

Electronic Filing in the U.S. District Court Northern District of Illinois

Reference Guide

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Table of Contents

I. CM/ECF vs. PACER

What is CM/ECF? What is PACER? Do I need both a PACER account and a CM/ECF account to be an e-filer?

II. CM/ECF Account Access and System Requirements

What hardware and software do I need to use CM/ECF and PACER ?

How do I register for a CM/ECF Account?

Is the system available 24 hours a day, 7 days a week?

I submitted a completed registration form, but I have not yet received my login and password. How can I check on the status of my account?

Why is my login failing?

Occasionally, CM/ECF will fail to show the correct menu options, or will begin acting strangely after it has worked for some time. What can I do to correct this?

What do I do if I have forgotten my password?

How do I change my CM/ECF password?

Can my firm have a single CM/ECF account, or do I have to have my own account? Can the general public view CM/ECF cases and documents in the Clerk's Office or via the Internet?

III.PACER

How can I get a PACER account?

My law firm has a single PACER account. Can I use that, or do I need my own PACER account?

IV. Filing and Viewing Documents

What are the rules and procedures regarding filing electronically?

How can I get training on how to file electronically?

Check list for Electronically Filing a Document

What kind of notification does the attorney of record receive on a case?

When I click on the document link in my email, it prompts me for a login and password.

How many times will I be able to view my case documents as an e-filer? What constitutes a page in CM/ECF for PACER billing purposes?

Are there fees associated with e-filing?

What electronic versions of documents (images) are available?

What type of file attachments and file names will be accepted by CM/ECF?

How do I add counsel to a case?

How do I add additional email addresses so someone else in my office can receive Notices of Electronic Filing?

Can I combine separate exhibits in a single attachment?

The exhibits I need to file with my main document are too large. What can I do?

Can I combine a motion and a notice of motion in a single electronic filing?

How do I add a signature to a document I am filing electronically?

Does a certificate of service need to be included with documents filed electronically? I noticed that I made a mistake in the electronic filing. What do I do? How do I know if my electronic filing was successful? Avoid the "Top" Filing Errors

I. CM/ECF vs. PACER

What is CM/ECF?

The Case Management/Electronic Case Filing System (CM/ECF) is the Court's electronic system for receiving, recording, docketing, filing, and retrieving pleadings and other court documents in electronic form. CM/ECF is also capable of generating, recording, retrieving, and transmitting court orders and notices in electronic form. Each CM/ECF registered user is required to have his or her individual account, login, and password. To access CM/ECF, please <u>click here</u>.

What is PACER?

Public Access to Court Electronic Records (PACER) 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 via the Internet. PACER is provided by the federal judiciary in keeping with its commitment to providing public access to court information via a centralized service. To access PACER, please <u>click here</u>.

Do I need both a PACER account and a CM/ECF account to be an e-filer?

Yes, you need both a CM/ECF account and a PACER account. Your PACER account gives you the ability to read case dockets and view electronic images of documents. Your CM/ECF account gives you the ability to electronically file a document with the Court.

II. CM/ECF Account Access and System Requirements

What hardware and software do I need to use CM/ECF and PACER ?

- PC or MAC
- Pentium III or higher
- Minimum 256MB RAM
- A high-speed Internet connection
- Acrobat Reader 4.0 or higher
- Acrobat Writer 4.0 or higher, to publish Microsoft Word documents to PDF Format. To access this document, please <u>click here</u>.
- Internet Browser: Although other browsers including Internet Explorer (IE) can be used to access CM/ECF and PACER, Mozilla Firefox is the recommended internet browser.
- A scanner to transmit documents.

How do I register for a CM/ECF Account?

CM/ECF accounts are provided to attorneys who have completed the District Court's training program, who are already registered as an e-filer in another district or bankruptcy court, or who have received training in e-filing from their firm, or are attorneys

representing the United States in their official capacity. If you meet one or more of these criteria, please <u>click here</u> to apply for an e-filing account. For additional information about account access please see the Eligibility, Registration, and Passwords section of the General Order on Electronic Case Filing. To see this order, please <u>click here</u>.

Is the system available 24 hours a day, 7 days a week?

Yes. With the exception of 7:00 a.m. through 7:30 a.m. on Fridays, which is reserved for routine system maintenance, CM/ECF is available 24 hours a day, 7 days a week. The system may be down temporarily on other occasions, if an unplanned need for maintenance arises.

I submitted a completed registration form, but I have not yet received my login and password. How can I check on the status of my account?

If <u>more than three days</u> have passed since you submitted your registration form, you can check on the status of your account by calling the CM/ECF HelpDesk (312) 435-5671 or (312) 582-8727.

Why is my login failing?

The system is case sensitive. <u>If you have the CAPS lock on, your login will fail.</u> Also, be sure that you are not using your PACER login to try to access your CM/ECF account. <u>Do not copy and paste login and password, instead type it in.</u> You can also try to clear the cache of your computer.

In Mozilla Firefox (*the recommended browser*) Click the **Tools** menu and then select **Options**. Click **Advanced** on the top right of the screen. Click the **Clear Now** button next to Cache.

In Internet Explorer

Click the **Tools** menu and then click **Internet Options.** Under Browsing History, Click **Delete** Make sure Preserve Favorites, website data, and Temporary Internet Files are the only boxes checked

Occasionally, CM/ECF will fail to show the correct menu options, or will begin acting strangely after it has worked for some time. What can I do to correct this?

Right click in the browser's window and select refresh Internet Explorer. If that does not bring back all options, have the user clear their cache or temporary Internet files (see instructions below).

What do I do if I have forgotten my password?

Call the CM/ECF HelpDesk at (312) 435-5671 or (312) 582-8727. The deputy clerk will provide you with an email address. Email your name, previous and current email address

registered with your CM/ECF account, firm name, and ARDC# with the request that your password be reset. If you have changed firms, indicate the names of your previous and current firm in your email. Requests for resetting a password will only be honored if the email comes from the e-filer. For security reasons, requests will not be accepted from a general email address or from anyone other than the e-filer. The ability to reset passwords is limited and may take up to one business day. <u>CM/ECF will send the reset password</u> to the last associated email account.

How do I change my CM/ECF password?

Please refer to the instructions available in the User Guide. To access the User Guide please <u>click here</u>.

Can my firm have a single CM/ECF account, or do I have to have my own account?

Each attorney must have his or her own CM/ECF account. Your account login and password identify you as a specific attorney; therefore, you may not share your CM/ECF with another attorney.

Can the general public view CM/ECF cases and documents in the Clerk's Office or via the Internet?

Yes. Terminals providing free public access to case data in CM/ECF without the need to have a PACER login and password are available in the Clerk's Office, located in Chicago on the $20_{\rm th}$ floor of the Dirksen Courthouse, 219 South Dearborn. Public terminals are available on the $2^{\rm nd}$ floor of the Clerk's Office in the Rockford, Illinois courthouse located at 327 South Church Street. The Clerk's Office is open to the public Monday through Friday, 8:30 a.m. through 4:30 p.m., except for legal holidays. There is a separate fee for copies made by the Clerk's Office. To access the fee schedule, please click here.

The public can also access case data in CM/ECF through the Internet, unless it has been sealed by the court. To have access to case dockets and electronic documents using the Internet, you must have an account in the Public Access to Electronic Court Records (PACER) system, charges do apply.

III. PACER

How can I get a PACER account?

You may call the PACER Service Center toll free at (800) 676-6856 between 8 a.m. and 6 p.m. Central Standard Time or go to the PACER Service Center's Registration website. To go to this website, please <u>click here</u>.

My law firm has a single PACER account. Can I use that, or do I need my own PACER account?

You may use your firm's PACER Account.

IV. Filing and Viewing Documents

What are the rules and procedures regarding filing electronically?

Please refer to General Order on Electronic Case Filing for rules regarding filing electronically. To access the General Order, please <u>click here</u>.

How can I get training on how to file electronically?

Free training classes are offered at the Dirksen Courthouse. For more information, see the training links on the Court's website.

To register for E-filing training class:

For the In-Class, Instructor-Led E-Filing Training Classes, please <u>click here</u>.

For the **On-line**, Instructor-Led E-Filing Training Class, please <u>click here</u>.

Check list for Electronically Filing a Document

- □ The attorney logged into CM/ECF must be same attorney whose name appears on the signature line. Your account login and password identify you as a specific attorney; therefore, you may not share your CM/ECF with another attorney.
- □ Verify that the case number listed is correct.
- □ Check your documents and exhibits before filing, to ensure that they are less than 20 megabytes each and do not exceed 40 megabytes for the total document.
- □ To ensure that you are selecting the correct event, Click SEARCH in the blue bar and then type in the name of your pleading that matches the title of your document, if it is correct then click Search in the gray bar. Then select the correct event that matches your document and follow the prompts.
- □ If filing a motion for leave to file a document, file the subject document as an **attachment** to the motion. Label the subject document appropriately.
- □ If filing a notice of motion, please <u>click here</u> for instructions.

□ Contact the CM/ECF HelpDesk at (312) 435-5671 or (312) 582-8727, if you believe you have made an error.

What kind of notification does the attorney of record receive on a case?

All registered CM/ECF e-filers will receive an email notification of all filings, which include a hyperlink to the document. (*Found in the "#" column on the docket. Please note that hyperlinked documents are underlined.*) Participants who are not registered users must be mailed a copy of the filing by the attorney filing electronically

When I click on the document link in my email, it prompts me for a login and password.

- 1. In civil cases, the first time you click on a document link in your email, the system should display the document without requiring a login. For each subsequent viewing, you will be required to log into PACER and pay a fee. To access PACER, please click here. To access the fee schedule, please click here.
- 2. In criminal cases, the first time you click on a document link in your email, the system requires you to enter your CM/ECF login and password. Next, you need to enter your PACER login and password. You will not be charged the first time you view a criminal document.
- 3. For Civil Social Security cases, the first time you click on a document link in your email, the system requires you to enter your CM/ECF login and password. Next, enter your PACER login and password. You will not be charged the first time you view a document. If you do not have a PACER login and password, contact the PACER Service Center at (800) 676-6856 or the PACER Service Center's website. To access the PACER service center, please click here.

How many times will I be able to view my case documents as an e-filer?

A Notice of Electronic Filing (NEF) is sent to all emails linked to each CM/ECF account, for each e-filer listed on the docket. Only the first viewing of the electronic filing is free for each account regardless of whether the first viewing is done from the primary or any secondary email addresses on the account. To access the PACER fee schedule, please click here.

What constitutes a page in CM/ECF for PACER billing purposes?

Billable pages are calculated in two ways in CM/ECF

PACER uses a formula to determine the number of pages for an HTML formatted report. Any information extracted from the CM/ECF database, such as the data used to create a docket sheet, is billed using a formula based on the number of bytes extracted (4320 bytes equal approximately one page).

For a PDF document, the actual number of pages are counted in order to determine the number of billable pages.

A transaction receipt and the Review Billing History option are provided under Utilities for reviewing charges. Also, Review Transaction History is available on the PACER Service Center site in Account Information for reviewing transactions from all courts. The transactions are updated on the PACER Web Site by the middle of each month.

Are there fees associated with e-filing?

There are no fees to file electronically. For viewing documents in cases, you get one free look at documents that are filed in cases in which you are an attorney of record. For each subsequent viewing, you will be required to log in to PACER and pay the requisite fee. To access PACER, please <u>click here</u>. To access the fee schedule, please <u>click here</u>. We strongly recommend that you print or save the document during the first viewing to avoid these charges.

To view Local Rule 5.2 Form of Documents Filed, please click here.

What electronic versions of documents (images) are available?

Civil Cases	Initiating documents, e.g., complaints, and orders filed after 3/1/2000. Motions and responsive pleadings filed after 12/01/2001. All documents, except lengthy exhibits, filed after 10/1/2002. All documents filed after 10/26/2007.
Criminal Cases	The same criteria apply to criminal cases except that documents filed in criminal cases may be viewed via the Internet only by case participants, <i>i.e.</i> , attorney and defendants.

What type of file attachments and file names will be accepted by CM/ECF?

CM/ECF will only accept documents in Portable Document Format (PDF). Documents may be printed, published or scanned to PDF format. Please see the section called Documents, Attachments, and Exhibits of the General Order on Electronic Case Filing. To access this additional information, please <u>click here</u>.

The system will not allow you to upload a file name with a space before the period, e.g. "Exhibit2.pdf". Additional allowable file name characters are alphanumeric characters (A-Za-z0-9), underscores (_), and dashes (-).

How do I add counsel to a case?

To add counsel in a case, electronically file an attorney appearance. For instruction on how to do this, please <u>click here</u>.

How do I add additional email addresses so someone else in my office can receive Notices of Electronic Filing?

Please refer to the instructions available in the User Guide. To access these instructions, please <u>click here</u>.

Can I combine separate exhibits in a single attachment?

Check your documents and exhibits before filing to ensure that they are less than 20 megabytes each and do not exceed 40 megabytes for the total document. If you combine exhibits, be sure to label the attachment appropriately, e.g., Exhibits A through D. To check your file size, right-click your file and select properties.

The exhibits I need to file with my main document are too large. What can I do?

Subdivide the exhibits, and identify each attachment appropriately, e.g., Exhibit A, Part 1, Exhibit A, Part 2.

Can I combine a motion and a notice of motion in a single electronic filing?

No. The Motion and the notice of motion **must be filed separately**. In addition, the motion must be filed **before** the notice of motion.

How do I add a signature to a document I am filing electronically?

The requirements for signing a document that you are filing electronically are set out in the Signatures of E-Filers section of the General Order on Electronic Case Filing. To access the General Order on Electronic Case Filing, please <u>click here</u>.

Electronically filed documents must include a signature block. The name of the electronic filer must be preceded by an "/s/" and typed in the space where the signature would otherwise appear. These requirements are described in the section called Definitions of General Order of Electronic Case Filing. To access the General Order on Electronic Case Filing, please <u>click here</u>.

Example:	/s/ John Doe
	Attorneys R Us
	111 South First Street
	Anytown, Illinois 11111
	(555) 555-5555

Does a certificate of service need to be included with documents filed electronically?

The General Order on Electronic Case Filing requires that a certificate of service be included with all documents filed electronically when service is made to any party who is not an e-filer or is not represented by an e-filer. The certificate of service may be

included with the main document being filed or linked as an attachment to the main document. If all parties are represented by e-filers, no certificate of service is required.

If all parties are not e-filers, then a certificate of service must be presented or filed. These requirements are described in the section called Service of Documents by Electronic Means of General Order on Electronic Case Filing. To access the General Order on Electronic Case Filing, please <u>click here</u>.

The Serving and Filing of Pleadings is subject to the provisions of Federal Rules of Civil Procedure (Fed. R. Civ. P.) Rule 5. As to all E-filers in a case assigned to ECF, the Notice of Electronic Filing constitutes service under Federal Rules of Civil Procedure, Rule 5 Serving and Filing, Pleadings and Other Papers and under Federal Rules of Criminal Procedure (Fed. R. Crim. P.) Rule 49, Serving and Filing Papers. To access the Federal Rules of Civil Procedure, please <u>click here</u>. To access the Federal Rules of Criminal Procedure, please <u>click here</u>.

I noticed that I made a mistake in the electronic filing. What do I do?

If you believe that you have made an e-filing error that needs to be corrected, contact the CM/ECF HelpDesk at (312) 435-5671 or (312) 582-8727.

How do I know if my electronic filing was successful?

The last screen you see when you electronically file a document is the (NEF). If you see the NEF, you know that your filing was successful. Another way to verify your filing is to view a copy of the case docket. If you do this, standard PACER fees will be charged. To access the PACER fee schedule, please <u>click here</u>.

Avoid the "Top" Filing Errors

#1 Wrong Event

Contact the CM/ECF HelpDesk at (312) 435-5671 or (312) 582-8727.

#2 Wrong or No Electronic Signature

The attorney logged into CM/ECF must be same attorney whose name appears on the signature line. The electronic signature, typed at the signature line of the document, consists of the characters /s/ and the attorney's name typed out. For example, /s/ John Doe is a properly formatted electronic signature. If you support multiple attorneys, verify the name of the attorney on the final docket text screen to make sure you are filing under the correct attorney e-filing account. For additional information, see Federal Rules of Civil Procedure Rule 5, Serving and Filing Pleadings and Other Papers. To access Federal Rules of Civil Procedure, please click here. Also, please see the Federal Rules of Criminal Procedure (Fed. R. Crim. P.) Rule 49, Serving and Filing Papers.) To access Federal Rules of Criminal Procedure, please click here.

#3 No Motion linked to Notice of Motion

Verify that you have linked the motion being noticed to the Notice of Motion.

To avoid any other filing errors, please see our walkthrough guides. To access the walkthrough guides, please <u>click here</u>.