

SUMMARY OF ELECTRONIC FILING REQUIREMENTS

Attorneys are required to file all documents electronically beginning December 15, 2008. Attorneys must register with the PACER Service Center as a Filing User. The PACER Service Center notifies the clerk's office, which will check that the attorney is admitted to the bar of the court and will then approve the registration. This process can take a few days.

COMMUNICATION FROM CLERK'S OFFICE

Filing User: Notice of Docket Activity

Non-Filing User: Paper

FILING WITH THE CLERK'S OFFICE

Forms

Attorneys: electronic only

Pro Se Litigants: may file electronically or in paper

Motions (including attachments or exhibits)

Attorneys: electronic only

Pro Se Litigants: may file electronically or in paper

Briefs

Attorneys: electronic and ten (10) paper copies

Pro Se Litigants: may file electronically or in paper; if filing electronically, must also file ten (10) paper copies.

Appendix

Attorneys: electronic and four paper copies

[Note: There is a 5 MB limit on size for PDF documents. If the document exceeds 5 MB, it must be filed in separate volumes. Sealed documents should be filed as a separate sealed volume.]

Pro Se Litigants: may file electronically or in paper; if filing electronically, must also file four paper copies

Post-judgment (petition for rehearing, bill of costs, stay of mandate, etc.)

Attorneys: electronic only

Pro Se Litigants: may file electronically or in paper

Sealed documents

File as above, i.e. attorneys must file all documents electronically; briefs and appendices

to be filed electronically and in paper. Docketing system automatically locks sealed documents so that they can not be viewed by non-parties. Pro se litigants may file in paper or electronically.

Ex Parte motions

Attorneys: paper only

Pro Se litigants: paper only

Case Originating Documents (i.e. there is no case in the court of appeals yet, e.g. petition for writ of mandamus, petition for review of agency order, petition for permission to appeal)

Attorneys: paper only; if case is an emergency, call clerk's office to get permission to e-mail.

Pro Se litigants: paper only

SERVICE

On Filing User: Notice of Docket Activity sent automatically by cm/ecf is sufficient. Certificate of Service must state that service was through cm/ecf. Registration as a Filing User is consent to accepting electronic service through cm/ecf. Check court docket to determine if opposing party is a Filing User.

On Non-Filing User (e.g. pro se litigant): Must serve paper copies unless party has consented to other form of service such as e-mail. Certificate of Service must state how service was accomplished.

SIGNATURES

Electronic signatures or /s typed name are acceptable on E-documents

Paper documents must be signed.

ACCESS TO DOCUMENTS ON PACER

Remote electronic access to documents in immigration cases and social security cases is limited to parties to the case. Non-parties can view documents by coming to the clerk's office.

Remote electronic access to appendices in criminal cases is limited to parties to the case. Non-parties can view appendices in criminal cases by coming to the clerk's office.

Remote electronic access to sealed documents is limited to parties to the case. Non-parties can **not** view sealed documents either remotely or by coming to the clerk's office.