

THIRD CIRCUIT'S FREQUENTLY ASKED QUESTIONS (FAQs)

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- What do I do if I am trying to attached my pdf document and the hour-glass is idle for a long time?
- I am a Macintosh user who has installed the June release of Java 1.6 provided by Apple. My browser is showing an error while downloading the JNLP file, what should I do?
- The website I am viewing does not appear properly (menus are not expanding, etc.). Why?
- The documents I am attaching creates a “Bad Annotation” error message. What can I do to fix this error?
- I am not receiving the Notice of Docket Activities (NDAs) in the cases where I’ve filed an appearance form.

REGISTRATION

How do I register to be a filer?

Answer - An ECF password and login are required to file documents in ECF. The first step is obtaining an ECF password and login for the Third Circuit from the PACER Service Center at <http://pacer.psc.uscourts.gov/> . Once on the PACER site select the "Appellate ECF Filer Registration" option. Or, you may go to the [Third Circuit CM/ECF](#) web site. Select the second option in the box to the left titled “CM/ECF Filer Registration.”

Must I register before I can file through ECF?

Answer - Yes. You cannot file through ECF until you register and the court approves you as an ECF filer. See L.A.R. MISC. 113.2

How long after I register can I file something?

Answer - The registration process could take up to 48 hours. It is best to register far in advance of any Court due dates as possible.

Do I have to register if I have a PACER account and a CM/ECF account at another court?

Answer - Yes. Your CM/ECF account is an authorization to file in a specific court, and it is separate from your nationwide PACER account. You must register for every court where you intend to be a filer. If you are already registered as an ECF user with another appellate court, please review the instructions to become registered in the Third Circuit Court.

How can I get my co-counsel/support staff added to receive notification for my case(s)?

Answer - From the Third Circuit CM/ECF website, select the option "CM/ECF Account Update." You can modify your user profile through PACER. Indicate co-counsel/staff in the additional e-mail field.

I am a court reporter. How do I register to be a filer?

Answer - You would register the same way as other ECF filers. You should identify yourself as a court reporter during the registration process. At the Personal Information page, you will see a set of radio buttons labeled "Are you." You will select the **a court reporter** radio button on the first page in the registration form.

Is there any special training or requirements in order to register and file in ECF?

Answer - Yes. If you are an attorney, must to be a member of the Third Circuit's bar in order to file documents through ECF. There are no training requirements, but the court strongly recommends that users review the CM/ECF User Manual. We have a training database, which is available for users to practice filing documents. You may also check the Third Circuit's CM/ECF website for upcoming training sessions.

How can I obtain my username/password if I forgot it?

Answer - PACER maintains all username and passwords for ECF. You can contact the PACER service center directly, or following the instructions for forgotten username/password.

CM/ECF DOCKETING

I received an error which indicated that my username and/or password is incorrect?

Answer - There could be several reasons why you received this error:

If you are using a username and password that is for a District or Bankruptcy Courts, the username and password will not work for the Third Circuit CM/ECF system. You must register with the individual appellate court to become an ECF filer.

If you did register for a username and password from the Third Circuit, check to see if you received an e-mail indicating that your account status is "active." If not, wait for the e-mail from the PACER Service Center advising you of your account status. Your username and password does not take effect immediately. The Clerk's Office must review each registration and this could take several days.

On the previous screen, make sure you selected the hyper link titled "CM/ECF Document Filing System." If you selected any other hyper link on the previous page, the username and password will not work.

How can I find out if a case participant is receiving electronic notice?

Answer - You should access the Docket Report via PACER. If a participant is listed on the docket report with an e-mail address, he/she is receiving electronic notice.

Is there a list of filing categories and types of motions?

Answer - Yes. There is an Event and Relief list in the [CM/ECF User Manual](#), which you can find on the Third's Circuit's CM/ECF website.

What is the latest time that a filing can be made?

Answer - Filings through the CM/ECF system are timely, as of, 11:59 pm on the due date. There are exceptions to this time if the Clerk or Court specifies a specific hour or time for filing such as "4:30 pm" or "by the close of business."
See L.A.R. MISC. 113.3 (c)

Is electronic filing mandatory in the Third Circuit?

Answer - Yes. Electronic filing is mandatory for attorneys and court reporters as of December 15, 2008, unless you ask for and are granted an exemption. Pro Se litigants are exempt from mandatory electronic filing. They may continue to file documents with the Clerk's office in paper. See L.A.R. MISC. 113.2

Does my document need a Certificate of Service?

Answer - Yes. A Certificate of Service is required for all filings. The Certificate of Service should be the last page of the document. See L.A.R. MISC. 113.4 (c)

Do I need to send the Clerk a paper copy of a document filed through CM/ECF?

Answer - Case-initiating documents in original proceedings in the Third Circuit must be filed in paper format only. Briefs and appendices should be filed electronically and in hard copy form. Unless prescribed by local rule or court order, all other documents should be filed electronically. See L.A.R. MISC. 113.1 (a) (b)

Where do I locate the forms requested by the Court?

Answer - All of the forms that are requested by the Court are on the Third Court's website at www.ca3.uscourts.gov. All of the forms are PDF writable, however, you can only save your text if you have the appropriate software. If you are unable to save your edited form, please print out the completed form and scan as a pdf document.

I just entered my appearance form, however, when I file the next document I receive an error to contact the Court.

Answer - At the time the Clerk's Office receives an entry of appearance through ECF, the Clerk's Office must take certain action in order for an attorney to file subsequent documents. Although case opening forms or statements may be filed at the time an appearance is entered, the Clerk's Office is required to first perform database maintenance prior to an attorney filing other documents such as motions, responses, and briefs. As a result, appearances should be filed as soon as possible and prior to the time for filing a motion, response or brief.

TECHNICAL (In the first instance, you should check with your local system administrator when experiencing any technical issues).

I want to use a form on the Court's website, but I am unable to save the information I filled in. What do I do?

Answer - To save the information entered in the PDF forms, you must have an application that will let you save filled in PDF forms, such as Adobe Acrobat Writer. If you do not have such an application, fill in the form and print it. Scan the printed, filled in version of the form, save the scanned file as a PDF and attach it to your filing.

When I try to file my document, I get an XML Tampering Error and cannot proceed. What should I do?

Answer - There are several reasons you may get an error:

- Clear the browser cache and cookies.
- Make sure the document is being uploaded from a local drive.
- The file name of the PDF you are attaching has special characters, such as letters with accents. CM/ECF does not accept special characters in file names. To fix the problem, rename the PDF and try again.
- You entered a special character in the **Description** field for the PDF you are attaching. CM/ECF does not accept special characters in text fields. To fix the problem, change the text in the **Description** field so that there are no special characters.
- The PDF you are attaching was created with Adobe Acrobat 9 and you did not change the settings to make the PDF compatible with CM/ECF. See http://www.ca3.uscourts.gov/ecfwebsite/AdobeAcrobat9_CMECF.pdf for a possible solution.

When I try to file my document, I get an Error Parsing PDF message and cannot proceed. What should I do?

Answer - The PDF you are attaching was created with Adobe 9 and you did not change the settings to make the PDF compatible with CM/ECF. See [Adobe 9 and CM/ECF Compatibility](#) for a possible solution.

I have logged into the system using my password and login, however I get a blank gray screen?

Answer - The problem may result from not having an updated version of Java on your computer. The solution may be as simple as loading the latest version of JAVA by going to www.java.com . Review the technical CM/ECF issues located on the Third Circuit CM/ECF website. The information will reference the software that is necessary for the system to function.

Why do I get a message indicating “you must enable cookies” after I enter my login and password?

Answer - There are several solutions that may correct this problem.

1. You can enter your username and password for a second time and it usually takes you to the application.

OR,

1. Verify that the recommended browser is being used (i.e. Internet Explorer or Firefox).
2. You may set your PC to accept all cookies.
3. Delete your existing cookie files.
4. Add the following as trusted sites:
 - a. <https://ecf.ca3.uscourts.gov>
 - b. <http://www.ca3.uscourts.gov>

What can I do to ensure I do not exceed the PDF size limit (currently 5mb)?

Answer - When creating PDF documents for the purpose of filing in CM/ECF, it is recommended they be converted directly from the word processing program. If scanning is your only option to create a PDF, be sure to set your scanner to black & white and 300 DPI/PPI (Dots Per Inch/Pixels Per Inch). Because every document is different (due to font size, spacing, graphics/pictures, etc.), we are unable to tell you how many pages 5mb can hold. If your scanned document is larger than the limit, you can separate it into multiple smaller files. FYI - Multiple files can be attached to a single event/transaction. The current size limit per event/transaction is 25mb.

What can I do if I am trying to attached my pdf document and the hour-glass is idle for a long time?

Answer - Normally this happens if you bypassed the security question which asks do you want to always trust this site. If you bypassed this message:

1. Cancel your docketing event.
2. Log out of CM/ECF
3. Log into CM/ECF
4. Put a check mark in the security question box and proceed with filing your document.

I am a Macintosh user who has installed the June release of Java 1.6 provided by Apple. My browser is showing an error while downloading the JNLP file, what should I do?

Answer - If the browser on the Macintosh shows an error in downloading the JNLP file, check the application association. Apple has moved Java from
/Applications/Utilities/Java/Java Web Start to a new location:

/System/Library/CoreServices/Java Web Start

This can be changed in the browser preferences. In our testing, the Safari browser worked immediately after installing the Apple Java patch, but the Firefox browser needed the manual change described above.

Note: all public filer functionality will now work on a Macintosh with the Java for Mac OS X 10.5 Update 4 Patch (which installs Java 1.6 Update 13).

The website I am viewing does not appear properly (menus are not expanding, etc.). Why?

Answer - If you are using Internet Explorer 8, you should know that it is a new release and some websites may not be ready for the new browser. Click the Compatibility View toolbar button to display the website as viewed in Internet Explorer 7, which will correct display problems like misaligned text, images, or text boxes. For more information, please use the following link:

<http://www.microsoft.com/windows/internet-explorer/features/easier.aspx>

The documents I am attaching creates a “Bad Annotation” error message. What can I do to fix this error?

Answer - This error normally appears when one is combining scanned and previously created pdfs into a single document. To correct this error you should print the entire document to pdf provided you have that capability, if not, re-scan the entire document.

I am not receiving the Notice of Docket Activities (NDAs) in the cases where I’ve filed an appearance form.

Answer - Confirm that your profile and email account are set up correctly:

- ✓ The email address identified in your profile is correct.
- ✓ The NDA is not going to a spam account.

Once you have confirmed these two issues and you still do not receive your NDAs contact the helpdesk at 267-299-4970.