

EMERGENCY PROCEDURES FOR THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

PLEASE PRINT THIS EMERGENCY INFORMATION FOR YOUR RECORDS IN CASE THIS WEBSITE FAILS. CHECK THE INFORMATION PERIODICALLY FOR UPDATES.

If at some future date this website (<http://www.txnd.uscourts.gov>) is not operational due to an emergency condition affecting the District Court, you may go to our alternate website (<http://coop.txnd.uscourts.gov>). Our website will regularly post updated emergency procedure content. You may also call the main telephone number of the divisional office where your case is pending. If your call is not answered by a clerk's office employee, please listen to any recorded message that may be provided for information about the operational status of that divisional office.

Whenever the telephone system for a divisional office is not working, call the first alternate divisional office on the succession list of divisional offices provided at the bottom of these instructions. If the telephone system of the first alternate divisional office is not working, call the second alternate divisional office.

These emergency procedures are to be used to submit a document for filing **when there is an emergency affecting the operation of the divisional office where your case is pending, and/or the court's CM/ECF system, which prevent you from submitting a document for filing in the ordinary course.** These procedures are to be used during the emergency **unless you are otherwise directed by a judge in an individual case.**

If you are unable to file a document electronically in a case that has been designated for electronic filing due to a technical failure or system outage **that affects you and not the court's CM/ECF system** (for example, you are unable to file a document electronically because your firm's computer network is down), then [click here](#) for instructions.

I. Filers Requesting Immediate Review

If you have a document, such as a motion for a temporary restraining order, that must be seen by a judge immediately, call the divisional office where your case is pending. If you call during business hours and the telephone system for the divisional office is not working, then contact the deputy in charge for an alternate divisional office pursuant to the succession list of divisional offices at the end of these instructions.

II. ECF Filers

A. Continue to Use CM/ECF

If you are an ECF filer, the CM/ECF system should still be available to you even if the divisional office where your case is pending is not operational due to an emergency closure. Continue to submit your document electronically as usual.

You may access CM/ECF directly at <https://ecf.txnd.uscourts.gov>. If you have difficulty accessing the CM/ECF system during business hours:

- contact the CM/ECF help desk for assistance in Amarillo (800-596-9414), Dallas (866-243-2866), or Fort Worth (800-240-7240);
- use the [ECF On-Line Help](#) system; or
- contact the deputy in charge for the divisional office where your case is pending. If you call during business hours and the telephone system for the divisional office is not working, then contact the deputy in charge for an alternate divisional office pursuant to the succession list of divisional offices at the end of these instructions.

B. If a Deadline Will be Missed, Use This Alternate Procedure

Use this alternate procedure to submit a document electronically **only** if all three of the following conditions are met:

- you are an ECF filer;
- you cannot submit your document for filing using the CM/ECF system because the CM/ECF system is not working (if the CM/ECF system experiences a technical failure, a notice will be posted on the court's website); and
- you are in **danger of missing a filing deadline**.

CAUTION: If you use this procedure because of an emergency affecting you, even though the CM/ECF system is working, or you otherwise do not satisfy one or more of these three conditions, the presiding judge may direct the clerk's office to unfile the document.

Step 1: Prepare an e-mail message that clearly states why you must submit the document for filing in this manner. Specify your filing deadline, and the date and time(s) when you attempted to submit the document using the CM/ECF system.

Step 2: Ensure that your document is in Portable Document Format (PDF).

Step 3: Attach the PDF document to an e-mail message and send the message to:

USDCemergency@mail@txnd.uscourts.gov

Step 4: Keep proof of the date and time when you sent this e-mail in case a question about the filing date arises.

C. Second Alternate Procedure

Use this second alternate procedure if you satisfy all three conditions for submitting your document for filing using the first alternate procedure in B., above, but you cannot complete the first alternate procedure.

Under this circumstance you may submit an electronic or paper version of your document to the clerk's office for filing. Contact the deputy in charge of the divisional office where your case is pending, and obtain assistance in filing your document. If you call during business hours and the telephone system for the divisional office is not working, then contact the deputy in charge for an alternate divisional office pursuant to the succession list of divisional offices at the end of these instructions. If you meet all three conditions, you may be granted an opportunity to have the document filed in that divisional office.

If it is after business hours, you may submit an electronic (on disk, CD or DVD) or paper version of your document for filing using a [drop box](#). If the divisional office where your case is pending does not have a drop box, or the drop box is not accessible for any reason, you may use the drop box for the first alternate divisional office pursuant to the succession list of divisional offices at the end of these instructions. All drop boxes have limited capacity, so please do not use a drop box when emergency procedures are in effect for a divisional office **unless you are in danger of missing a filing deadline**.

D. Continue to Submit a Paper Courtesy Copy, If Required

If the presiding judge requires you to provide a paper courtesy copy of a filed document (whether the document was filed using CM/ECF, or the alternate method described in B. or C., above), send the paper courtesy copy by mail (USPS or other service) to the divisional office where your case is pending. Your submission of the judge's paper courtesy copy will be deemed timely as long as it arrives by the date the divisional office is operational again (at its original location or at an alternate location), or within three days of the date the document was filed electronically, whichever is **longer**.

III. Paper Filers

A. Mail or Hold All Papers

Unless you will miss a filing deadline, if a divisional office is not operational due to an emergency closure, either mail the papers to the divisional office, or hold all paper filings until the affected divisional office is open for business. (Note: filing procedures for prisoner litigants remain the same.)

B. If a Deadline Will be Missed, Use This Alternate Procedure

If a divisional office is not operational due to an emergency closure and you are a paper filer, place the document in the [drop box](#) for the divisional office, if a drop box is available. If the divisional office where your case is pending does not have a drop box, or the drop box is not accessible for any reason, you may use the drop box for the first alternate divisional office pursuant to the succession list of divisional offices at the end of these instructions. Instead of using the drop box for the first alternate divisional office, you may choose to use the second alternate procedure, below. All drop boxes have limited capacity, so please do not use a drop box when emergency procedures are in effect for a divisional office unless you are in **danger of missing a filing deadline**.

C. Second Alternate Procedure

Use this procedure to submit a document for filing **only** if all three of the following conditions are met:

- you are a paper filer;
- a drop box is not available for the divisional office where your case is pending; and
- you are in **danger of missing a filing deadline**.

CAUTION: If you use this procedure and you do not satisfy one or more of these three conditions, the presiding judge may direct the clerk's office to unfile the document.

Step 1: Prepare an e-mail message that clearly states why you must submit the document for filing in this manner. (Specify what your filing deadline is and why a drop box was not available.)

Step 2: Convert your document to Portable Document Format (PDF).

Step 3: Attach the PDF document to the e-mail message and send the message to:

USDCemergencymail@txnd.uscourts.gov

Step 4: Keep proof of the date and time when you sent the e-mail in case a question about the filing date arises.

When you submit a paper document for filing using this alternate method, you must mail the original and the requisite number of copies (per the local rules) to the appropriate divisional office. Your submission will be deemed timely as long as it arrives by the date the divisional office is operational again (at its original location or at an alternate location), or within three days of the date you

submitted the document for filing using this alternate method, whichever is **longer**. If you fail to submit the original and copies, the presiding judge may direct the clerk's office to unfile the document.

D. Third Alternate Procedure

If you cannot use the first and second alternate procedures in B. and C., above, and you are in **danger of missing a filing deadline**, then contact the deputy in charge for an alternate divisional office pursuant to the succession list of divisional offices at the end of these instructions. You may be granted an opportunity to submit the document for filing in that divisional office.

IV. Parties Scheduled for Court Proceedings

You will likely receive communication from the judge's staff or clerk's office personnel if you are scheduled for a court proceeding in a divisional office that is not operational due to an emergency closure. You may also look on the court's website for posted information.

V. Court Advisory Committee Members

At least one member of the court's advisory committee resides in each division of the Northern District of Texas. The clerk's office will provide these members with information that can be disseminated to the bar in the event of an emergency closure of a divisional office. The members are listed below:

Abilene Division:	Steve Suttle	325-676-9183
Amarillo Division:	Brian Heinrich	806-376-4641
	Tom Riney	806-468-3200
Dallas Division:	Tom Alleman	214-745-5103
	Richard Anderson	214-767-2746
	Kirk Claunch	214-523-6643
	Bob Cohan	214-953-6046
	Suzanna Etessam	214-659-8643
	Hal Gillespie	214-720-2009
	Tom Mills	214-265-9265
	Tom Perkins	214-670-3491
	Nick Pittman	214-459-3325
	Karl Rupp	214-744-3000
	Mark Shank	214-939-5420
	Mary Spector	214-768-2578
Fort Worth:	Vince Cruz, Jr.	817-352-3456
	Tim Evans	817-332-3822
	Mike Heiskell	817-877-5321
	Susanna Johnson	817-336-2800

	Chris Lyster	817-336-9333
	Steve Tatum	817-877-2829
Lubbock:	Fernando Bustos	806-780-3976
	Bob Craig	806-744-3232
San Angelo:	Don Griffis	325-481-2566
Wichita Falls:	Lonnie Morrison	940-322-2929

Succession List of Divisions

<i>Division Affected by Emergency</i>	<i>First Alternate Contact</i>	<i>Second Alternate Contact</i>
Abilene Division	Lubbock Division Deputy in Charge 325-677-6311	Amarillo Division Deputy in Charge 806-468-3805
Amarillo Division	Lubbock Division Deputy in Charge 806-472-7624	Dallas Division Deputy in Charge 214-753-2201
Dallas Division	Fort Worth Division Deputy in Charge 817-850-6601	Amarillo Division Deputy in Charge 806-468-3805
Fort Worth Division	Dallas Division Deputy in Charge 214-753-2201	Amarillo Division Deputy in Charge 806-468-3805
Lubbock Division	Amarillo Division Deputy in Charge 806-468-3805	Dallas Division Deputy in Charge 214-753-2201
San Angelo Division	Lubbock Division Deputy in Charge 806-472-7624	Amarillo Division Deputy in Charge 806-468-3805
Wichita Falls Division	Dallas Division Deputy in Charge 214-753-2201	Amarillo Division Deputy in Charge 806-468-3805