', and 'Jimmy Smith'. Below the search section is a 'Search Results' area, which is currently empty. At the bottom of the search section are two buttons: 'Select Party' and 'Create New Party'. A message at the bottom of the search section reads: 'Search returned no results. Please try again or create a new party.'

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., *Smith 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

Filing Procedures – Adding/Creating a New Party, Continued

Creating a New Party: Party Information Screen – Screen Shot

Continued from previous page.

Party Information			
Last name	Smith Fence Company	First name	
Middle name		Generation	
Title			
Role	Movant (mov:pty)		
Pro se	No		
Prisoner Id		Unit	
Office			
Address 1			
Address 2		<input type="checkbox"/> Show this address on the docket sheet	
Address 3		City	
State		Zip	
		Country	
Prison			
Phone		Fax	
E-mail			
Party text			
Start date	2/3/2010	End date	
Corporation	no	Notice	yes
<input type="button" value="Add Party"/>			

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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.

The screenshot displays a web-based interface for adding a party to a case. On the left, under the heading "Pick Filer", there is a tree view for case "1:06-cv-690". The list of parties includes Major Barr (dft), Joseph Higgs, Jr. (dft), Corey Bryant Nelson (pla), Houston Norris (dft), Lieutenant Norris (dft), Jimmy Smith (mov), and Smith Fence Company (mov). The "Smith Fence Company" entry is expanded, showing sub-categories: "Alias", "Corporate Parent or other affiliate", and "Attorney". On the right, a "Select the filer." dialog box is open, titled "Select the Party:". It contains a list of party names with their roles in brackets: Barr, Major [dft]; Higgs, Joseph Jr. [dft]; Nelson, Corey Bryant [pla]; Norris, Houston [dft]; Norris, Lieutenant [dft]; Smith, Jimmy [mov]; and Smith Fence Company [mov]. The "Smith Fence Company [mov]" entry is highlighted. Below the list are three buttons: "Next", "Clear", and "New Filer".

Continued on next page

Filing Procedures – Adding/Creating a New Party, Continued

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.

Motions

[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

The following attorney/party associations do not exist for the above case(s).

Please check the box on the left of the screen for associations which should be created.

If the association should *not* be created, be sure the box is *unchecked*.

Smith Fence Company (pty:mov) represented by testaty1 (aty) Lead Notice

Next

Clear

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:

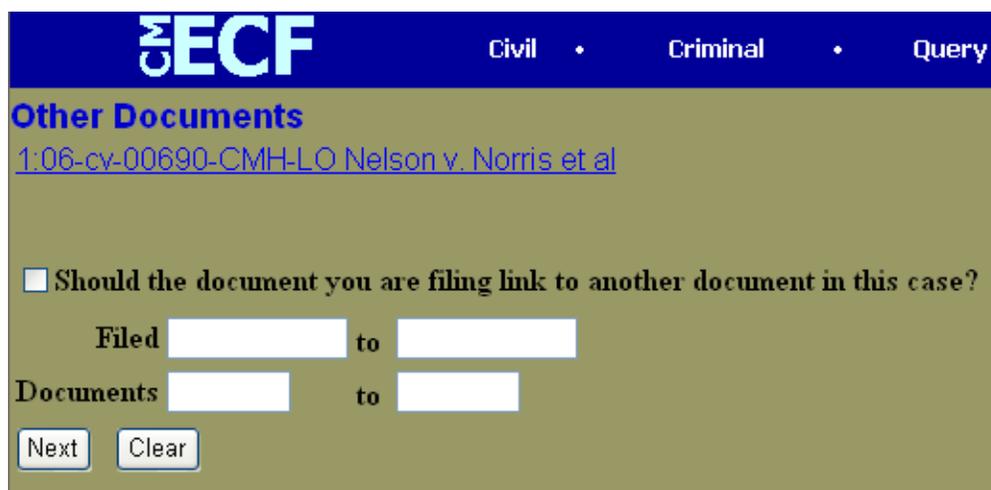
- the system knows to process the linked documents together (e.g., setting the same deadlines in regard to each document)
- the clerk's office knows which documents relate to which other documents and why you might be filing a particular document (e.g., when you are filing a response, you would link 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:



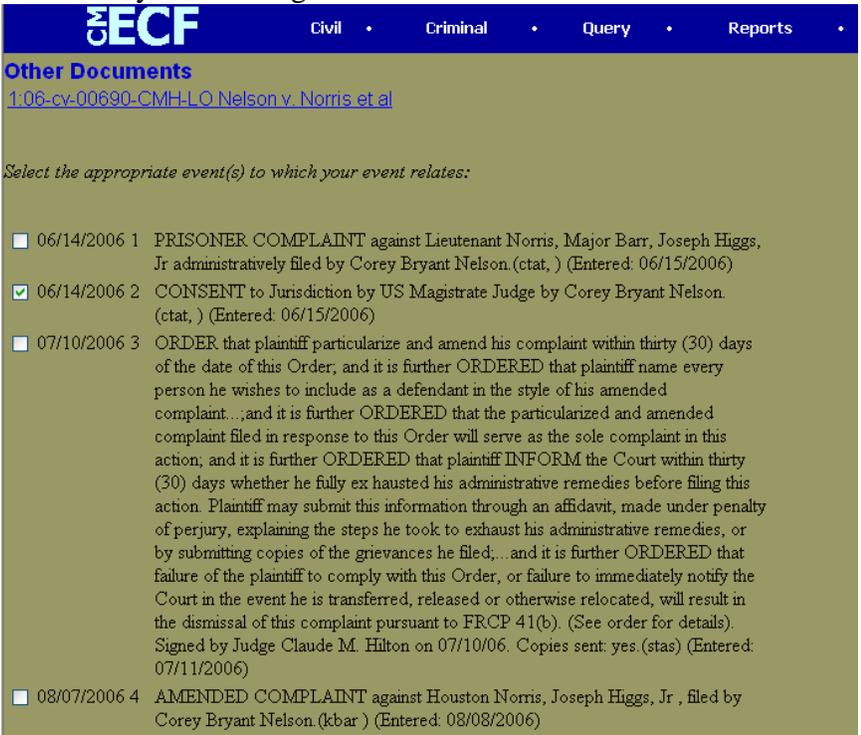
The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a blue navigation bar with the ECF logo and three menu items: "Civil", "Criminal", and "Query". Below the navigation bar, the page title is "Other Documents" in blue. Underneath, there is a link to a case: "1:06-cv-00690-CMH-LO Nelson v. Norris et al". The main content area is a light green box containing a checkbox with the text "Should the document you are filing link to another document in this case?". Below the checkbox, there are two rows of input fields. The first row is labeled "Filed" and the second row is labeled "Documents". Each row has two input fields separated by the word "to". At the bottom of the form, there are two buttons: "Next" and "Clear".

Continued on next page

Filing Procedures – Linking Documents, Continued

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	<p>Check the box next to the question <i>Should the document you are filing link to another document in this case?</i></p> <p>Note: Do not check the box if you do not need to create a link. Instead, simply click on the <i>Next</i> button and continue filing.</p>
2	Click the <i>Next</i> button.
3	<p>Check the box next to the document you want to link to the document you are filing. See the screen shot below:</p>  <p>Select the appropriate event(s) to which your event relates:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 06/14/2006 1 PRISONER COMPLAINT against Lieutenant Norris, Major Barr, Joseph Higgs, Jr administratively filed by Corey Bryant Nelson.(ctat,) (Entered: 06/15/2006) <input checked="" type="checkbox"/> 06/14/2006 2 CONSENT to Jurisdiction by US Magistrate Judge by Corey Bryant Nelson.(ctat,) (Entered: 06/15/2006) <input type="checkbox"/> 07/10/2006 3 ORDER that plaintiff particularize and amend his complaint within thirty (30) days of the date of this Order, and it is further ORDERED that plaintiff name every person he wishes to include as a defendant in the style of his amended complaint...,and it is further ORDERED that the particularized and amended complaint filed in response to this Order will serve as the sole complaint in this action, and it is further ORDERED that plaintiff INFORM the Court within thirty (30) days whether he fully exhausted his administrative remedies before filing this action. Plaintiff may submit this information through an affidavit, made under penalty of perjury, explaining the steps he took to exhaust his administrative remedies, or by submitting copies of the grievances he filed;... and it is further ORDERED that failure of the plaintiff to comply with this Order, or failure to immediately notify the Court in the event he is transferred, released or otherwise relocated, will result in the dismissal of this complaint pursuant to FRCP 41(b). (See order for details). Signed by Judge Claude M. Hilton on 07/10/06. Copies sent: yes.(stas) (Entered: 07/11/2006) <input type="checkbox"/> 08/07/2006 4 AMENDED COMPLAINT against Houston Norris, Joseph Higgs, Jr , filed by Corey Bryant Nelson.(kbar) (Entered: 08/08/2006)
4	Scroll down to and click on the <i>Next</i> button at the bottom of the list of documents.
5	Modify the screen as appropriate and click on the <i>Next</i> button.
6	Click on the <i>Next</i> 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 could 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

Filing Procedures: Error Correction and Quality Control, Continued

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 or other means any non-filing users, in the case with a paper copy of the document and of the NEF.
-

Filing Procedures: Error Correction and Quality Control, Continued

Quality Control Continued

The EDVA has implemented 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
 - 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.

Eastern District of Virginia Electronic Case Filing Policies and Procedures Manual

Chapter Eight: Electronic Filing and Service of Documents

Section	Page
Electronic Filing	104
Filing Deadline	105
NEF as Proof of Filing	106
Official Record	107
Docket Entry Creation and Modification	108
Filing in the Wrong Case or Attaching an Incorrect PDF	109
Consent to Electronic Service	110
Service of Documents to Non-Filing Users	111
Filing Documents that Require Leave of Court	112
Motions to Intervene in a Civil Case	113
Service of Process	114
Sample Certificate of Service	115
Courtesy Copies and Other Division Specific Information	116
Electronic Transcripts	117
Electronic Filing of Sealed Documents in Civil Cases	121
Online Fee Payment	128
Civil Initiating Documents – Electronic Submission	143

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

Electronic Filing and Service of Documents – Electronic Filing

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 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 – NEF as Proof of Filing

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

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 – Docket Entry Creation and Modification

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.

Electronic Filing and Service of Documents – Filing in the Wrong Case or Attaching an Incorrect PDF

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

Consent to Electronic Service

By participating in the electronic filing process, parties consent to the electronic service of all documents and will make available electronic mail addresses for service. Similarly, pro se (non-prisoner) litigants may request authorization to only receive documents electronically via the court's electronic filing system. [See E-Noticing Instructions](#) 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

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(a). 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

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.

Electronic Filing and Service of Documents – Motions to Intervene in a Civil Case

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

Service of Process

A certificate of service must be included with all documents filed electronically to any non-filing users. Such a certificate must indicate the method of service used, and must have the filing user's full nine-element signature block at the bottom of the page. On page 115 you will find a sample Certificate of Service.

Electronic Filing and Service of Documents – Sample Certificate of Service

**Sample
Certificate of
Service**

The following is a sample certificate of service by U.S. mail or other means:

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. I will then send the document and a notification of such filing (NEF) to the following party via [indicate method of service]:

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

Electronic Filing and Service of Documents – Courtesy Copies and Other Division Specific Information

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.

Electronic Filing and Service of Documents – 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

Electronic Filing and Service of Documents – Electronic Transcripts, Continued

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

Electronic Filing and Service of Documents – Electronic Transcripts, Continued

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	<ul style="list-style-type: none"> • Civil Events – Other Documents • Criminal Events – Other Documents 	Used by attorneys to electronically file the restricted <i>Redaction Request</i> . Pro Se litigants must file this document on paper.
Motion to extend time re: transcript	<ul style="list-style-type: none"> • Civil Events – Motions • Criminal Events – Motions 	Used by attorneys to electronically file a request for an extension of time to: <ul style="list-style-type: none"> • File and submit a <i>Redaction Request</i> 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

Electronic Filing and Service of Documents – Electronic Transcripts, Continued

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

Contents

Topic	See Page
Exceptions	122
Sealed Filing Events	122
Notice Filing Events	123
Service of Sealed Documents	123
Sealed Orders	123
Steps for Filing Sealed Documents	124
Steps for Filing a Motion to Seal	125
Oppositions/Responses	125
File Size of Documents	126
Correcting Mistakes	127

Continued on next page

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

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

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

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 or unrepresented party 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

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

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: <ul style="list-style-type: none">• Sealed Motion• Sealed Memorandum In Support• Sealed Exhibit• Sealed Attachment• Sealed Response/Objection/Reply• Sealed Document <i>Note:</i> This document should be clearly marked “under seal.”
2	File the <i>Notice of Under Seal Filing LCvR 5(B)</i> (link to the sealed document) found under the <i>Notices</i> category. This document is available to the public.

Continued on next page

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

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. <i>Note:</i> The motion to seal is a public document and should not contain any sealed information.
2	File the <i>Notice of Filing Sealing Motion LCvR 5(C)</i> (link to the motion to seal) found under the <i>Notices</i> category. This notice is available to the public.
3	File the document you wish to seal using the <i>Sealed Document</i> filing event (link to the motion to seal).
4	File the non-confidential memorandum in support of the motion to seal using the event <i>Memorandum In Support</i> found in the category <i>Responses/Replies/Memoranda</i> (link to the motion to seal).
5	File any confidential memorandum in support of the motion to seal using the sealed event <i>Sealed Memorandum In Support</i> (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

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

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 <i>Continuation of Sealed Filing</i> that includes a <i>Certificate of Service</i> and your complete nine-element signature block.
4	File the <i>Continuation of Sealed Filing</i> using the sealed filing event <i>Sealed Attachment/Exhibit(s)</i> .
5	Upload the smaller PDF documents as attachments to the <i>Continuation of Sealed Filing</i> .

Continued on next page

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

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

Electronic Filing and Service of Documents - Online Fee Payments

Introduction

Filing users are required to electronically pay the fee online during the electronic filing of Motion(s) for Pro Hac Vice, Notice(s) of Appeal to include *Notices of Cross Appeal*, *Notices of Interlocutory Appeal*, and *Subsequent Notices of Appeal*, and during the electronic submission of civil case initiating documents.

This section of the manual gives an overview of electronic fee payment as well as step by step instructions for filing and paying the fee online for *Appeals* and *Motions for Pro Hac Vice*. An overview of electronic fee payment for electronic submission of civil case initiating documents can be found on page 142 of this manual.

Internet Payment Process

Filing users will be automatically directed through the Internet payment process when filing *Appeals* and *Motions for Pro Hac Vice*. Once the payment process has been successfully completed, filing users will be automatically returned to the filing process.

The payment information screen includes the cardholder name and address as well as the credit card information (Figure 1). The cardholder name, first address line, and zip code default to the values for the filing user shown in the CM/ECF utilities *Maintain Your Account*. The payment amount field will be populated with the current fee amount.

Internet fees and payments may be reviewed by using the *Internet Payment History* option on the CM/ECF Utilities menu.

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Figure 1 -
Credit Card
Information
Screen

Notes:

- **Fields marked with an asterisk are required fields.**
- The Billing Address is a required field which is pre-populated with the address information currently available for the filing user in CM/ECF, but may be changed. This address does not have to correspond with the credit card billing address. Changing the billing address does not make an address change in CM/ECF.
- **When filling in the payment information, do not use hyphens or spaces in the Card Number.**
- Clicking the *Continue with Plastic Card Payment* button presents the user with a summary screen (Figure 2).

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Figure 2 -
Credit Card
Summary
Screen

Online Payment [Return to your originating application](#)
Step 2: Authorize Payment 1 | 2

Payment Summary [Edit this information](#)

Address Information	Account Information	Payment Information
Account Holder Name: testaty2 Billing Address: 401 Courthouse Sq Billing Address 2: City: Alexandria State / Province: VA Zip / Postal Code: 22314 Country: USA	Card Type: Master Card Card Number: *****5100	Payment Amount: \$455.00 Transaction Date and Time: 09/13/2011 09:19 EDT

Email Confirmation Receipt
To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.

Email Address:
Confirm Email Address:
CC: Separate multiple email addresses with a comma

Authorization and Disclosure
Required fields are indicated with a red asterisk *

I authorize a charge to my card account for the above amount in accordance with my card issuer agreement. *

Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.

Notes:

- Carefully review the payment information. If any of the information is incorrect, click on the *Edit this Information* link at the top of the page. Do not navigate the site using your browser's back button – this may lead to incomplete data being transmitted and pages being loaded incorrectly. Use the links provided.
- In order to receive a transaction receipt for reconciliation with credit card statements, filing users must enter a valid email address on this screen. This email receipt will have a tracking ID number that the Court may need to be able to identify the transaction should a problem arise. **Note:** The email address for the transaction receipt does not have to be the filing user's email address but could be the email address for the person in the firm that reconciles the credit card statements.
- Check the white box next to the statement "I authorize a charge to my card account for the above amount in accordance with my card issuer agreement" and then submit the payment by clicking the *Submit Payment* button only **once**. The fee will be forwarded directly to the U.S. Treasury. The receipt number will be included in the docket text information on the *Notice of Electronic Filing (NEF)*.

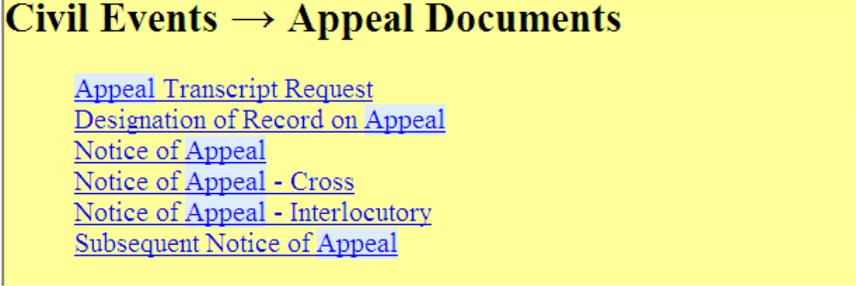
WARNING: Pressing the *Submit Payment* button more than once may result in multiple transactions being processed.

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Appeals

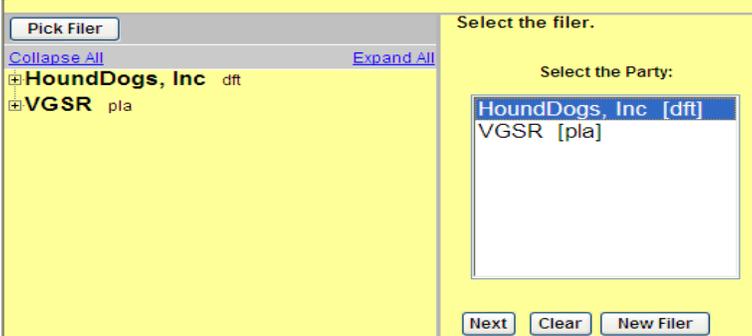
Take the following steps to electronically file a *Notice of Appeal*, *Notice of Cross Appeal*, *Notice of Interlocutory Appeal*, or *Subsequent Notice of Appeal* and pay the filing fee online:

Step	Action
1	Log into CM/ECF.
2	<ul style="list-style-type: none"> • Select <i>Search</i> from the main blue menu bar, • Type the word <i>Appeal</i> in the white box, and then • Click the <i>Search</i> button. 
3	<p>Select the appropriate event from the results of the search.</p>  <p>For this example, we will select <i>Notice of Appeal</i> from the civil events.</p>
4	Enter the case number, click the <i>Find This Case</i> button and then click the <i>Next</i> button.
5	Upload the pdf document by clicking on the <i>Browse</i> button and then click the <i>Next</i> button.

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Appeals (continued)

Step	Action
6	<p>Select the filer by clicking on the filer's name on the right side of the screen and then click the <i>Next</i> button.</p> 
7	<p>Click inside the white box next to the question <i>Should the document you are filing link to another document in this case?</i> And then click the <i>Next</i> button to bring up a list of documents in the case.</p> <p>Select order being appealed.</p> <p><input checked="" type="checkbox"/> Should the document you are filing link to another document in this case?</p> <p>Filed <input type="text"/> to <input type="text"/></p> <p>Documents <input type="text"/> to <input type="text"/></p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p>
8	<p>Select the order being appealed by clicking inside the white box next to the order and then click the <i>Next</i> button.</p> <p><i>Select the appropriate event(s) to which your event relates:</i></p> <p><input checked="" type="checkbox"/> 09/12/2011 3 ORDER DISMISSING CASE. Signed by Judge Honorable Raymond A. Jackson on 9/9/11. (Itun,)</p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p> <p>Note: If there is only one order in the case, the white box next to that order will already be checked.</p>

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Appeals (continued)

Step	Action
9	<p data-bbox="548 510 1406 611">Change the default answer of <i>No</i> to <i>Yes</i> if you answer yes to any of the questions on this screen otherwise leave the default answer of <i>No</i> and then click the <i>Next</i> button.</p> <div data-bbox="548 646 1382 1073" style="background-color: yellow;"><p data-bbox="548 653 1284 682">Do you have in forma pauperis status for this appeal?</p><p data-bbox="548 716 581 745">or</p><p data-bbox="548 772 1377 802">Are you requesting in forma pauperis status for this appeal?</p><p data-bbox="548 835 581 865">or</p><p data-bbox="548 892 1208 921">Are you filing this appeal on behalf of the USA?</p><p data-bbox="548 955 634 984"><input type="radio"/> Yes</p><p data-bbox="548 984 623 1014"><input checked="" type="radio"/> No</p><p data-bbox="558 1045 626 1075">Next</p><p data-bbox="656 1045 740 1075">Clear</p></div> <p data-bbox="548 1087 1406 1150">Note: The next screen notifies you of the amount of the filing fee; click the <i>Next</i> button to continue.</p>

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Appeals (continued)

Step	Action
10	<p>Complete the Online Payment Information and then click the <i>Continue with Plastic Card Payment</i> button as shown below.</p> <div data-bbox="565 611 1427 1234" style="border: 1px solid #ccc; padding: 5px;"> <p>Online Payment Return to your originating application</p> <p>Step 1: Enter Payment Information 1 2</p> <p>Pay Via Plastic Card (PC) (ex: American Express, Discover, Mastercard, VISA)</p> <p>Required fields are indicated with a red asterisk *</p> <p>Account Holder Name: <input type="text" value="testaty2"/> *</p> <p>Payment Amount: \$455.00</p> <p>Billing Address: <input type="text"/> *</p> <p>Billing Address 2: <input type="text"/></p> <p>City: <input type="text"/></p> <p>State / Province: <input type="text" value="-----"/> ▼</p> <p>Zip / Postal Code: <input type="text"/></p> <p>Country: <input type="text" value="United States"/> ▼</p> <p>Card Type: <input type="text"/> ▼ *    </p> <p>Card Number: <input type="text"/> * <small>(Card number value should not contain spaces or dashes)</small></p> <p>Security Code: <input type="text"/> * <small>Help finding your security code</small></p> <p>Expiration Date: <input type="text"/> ▼ * / <input type="text"/> ▼ *</p> <p>Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.</p> <p style="text-align: center;"> <input type="button" value="Continue with Plastic Card Payment"/> <input type="button" value="Cancel"/> </p> </div> <div data-bbox="565 1245 1427 1291" style="border: 1px solid #ccc; padding: 5px; background-color: #ffffcc;"> <p>Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.</p> </div> <p><i>CAUTION: Do not use your browser's back button. Using the back browser may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.</i></p>

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Appeals (continued)

Step	Action						
11	<ul style="list-style-type: none"> • Check the white box next to the statement “<i>I authorize a charge to my card account for the above amount in accordance with my card issuer agreement.</i>” • Enter an e-mail address to send an e-mail confirmation to you or someone else. • Click the <i>Submit Payment</i> button. <ul style="list-style-type: none"> ❖ Note: Your payment is now being processed. • Click the <i>Next</i> button once the next CM/ECF screen appears. <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p style="text-align: right;">Return to your originating application</p> <p>Step 2: Authorize Payment 1 2</p> <p>Payment Summary Edit this information</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Address Information</th> <th style="width: 33%;">Account Information</th> <th style="width: 33%;">Payment Information</th> </tr> </thead> <tbody> <tr> <td>Account Holder Name: testat2 Billing Address: 401 Courthouse Sq Billing Address 2: City: Alexandria State / Province: VA Zip / Postal Code: 22314 Country: USA</td> <td>Card Type: Master Card Card Number: *****5100</td> <td>Payment Amount: \$455.00 Transaction Date and Time: 09/13/2011 09:19 EDT</td> </tr> </tbody> </table> <p>Email Confirmation Receipt To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.</p> <p>Email Address: <input type="text"/></p> <p>Confirm Email Address: <input type="text"/></p> <p>CC: <input type="text"/> <small>Separate multiple email addresses with a comma</small></p> <p>Authorization and Disclosure Required fields are indicated with a red asterisk *</p> <p>I authorize a charge to my card account for the above amount in accordance with my card issuer agreement. <input type="checkbox"/> *</p> <p><small>Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.</small></p> <p style="text-align: center;"> <input type="button" value="Submit Payment"/> <input type="button" value="Cancel"/> </p> </div> <p style="color: red; font-weight: bold; margin-top: 10px;">WARNING: Pressing the <i>Submit Payment</i> button more than once may result in multiple transactions being processed.</p>	Address Information	Account Information	Payment Information	Account Holder Name: testat2 Billing Address: 401 Courthouse Sq Billing Address 2: City: Alexandria State / Province: VA Zip / Postal Code: 22314 Country: USA	Card Type: Master Card Card Number: *****5100	Payment Amount: \$455.00 Transaction Date and Time: 09/13/2011 09:19 EDT
Address Information	Account Information	Payment Information					
Account Holder Name: testat2 Billing Address: 401 Courthouse Sq Billing Address 2: City: Alexandria State / Province: VA Zip / Postal Code: 22314 Country: USA	Card Type: Master Card Card Number: *****5100	Payment Amount: \$455.00 Transaction Date and Time: 09/13/2011 09:19 EDT					

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Appeals (continued)

Step	Action
12	<p>Click the <i>Next</i> button to commit your transaction and complete the filing process.</p> 

Steps for Filing Motions for Pro Hac Vice

Take the following steps to electronically file a *Motion for Pro Hac Vice* and pay the filing fee online:

Step	Action
1	Log into CM/ECF.
2	<ul style="list-style-type: none"> • Select <i>Search</i> from the main blue menu bar, • Type the word <i>pro hac vice</i> in the white box, and then • Click the <i>Search</i> button. 

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

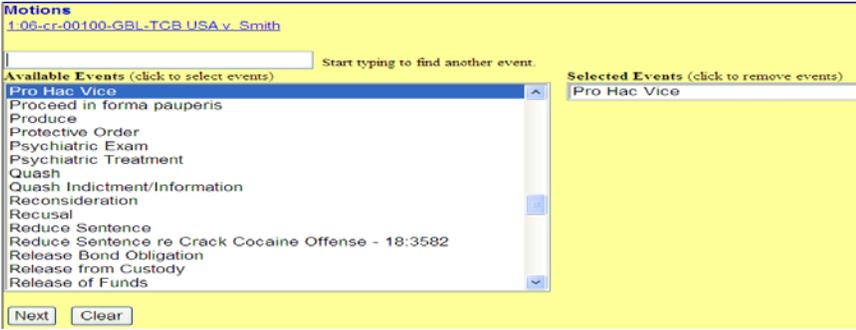
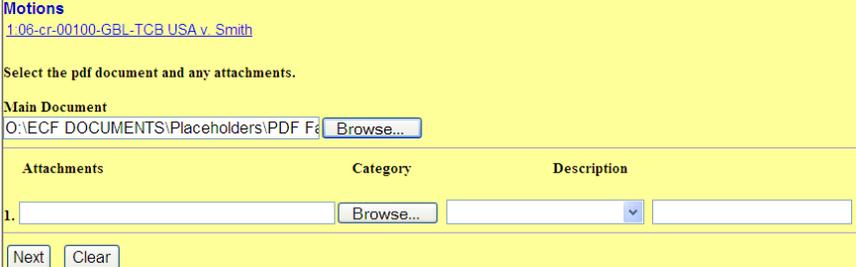
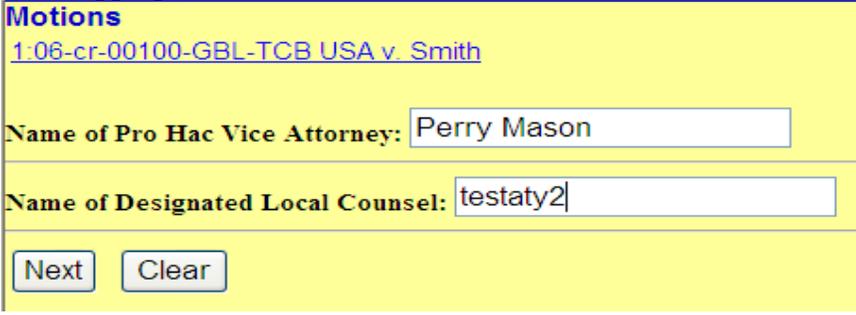
Steps for Filing Motions for Pro Hac Vice (continued)

Step	Action
3	<p>Select the appropriate event from the results of the search.</p>  <p>For this example, we will select <i>Pro Hac Vice</i> from the criminal events.</p>
4	<p>Enter the case number, click the <i>Find This Case</i> button and then click the <i>Next</i> button.</p> 
5	<p>Select the filer by clicking on the filer's name on the right side of the screen and then click the <i>Next</i> button.</p> 

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Motions for Pro Hac Vice (continued)

Step	Action
6	<p>Select <i>Pro Hac Vice</i> from the list of events and then click the <i>Next</i> button.</p> 
7	<p>Upload the PDF document by clicking on the <i>Browse</i> button and then click the <i>Next</i> button.</p> 
8	<p>Enter the name of the pro hac vice attorney and the local counsel in the appropriate white boxes and then click the <i>Next</i> button.</p> 

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Motions for Pro Hac Vice (continued)

Step	Action
9	<p>Change the default answer of <i>No</i> to <i>Yes</i> if you answer yes to any of the questions on this screen otherwise leave the default answer of <i>No</i> and then click the <i>Next</i> button.</p> <div data-bbox="548 646 1404 1102" style="border: 1px solid black; background-color: #ffffcc; padding: 5px;"><p>Motions 1:06-cr-00100-GBL-TCB USA v. Smith</p><p>Is this filed with an Application to Proceed Without Prepayment of Fees?</p><p>or</p><p>Is this application filed on behalf of the USA?</p><p><input type="radio"/> Yes <input checked="" type="radio"/> No</p><p><input type="button" value="Next"/> <input type="button" value="Clear"/></p></div> <p>Note: The next screen notifies you of the amount of the filing fee; click the <i>Next</i> button to continue.</p>

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Motions for Pro Hac Vice (continued)

Step	Action
10	<p>Complete the Online Payment Information and then click the <i>Continue with Plastic Card Payment</i> button as shown below.</p> <div data-bbox="548 617 1398 1184" style="border: 1px solid gray; padding: 5px;"> <p>Online Payment Return to your originating application</p> <p>Step 1: Enter Payment Information 1 2</p> <p>Pay Via Plastic Card (PC) (ex: American Express, Discover, Mastercard, VISA)</p> <p>Required fields are indicated with a red asterisk *</p> <p>Account Holder Name: <input type="text" value="testaty1"/> *</p> <p>Payment Amount: \$75.00</p> <p>Billing Address: <input type="text" value="401 Courthouse Sq"/> *</p> <p>Billing Address 2: <input type="text"/></p> <p>City: <input type="text"/></p> <p>State / Province: <input type="text" value="-----"/> ▾</p> <p>Zip / Postal Code: <input type="text" value="22314"/></p> <p>Country: <input type="text" value="United States"/> ▾ *</p> <p>Card Type: <input type="text"/> * </p> <p>Card Number: <input type="text"/> * <small>(Card number value should not contain spaces or dashes)</small></p> <p>Security Code: <input type="text"/> * Help finding your security code</p> <p>Expiration Date: <input type="text"/> ▾ * / <input type="text"/> ▾ *</p> <p>Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.</p> <p style="text-align: center;"><input type="button" value="Continue with Plastic Card Payment"/> <input type="button" value="Cancel"/></p> <p>Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.</p> </div> <p><i>CAUTION: Do not use your browser's back button. Using the back browser may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.</i></p>

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Motions for Pro Hac Vice (continued)

Step	Action						
11	<ul style="list-style-type: none"> • Check the white box next to the statement “<i>I authorize a charge to my card account for the above amount in accordance with my card issuer agreement.</i>” • Enter an e-mail address to send an e-mail confirmation to you or someone else. • Click the <i>Submit Payment</i> button. <ul style="list-style-type: none"> ❖ Note: Your payment is now being processed. • Click the <i>Next</i> button once the next CM/ECF screen appears. <div data-bbox="548 848 1396 1583" style="border: 1px solid black; padding: 5px;"> <p>Online Payment Return to your originating application</p> <p>Step 2: Authorize Payment 1 2</p> <p>Payment Summary Edit this information</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Address Information</th> <th style="width: 33%;">Account Information</th> <th style="width: 33%;">Payment Information</th> </tr> </thead> <tbody> <tr> <td>Account Holder Name: testat2 Billing Address: 401 Courthouse Sq Billing Address 2: City: Alexandria State / Province: VA Zip / Postal Code: 22314 Country: USA</td> <td>Card Type: Master Card Card Number: *****5100</td> <td>Payment Amount: \$50.00 Transaction Date and Time: 09/14/2011 07:49 EDT</td> </tr> </tbody> </table> <p>Email Confirmation Receipt To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.</p> <p>Email Address: <input type="text"/></p> <p>Confirm Email Address: <input type="text"/></p> <p>CC: <input type="text"/> <small>Separate multiple email addresses with a comma</small></p> <p>Authorization and Disclosure Required fields are indicated with a red asterisk *</p> <p>I authorize a charge to my card account for the above amount in accordance with my card issuer agreement. <input type="checkbox"/> *</p> <p>Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.</p> <p style="text-align: center;"> <input type="button" value="Submit Payment"/> <input type="button" value="Cancel"/> </p> <p><small>Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.</small></p> <p>WARNING: Pressing the <i>Submit Payment</i> button more than once may result in multiple transactions being processed.</p> </div>	Address Information	Account Information	Payment Information	Account Holder Name: testat2 Billing Address: 401 Courthouse Sq Billing Address 2: City: Alexandria State / Province: VA Zip / Postal Code: 22314 Country: USA	Card Type: Master Card Card Number: *****5100	Payment Amount: \$50.00 Transaction Date and Time: 09/14/2011 07:49 EDT
Address Information	Account Information	Payment Information					
Account Holder Name: testat2 Billing Address: 401 Courthouse Sq Billing Address 2: City: Alexandria State / Province: VA Zip / Postal Code: 22314 Country: USA	Card Type: Master Card Card Number: *****5100	Payment Amount: \$50.00 Transaction Date and Time: 09/14/2011 07:49 EDT					

Continued on next page

Electronic Filing and Service of Documents - Online Fee Payments, Continued

Steps for Filing Motions for Pro Hac Vice (continued)

Step	Action
12	<p>Modify text if appropriate and then click the <i>Next</i> button.</p> <p>Motions 1.06-cr-00100-GBL-TCB USA v. Smith</p> <p>Docket Text: Modify as Appropriate.</p> <p><input type="text" value=""/> Motion to appear Pro Hac Vice by Perry Mason and Certification of Local Counsel testaty2 (Filing fee \$ 50 receipt number 0422-2163) <input type="text"/> by Gus Smith. (testaty2,)</p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p>
13	<p>Click the <i>Next</i> button to commit your transaction and complete the filing process.</p> <p>Motions 1.06-cr-00100-GBL-TCB USA v. Smith</p> <p>Docket Text: Final Text</p> <p>Motion to appear Pro Hac Vice by Perry Mason and Certification of Local Counsel testaty2 (Filing fee \$ 50 receipt number 0422-2163) by Gus Smith. (testaty2,)</p> <p>Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.</p> <p>Source Document Path (for confirmation only): O:\ECF DOCUMENTS\Placeholders\PDF\FakeDocument.pdf pages: 1</p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p>

Attorney Civil Case Opening Procedures

UNITED STATES DISTRICT COURT
Eastern District of Virginia



**ATTORNEY CIVIL CASE
OPENING PROCEDURES**

Revised January 10, 2019

Attorney Civil Case Opening Procedures

Table of Contents

Part 1: Introduction.....	144
Part 2: Case Opening Screen... ..	145
Part 3: Selecting Proper Division... ..	146
Part 4: Entering Civil Case Statistical Information... ..	147
Part 5: Adding Parties.....	148
Part 6: Participant Screen... ..	149
Part 7: Functional Icons.....	150
Part 8: Docketing Lead Event.....	151-152
Part 9: Filing Fee Information... ..	153
Part 10: Completing Your Transaction.....	154
Part 11: Proposed Summons Request.....	155

Attorney Civil Case Opening Procedures

Part 1: Introduction

THINGS YOU NEED BEFORE YOU BEGIN	
Complaint	Notice of Removal
1. Complaint in PDF 2. Civil Case Cover Sheet in PDF 3. Exhibits (Do Not Attach Summons)	1. Notice of Removal in PDF 2. Civil Case Cover Sheet in PDF 3. State Court Complaint, Answer, Counterclaim, Cross-Claim, Amended Initiating Pleadings, Proof(s) of Service on Summons and Complaint, and Request for Party Dismissals

If you have opened a case incorrectly, do not open another case. Call the Help Desk and we will resolve any issues with the first case. The Clerk's Office Operations Section Helpdesk is available from 8:30 a.m. to 5:00 p.m. Monday through Friday except for federal holidays or closures.

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

The civil event *Civil Case (Attorney)* should be used to file the following civil initiating documents:

- Complaint
- Notices of Removal
- Petition for Confirmation of Arbitration
- Petitions for Writ of Habeas Corpus
- Petitions for Writ of Mandamus
- Miscellaneous Cases (e.g., motion to compel or quash a subpoena from another district court).

Exemptions: Civil initiating documents exempted from electronic submission and to be filed traditionally on paper are:

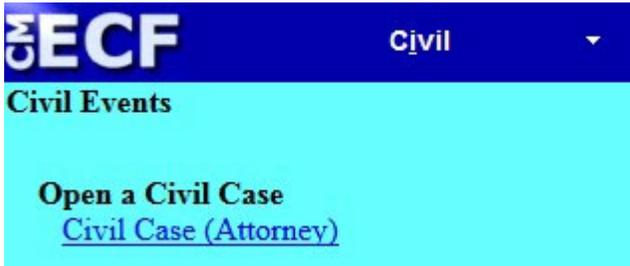
- Cases filed by a pro se litigant
- Ship Attachment cases
- Qui tam cases
- Cases to be filed **under seal**
- Receivership cases
- Registrations of Foreign Judgment
- Bankruptcy Appeal
- Cases transferred in from another district

Attorney Civil Case Opening Procedures

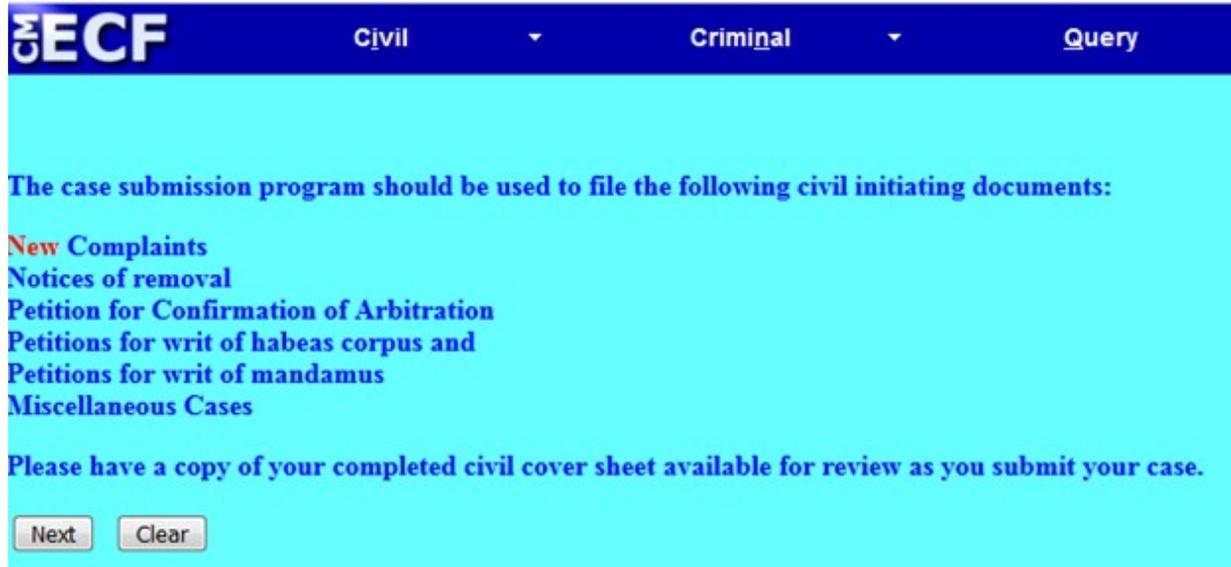
Part 2: Case Opening Screen

Begin with logging into CM/ECF.

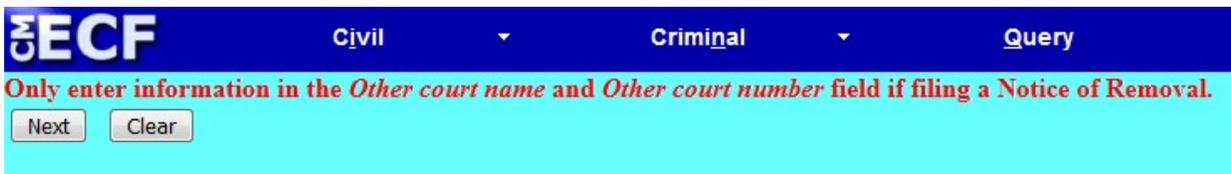
Select *Civil* from the blue menu bar >*Open a Civil Case*>*Civil Case (Attorney)*.



Select *Next*.



Select *Next*.



Select *Next*.



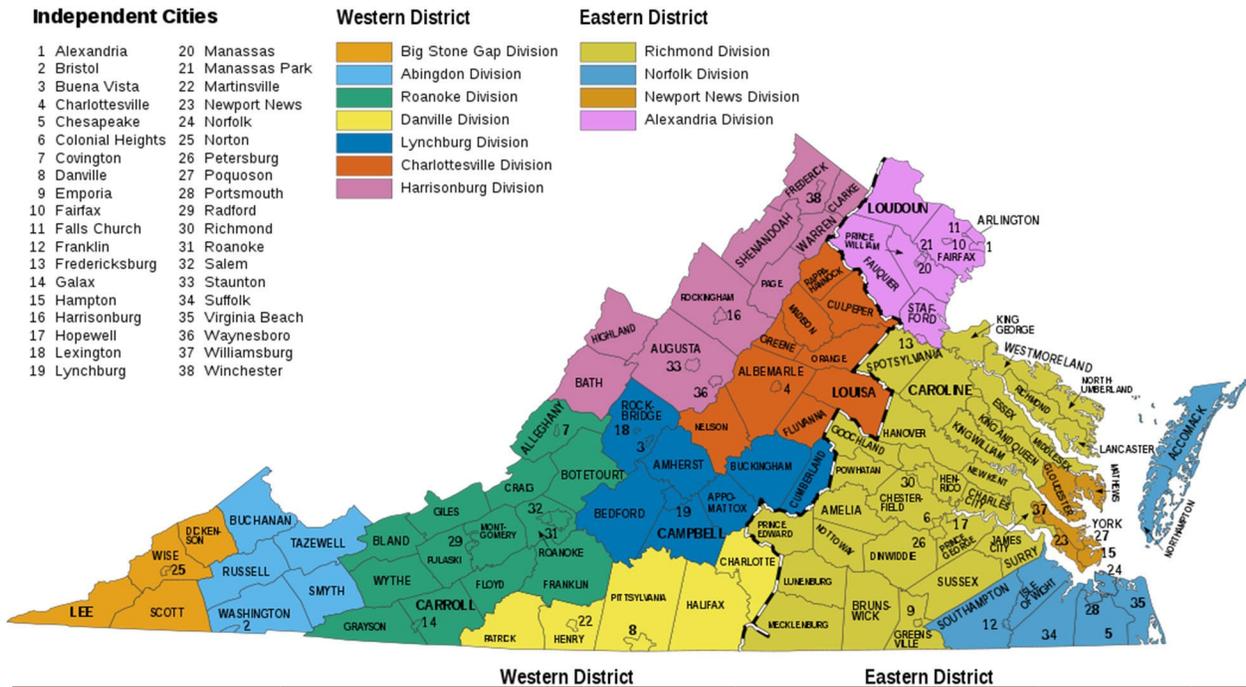
Attorney Civil Case Opening Procedures

Part 3: Selecting Division

Select proper *Office* (Alexandria, Newport News, Norfolk, or Richmond) and *Case Type* will be *cv* or *mc*. Only enter information in the *Other Court Name* and *Other Court Number* field if filing a *Notice of Removal*. If you have a related case, file a *Notice of related case* after filing the initiating documents.

You may check the map of offices and divisions to verify your selection (Refer to [VAED Cities & Counties](#) for guidance).

The screenshot shows the ECF system interface. At the top, there are tabs for 'Civil' and 'Criminal'. Below that, there are dropdown menus for 'Office' (set to 'Alexandria') and 'Case type' (set to 'cv'). A 'Date filed' field shows '10/2/2018'. There are input fields for 'Other court name' and 'Other court number'. At the bottom, there are 'Next' and 'Clear' buttons. A red callout box points to the 'Office' dropdown menu with the text: 'Use the drop-down box to select the appropriate division.'



Part 4: Entering Civil Case Statistical Information

Complete the form on this screen using the guidelines provided in the table below>Select *Next*.

CM ECF Civil Criminal Query Repo

Much of the information needed for this screen is found on the civil cover sheet. **Be sure to enter the appropriate county.**

Jurisdiction 3 (Federal Question)

Cause of action 05:(704 (05:704 Labor Litigation) Filter: Clear filter

Nature of suit 310(Airplane) Filter: Clear filter

Origin 1 (Original Proceeding)

Citizenship plaintiff

Citizenship defendant

Jury demand p (Plaintiff) **Class action** n (No Class Action Alleged) **Demand (\$000)** 200

Arbitration code **County** Arlington

Fee status pd (paid) **Fee date** 10/2/2018 **Date transfer**

Next Clear

Jurisdiction	1 (U.S. Government Plaintiff) 2 (U.S. Government Defendant) 3 (Federal Question) default 4 (Diversity) must enter citizenship for diversity case 5 (Local Question) court use only
Cause of action	Select the U.S. Civil Statute under which you are filing, as cited in the initiating document.
Nature of suit	Select the primary nature of suit from the drop down list. (Refer to Civil Cover Sheet for guidance).
Origin	1 (Original Proceeding) used when filing an original complaint 2 (Removal from State Court) used when filing a Notice of Removal All other codes are for Court use only
Citizenship	Complete this field only if the selected jurisdiction is diversity.
Jury demand	Complete this field only if the jury demand is contained in the initiating document.
Class action	n = no (No Class Action Alleged) y = yes (Class Action Alleged)
Demand (\$000)	Dollar amount demanded in thousands, e.g. \$100,000 = 100; complete this field only if dollar demand is contained in the initiating document or on the civil cover sheet. Leave blank for Notice of Removal. Money demand over 9 million should be entered as four 9's (9999).
Arbitration code	Leave blank
County	County is a statistical code for the county of residence of the first listed plaintiff in all actions except U.S. government plaintiff actions. If the U.S. government is the plaintiff, enter the statistical code for the county of residence of the first listed defendant.
Fee status	Leave default (paid); for government plaintiff set fee status to (waived); for IFP plaintiffs, set fee status to in forma pauperis.
Fee date	Leave default
Date transfer	Leave blank

Attorney Civil Case Opening Procedures

Part 5: Adding Parties

The left pane contains the controls to *Add New Party* and *Create Case*; this section is the participant tree. Since no participants exist for this new case, the participant tree is empty. The right pane contains the fields to *Search* for a party. Search for each party listed in the caption of your initiating document (Refer to [Instructions for Searching and Adding Parties](#) for guidance). Choose the appropriate party from the list and click *Select Party*. If the appropriate party does not appear in the list, click *Create New Party*.

The screenshot shows the ECF (Electronic Case Filing) system interface. At the top, there are navigation tabs for 'Civil', 'Criminal', 'Query', and 'Reports'. Below the tabs is a warning banner: 'Open a Civil Case DO NOT ADD ANY SEALED DOCUMENTS OR TRY TO OPEN A SEALED CASE'. The main interface is divided into two panes. The left pane contains buttons for 'Add New Party' and 'Create Case', along with 'Collapse All' and 'Expand All' links. Below these is a participant tree showing a single entry: '1:18-cv-?????'. The right pane is titled 'Search for a party' and contains three input fields: 'Last / Business Name' (with 'Taylor' entered), 'First Name' (with 'Joshua' entered), and 'Middle Name'. A 'Search' button is located below these fields. Below the search fields is a 'Search Results' section with a dropdown menu showing 'Taylor, Joshua B.'. At the bottom of the search results are two buttons: 'Select Party' and 'Create New Party'.

Reminder:

If you have opened a case incorrectly, do not open another case. Call the Help Desk and we will resolve any issues with the first case. The Clerk's Office Operations Section Helpdesk is available from 8:30 a.m. to 5:00 p.m. Monday through Friday except for federal holidays or closures.

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

Attorney Civil Case Opening Procedures

Part 6: Participant Screen

The Role field is *defaulted to Defendant* and must be changed to the appropriate role.

If you have descriptive information for a party as reflected in the case caption, enter the description in the *Party Text* field. Leave all other fields blank. Do not enter address or email information.

Select *Add Party*.

The screenshot shows the 'Party Information' form with the following fields and values:

- Last name: Taylor
- First name: Joshua
- Middle name: B.
- Generation: [blank]
- Title: [blank]
- Role: Plaintiff (pla:pty) [Callout: Use the drop-down box to select the appropriate role.]
- Pro se: No
- Prisoner Id: [blank]
- Unit: [blank]
- Office: [blank]
- Address 1: [blank]
- Address 2: [blank]
- Address 3: [blank]
- City: [blank]
- State: [blank]
- Zip: [blank]
- Country: [blank]
- Prison: [blank]
- Phone: [blank]
- Fax: [blank]
- E-mail: [blank]
- Party text: [blank] [Callout: Add any descriptive information reflected in the case caption to the party text field here.]
- Start date: 9/28/2018
- End date: [blank]
- Corporation: no
- Notice: yes
- Buttons: Add Party [Callout: When the user clicks the Add Party button on the Party Information screen, the party will be added to the participant tree on the left side of the screen as shown below. Continue to add all parties as they appear in the caption of your initiating document. Use upper and lower-case letters to input names. Do not use all CAPS.]

When the user clicks the *Add Party* button on the *Party Information* screen, the party will be added to the participant tree on the left side of the screen as shown below. Continue to add all parties as they appear in the caption of your initiating document. Use upper and lower-case letters to input names. **Do not** use all CAPS.

The screenshot shows the ECF interface with the following elements:

- Navigation: Civil, Criminal, Query, Reports
- Buttons: Add New Party, Create Case
- Search for a party: Last / Business Name, First Name, Middle Name, Search
- Participant Tree (Left):
 - 1:18-cv-?????
 - Joshua B. Taylor pla [Callout: When the user clicks the Add Party button on the Party Information screen, the party will be added to the participant tree on the left side of the screen as shown below. Continue to add all parties as they appear in the caption of your initiating document. Use upper and lower-case letters to input names. Do not use all CAPS.]
 - Alias
 - Corporate Parent or other affiliate
 - Attorney

Attorney Civil Case Opening Procedures

Part 7: Functional Icons

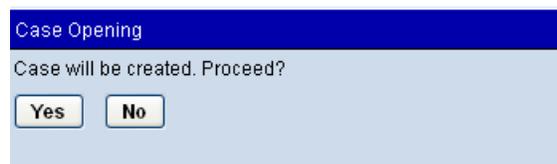
Once all parties are added to the participant tree, please review the information for accuracy. The functional icons displayed next to a participant's name allow you to make the following modifications at this point in the case opening process:

-  Delete this party from this case
-  Add new alias
-  Edit the party or alias

To delete an incorrect party, click on the  icon. Search for the correct party and add the correct party to the case. To make changes to the role or party text fields, click on the  icon. To add an alias, click on the  icon, search for the alias name and select the proper alias type as shown below. To delete an alias, click on the  icon.

Alias Types	Description
aka	also known as
aso	as subrogee of
ata	also trading as
dba	doing business as
fdba	formally doing business as
fka	formerly known as
fta	formerly trading as
nee	born
nka	now known as
obo	on behalf of
other	other
rpi	real party in interest
ta	trading as

Select only when you are finished adding all parties and have reviewed the participant tree>Select *Yes*> If you forgot to add all parties, you will be given another opportunity when filing the initiating document.



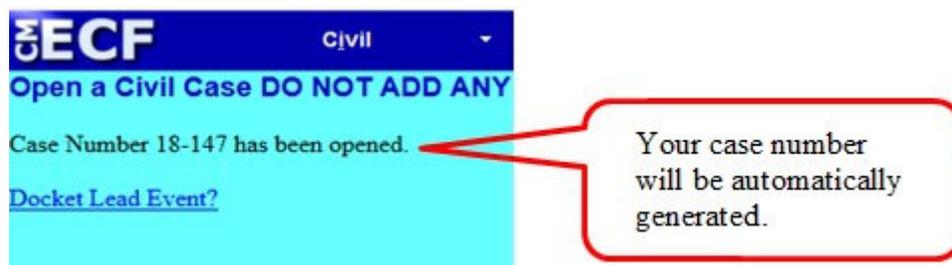
Case Opening
Case will be created. Proceed?

Once the case has been created it is too late to click the back button  on your browser. If you realize you made a mistake, contact the Clerk's office for assistance.

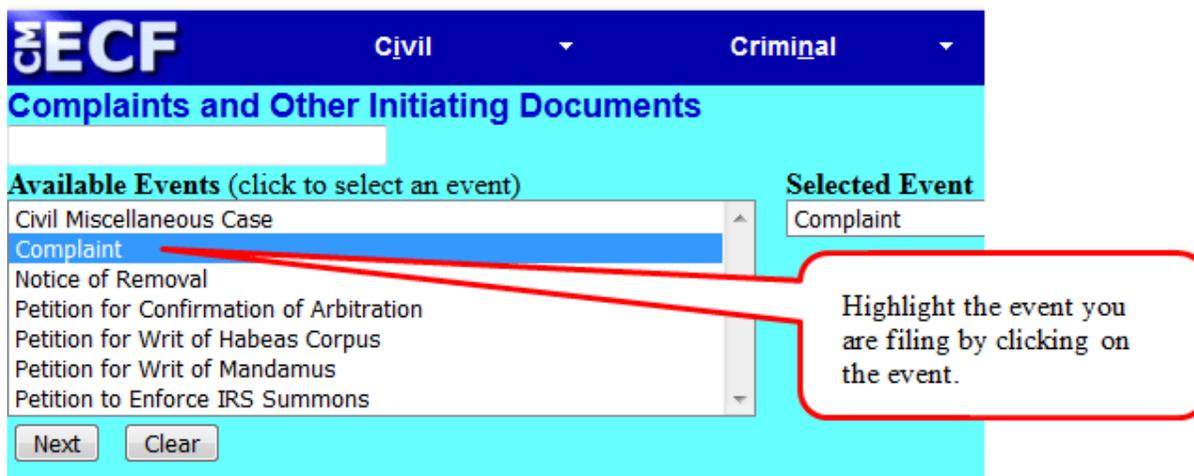
Attorney Civil Case Opening Procedures

Part 8: Docketing Lead Event

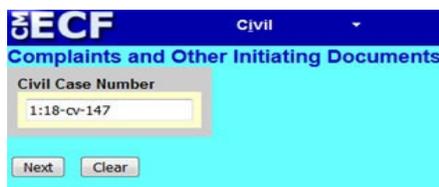
Once the case has been opened, click on the *Docket Lead Event* link.



Now that you have opened the new civil case, you **must** file and docket the initiating documents. All exhibits and supporting documents should be filed as attachments. You should proceed directly to this step after opening the case by selecting the appropriate event.



Select *Next*>*Next*.



Select the filer (Plaintiff or Defendant)>Select *Next*.



Attorney Civil Case Opening Procedures

Check the box to the left of the party name to associate your appearance with the party>*Next*.

The screenshot shows the ECF system interface for case 1:18-cv-00147 Taylor v. Jones. The page title is "Complaints and Other Initiating Documents". Below the case name, it states: "The following attorney/party associations do not exist for the above case(s). Please check the box on the left of the screen for associations which should be created. If the association should not be created, be sure the box is unchecked". There are two checkboxes: one for "Joshua B. Taylor (pty:pla) represented by ntestaty (aty)" which is checked, and one for "Lead" which is unchecked. There is also a checked checkbox for "Notice". At the bottom, there are "Next" and "Clear" buttons.

Select the appropriate party that this filing is against. If you are filing a Notice of Removal, this filing is against the *Plaintiff*. You may choose the *All Defendants* radio button, or, for Notices of Removal, the *All Plaintiffs* radio button and Select *Next*.

The screenshot shows the ECF system interface for case 1:18-cv-00156 Hall v. Williams. The page title is "Complaints and Other Initiating Documents". Below the case name, it says "Please select the party that this filing is against." There are two sections: "Select the Party:" and "Select a Group:". Under "Select the Party:", there is a dropdown menu with "Hall, Seth [pla]" and "Williams, Victor Z. [dft]" selected. Under "Select a Group:", there are four radio buttons: "No Group", "All Defendants", "All Plaintiffs", and "All Parties". At the bottom, there are "Next", "Clear", and "New Party" buttons.

Click *Browse* button for your PDF initiating document, right click and open the document to verify file, click *Open* button to upload and proceed to add your civil cover sheet and exhibits under *Attachments*. Do not attach summons to initiating documents (See page 14 for summons instructions). When you have completed adding attachments, select *Next*.

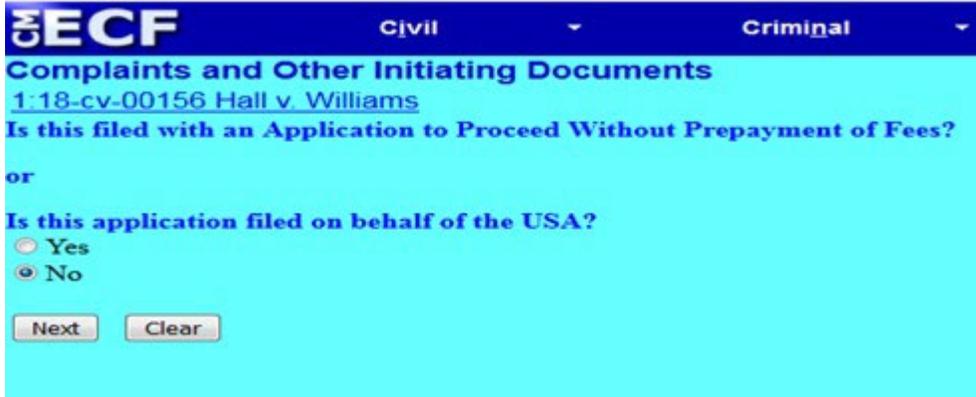
The screenshot shows the ECF system interface for case 1:18-cv-00156 Hall v. Williams. The page title is "Complaints and Other Initiating Documents". Below the case name, it says "Please make your Civil Cover Sheet, an attachment with this document, if applicable." Below that, it says "Select the pdf document and any attachments." There is a "Main Document" section with a "Browse..." button. Below that is an "Attachments" table with columns "Attachments", "Category", and "Description". There is one row with a "Browse..." button, a dropdown menu, and a text input field. At the bottom, there are "Next" and "Clear" buttons.

Attachments	Category	Description
1. <input type="text" value="Browse..."/>	<input type="text" value=""/>	<input type="text" value=""/>

Attorney Civil Case Opening Procedures

Part 9: Filing Fee Information

Unless you are filing on behalf of the USA or filing a Motion to Proceed In Forma Pauperis, you must answer *No* on this screen. Select *Next*.



ECF Civil Criminal

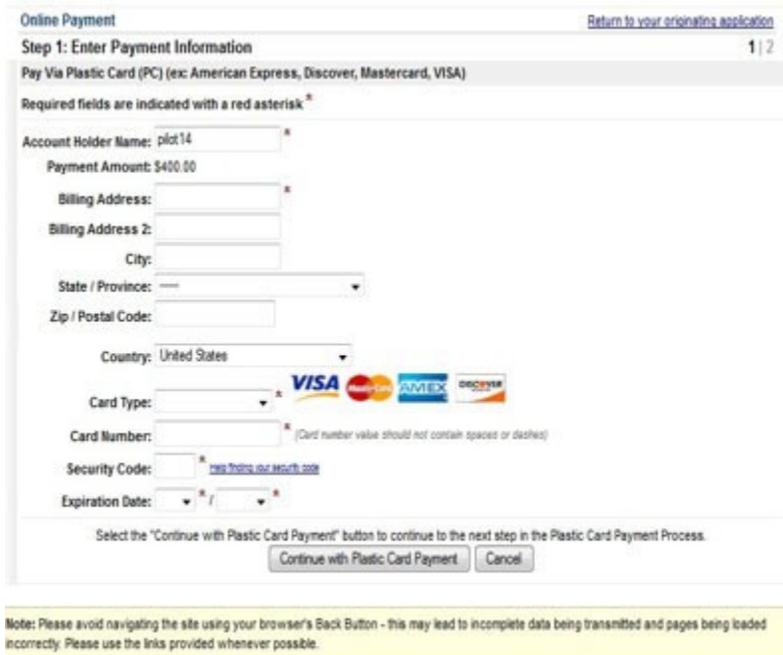
Complaints and Other Initiating Documents
1:18-cv-00156 Hall v. Williams

Is this filed with an Application to Proceed Without Prepayment of Fees?
or
Is this application filed on behalf of the USA?

Yes
 No

Next Clear

The next step is entering your payment information administered by pay.gov. After payment of the filing fee, you **MUST** continue with the docket transaction until its completion. Failure to continue will result in your credit card being charged, with no record of your entry on the docket.



Online Payment [Return to your originating application](#)

Step 1: Enter Payment Information 1 | 2

Pay Via Plastic Card (PC) (ex: American Express, Discover, Mastercard, VISA)

Required fields are indicated with a red asterisk *

Account Holder Name: *

Payment Amount: \$400.00

Billing Address: *

Billing Address 2:

City:

State / Province:

Zip / Postal Code:

Country:

Card Type: * 

Card Number: * (Card number value should not contain spaces or dashes)

Security Code: * [View Help on Security Code](#)

Expiration Date: * / *

Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.

Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

Attorney Civil Case Opening Procedures

Part 10: Completing Your Transaction

On this screen, you may add additional text to the text fields; however, this is unnecessary. Make sure there is a receipt number for the filing fee otherwise it has not been paid. Select *Next* if the docket text is correct.

ECF Civil Criminal Query Reports

Complaints and Other Initiating Documents
1:18-cv-00156 Hall v. Williams

Docket Text: Modify as Appropriate.

COMPLAINT against Victor Z. Williams, filed by Seth Hall. (ntestaty,)

Next Clear

This is the final screen to complete your transaction. If correct, select *Next* and you will have completed the filing of your complaint.

ECF Civil Criminal Query Reports Utilities

Complaints and Other Initiating Documents
1:18-cv-00156 Hall v. Williams

Docket Text: Final Text

COMPLAINT against Victor Z. Williams, filed by Seth Hall.(ntestaty,)

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

Source Document Path (for confirmation only):
C:\fakepath\Training Placeholder.pdf pages: 1

Next Clear

Once the final transaction is submitted, a Notice of Electronic Filing (NEF) is generated, as shown below. If you do not receive a NEF, contact the clerk's office immediately.

ECF Civil Criminal Query

Complaints and Other Initiating Documents
1:18-cv-00156 Hall v. Williams

Notice of Electronic Filing

The following transaction was entered by ntestaty, on 10/3/2018 at 11:51 AM CDT and filed on 10/3/2018

Case Name: Hall v. Williams
Case Number: 1:18-cv-00156
Filer: Seth Hall
Document Number: 1
Judge(s) Assigned: None (please contact the court)

Docket Text:
COMPLAINT against Victor Z. Williams, filed by Seth Hall.(ntestaty,)

1:18-cv-00156 Notice has been electronically mailed to:

1:18-cv-00156 Notice has been delivered by other means to:

ntestaty
Smith & Wesson LLC
555 King St
Suite 310
Alexandria, VA 22310

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

Document description:Main Document
Original filename:n/a
Electronic document Stamp:
[STAMP deefStamp_ID=1091796605 [Date=10/3/2018] [FileNumber=191691-0] [3ef852b150558fa3418a93dcbec68ab2a3516945b4ff5a6a534122dcffid62deb4b0d9749bdb6617cf28e3e57736c834fb7ca0267f0a09eca5828a6868ff86edf]]

After the case is examined by the clerk's office, you will be notified of the Article III Judge assigned to the case.

Attorney Civil Case Opening Procedures

Part 11: Proposed Summons Request

A summons (AO 440) should be filed separately using the *Proposed Summons* event. Before filing any form through CM/ECF please print the document to an Adobe PDF to remove the fillable form fields. This can be accomplished through Adobe Acrobat by clicking on File, Print, and Print to Adobe PDF. Be sure to add the case number to your proposed summons prior to docketing. In the screenshot below, the summons was filed separately and not as an attachment to the initiating documents.

1	Complaint against Darren Jones (Filing fee \$400.00, receipt number 0973-1
2	Proposed Summons by Joshua B. Taylor (ntestaty,) (Entered: 11/29/2018)
3	Financial Interest Disclosure Statement (Local Rule 7.1) by Joshua B. Tayl

Civil Returns of Service Electronically Filed by Attorneys

Step 1

After you have logged in to CM/ECF, select *Civil* on the ECF main menu. The system will display the Civil Events screen. Select *Service of Process* in the *Initial Pleadings and Service* section.

Initial Pleadings and Service

[Complaints, Other Initiating Documents](#)

[Answers to Complaints](#)

[Other Answers](#)

[Amended Complaints and Other Documents](#)

[Service of Process](#)

Step 2

The system will display the Service of Process selection screen. Here you select the specific event you are docketing, such as *Summons Returned Executed*, *Summons Returned Unexecuted*, *Waiver of Service Executed*, *Waiver of Service Unexecuted*, *Certificate of Compliance* or *Certificate Reporting Service*. For this lesson, we will select *Summons Returned Executed*.

Available Events (click to select events)

Acknowledgment of Service

Affidavit of Service

Certificate of Compliance

Certificate Reporting Service

Certificate of Service

Proposed Summons

Request for Waiver of Service

Service by Publication

Summons Returned Executed

Summons Returned Executed as to USA

Summons Returned Unexecuted

Waiver of Service

Waiver of Service unexecuted

Note: Be sure to select *Summons Returned Executed as to USA* if the party being served is a government agency such as U.S. Attorney or Attorney General.

Step 3

The system will display the Case Number screen for you to enter the case in which the summons was issued. The number of the last case accessed will be displayed. If this is the correct case, click *Next*. If it is not, enter the correct case number then *Next*.

Service of Process

Civil Case Number

1:06-cv-2

Next Clear

Step 4

The system will display the **pdf document** screen. Click *Browse* to display the **File Upload** screen and attach your pdf documents by clicking **Open**, then *Next*. If you are filing multiple summonses, scan them in as one document.

Date document filed (mandatory)

2/12/2019 Calendar

Select the pdf document and any attachments.

Main Document

Browse...

Attachments

1. Browse...

Next Clear

Step 5

The system will display the *Select the Party* screen for you to select the filer, then *Next*.

Step 6

The system will display the *Party Served* screen for you to select the party(ies) (defendant) who was served. If multiple defendants were served, hold down the *Control Button* and select all parties served, then *Next*.

Step 7

If the summons was returned executed, the system will display a *Date Served* and *Date Answer Due* screen. On this screen, enter the date the defendant was served in the *Date Served* field, and press *Tab*. The system will automatically generate a proposed answer due date (21 days from the service date) in the *Date Answer Due* field. When filing *Summons Returned Unexecuted*, this screen will not appear.

Enter date served and date answer is due

Party	Claim	Date served	Date answer due
Allstate Insurance Company	- Complaint	3/20/2006	4/10/2006

Next Clear

Note: There is a separate event for service on government agencies, which proposes an answer due deadline 60 days from the service date.

Step 8

The system will display the final docket text screen and chance to correct any errors in this transaction. If the transaction and the text are correct, click *Next*.

Service of Process:
1:06-cv-00002-CMH-TCB Toloza et al v. Allstate Insurance Company

SUMMONS Returned Executed by Lidia Toloza, Alfredo Toloza as to Allstate Insurance Company served on 3/20/2006, answer due 4/10/2006

(ldab,)

Next Clear

Step 9

Pressing the Next button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue. If the transaction is **not** correct, click **Back** on your browser and make the necessary changes. If the transaction and text are correct, then *Next* to receive a NEF.

Service of Process:
[1:06-cv-00002-CMH-TCB Toloza et al v. Allstate Insurance Company](#)

Docket Text: Final Text
SUMMONS Returned Executed by Lidia Toloza, Alfredo Toloza as to Allstate Insurance Company served on 3/20/2006, answer due 4/10/2006 (ldab,)

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

Source Document Path (for confirmation only):
 C:\Users\ldabbene\Desktop\Mailing Label.pdf pages: 1

Step 10

The system will display the Notice of Electronic Filing (NEF) screen. The NEF is verification that the filing has been filed and sent to all filing users.

Service of Process:
[1:06-cv-00002-CMH-TCB Toloza et al v. Allstate Insurance Company](#)

Notice of Electronic Filing

The following transaction was entered on 2/12/2019 at 9:57 AM CST and filed on 2/12/2019

Case Name: Toloza et al v. Allstate Insurance Company
Case Number: [1:06-cv-00002-CMH-TCB](#)
Filer: Lidia Toloza
 Alfredo Toloza

Document Number: [4](#)

Docket Text:
SUMMONS Returned Executed by Lidia Toloza, Alfredo Toloza as to Allstate Ins

1:06-cv-00002-CMH-TCB Notice has been electronically mailed to:

Ted Tunney gvsubmom@aol.com

Note: It is the responsibility of the filing user to send paper copies of pleadings and NEF to any non-filing user.