United States District Court Northern District of Texas



ECF Administrative Procedures Manual

(updated 11/2022)

This manual is updated regularly. Please make sure you are accessing the most recent version found on the court's website.

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ECF ADMINISTRATIVE PROCEDURES

I. THE ELECTRONIC CASE FILING SYSTEM ("ECF")

A. Introduction

Under LR 5.1(e) and LCrR 49.2(f), unless the presiding judge otherwise directs, you must file any pleading (except a complaint in a civil case, or an indictment or information in a criminal case), motion, or other paper by electronic means. Under LR 3.1, you are permitted, but not required, to file a complaint by electronic means.

You may, for cause, move to be excused from the requirement of electronic filing. See LR 5.1(e), and LCrR 49.2(f).

B. Registration as an ECF User Required

Registration is required within 14 days of the date you appear in a case. See LR 5.1(f) and LCrR 49.2(g). To register, follow the procedure on the court's website on the E-File Registration page.

To maintain your login and password and the contact information covered by LR 83.13(b) or LCrR 57.13(b) —your business address, e-mail address, telephone number, facsimile number, or name—follow the procedure on the court's website under <u>Maintaining Your Account</u>.

Please protect the security of your PACER account credentials. Sharing your filing credentials with a third-party service provider will give the provider access to sealed case information and documents in violation of a court order. You are urged to use caution in your computer security practices to ensure that sealed documents to which you have access are not disclosed. Also, since designating a third-party service provider as a secondary recipient of a Notice of Electronic Filing (NEF) will give sealed docket text access to the provider, the Clerk will remove third-party service providers when they are identified as secondary NEF recipients for an ECF user. If you believe your password has been compromised, you should change it immediately. If you do not know your PACER credentials, please use the Forgot Username or Password? link.

C. Registration as a PACER User Required

You must have a PACER account to file or view electronically stored document images. To obtain a PACER login, register online at <u>www.pacer.uscourts.gov</u> or contact the PACER Service Center at (800) 676-6856.

D. Portable Document Format (PDF) Required

Except for proposed orders, documents must be filed in Portable Document Format (PDF). When using a PDF fillable form, you must "flatten" the document after completing the form fields to ensure it can be viewed on all devices. Follow the procedures on the court's website for <u>Flattening a PDF</u>.

E. Accessing the ECF System and Menu Features

You may connect to ECF at https://ecf.txnd.uscourts.gov. The options in the blue menu bar at the top of the opening screen provide the functionality noted below:

| • | Civil - | To electronically file civil documents; |
|---|---------|---|
|---|---------|---|

- Criminal To electronically file criminal documents;
- Query To obtain specific case information and view or print docket sheets or previously filed documents;
- Reports To obtain cases-filed reports and docket sheets;
- Utilities To view your personal transaction log and maintain your secondary e-mail addresses;
- Search To search by keyword for the most applicable event for the document you intend to file; and
- Logout To exit the system after completing your transactions.

II. ELECTRONIC CASE FILING AND SERVICE OF DOCUMENTS

A. Filing a Civil or Miscellaneous Case

To file a civil case, follow the procedure on the court's website under <u>Opening a Civil Case/Filing a Complaint</u>.

To file a miscellaneous case, follow the procedure on the court's website under Opening a Miscellaneous Case.

B. Filing a Pleading, Motion, or Other Paper

To file a pleading, motion, or other paper, follow the procedure on the court's website under <u>Filing a Pleading</u>, <u>Motion</u>, <u>or Other Paper</u>. ECF will e-mail a Notice of Electronic Filing to each registered user in the case (including a non-prisoner *pro se* party) at the user's primary and secondary e-mail addresses, as maintained within

PACER and the ECF systems. Review the Notice of Electronic Filing to determine who received electronic service and who you must serve by other means.

C. Judge's Copy

A "judge's copy" is a paper copy of an original pleading, motion, or other paper submitted for use by the presiding judge. To comply with LR 5.1(b) and LCrR 49.2(b), you must provide the judge's copy according to the requirements on the court's website under <u>Judges' Copy Requirements</u>.

D. Signature

An example of a signature block that complies with FED. R. CIV. P. 5(d)(3)(c) is:

John Doe John Doe Bar Number: 12345 123 Main Street Dallas, TX 75201

E-mail: john_doe@lawfirm.com Telephone: (214) 123-4567

Fax: (214) 123-4567

E. Fee Payable to the Clerk

Your filing fee will be collected online by credit card or debit card when you follow the instructions for opening the case. If you inadvertently failed to pay a filing fee, you may use the "Payment of Fee" event.

F. Proposed Order

To satisfy the requirement of LR 7.1(c) or LCrR 47.1(c), you must use the "Proposed Orders" event and submit the proposed order in a word-processing format (e.g., Word or WordPerfect, not PDF). To serve a copy, you may attach a PDF version as an exhibit to the motion, but this does <u>not</u> satisfy the requirement to submit a proposed order to the judge.

G. Selecting an Event Consistent With the Title of the Document

When you file a pleading, motion or other paper, you must select the appropriate category (e.g., "Initial Pleadings and Service," "Motions and Related Filings," "Other Filings"), and then the event most consistent with the title of your document (e.g., Motions, Notices, ADR Documents). Use the "Search" feature from the main menu to search by keyword.

H. When ECF is Down and Other Technical Failures

If you are at risk of missing a deadline because ECF is down, follow the procedures on the court's website under <u>Emergency Filing Information (if our system is down)</u>. If you are at risk of missing a deadline because your system is down, follow the procedures under <u>Emergency Filing Information (if your system is down)</u>.

III. FILING OF DOCUMENTS WITH SPECIAL CONSIDERATIONS

A. Document to be Filed Under Seal and/or Ex Parte

To file a pleading, motion, or other paper under seal, except a document related to a Presentence Report, follow the applicable procedure on the court's website under Filing a Sealed and/or Ex Parte Document in a Civil Case or Filing a Sealed and/or Ex Parte Document in a Criminal Case. Access to the document will be immediately restricted consistent with the choices you make when filing the document.

Access to this restricted entry is granted via the PACER login of the filing attorney. To access a restricted document, follow the procedure on the court's website under Accessing Restricted Documents.

B. Document Related to a Presentence Report

To submit a document related to a Presentence Report, follow the procedure on the court's website under <u>Using ECF to Electronically Submit Documents Related to the Presentence Report</u>. A Notice of Electronic Filing will be sent only to the Assistant U.S. Attorney, the attorney(s) for the related defendant (not to any co-defendant's attorney), and the U.S. Probation Office. The original must be received by the presiding judge on or before the date the document is submitted using ECF.

Access to these restricted documents is granted via the PACER credentials of the attorney for the applicable defendant or the government. To access a restricted document, follow the procedure on the court's website under <u>Accessing Restricted Documents</u>.

C. Document Granted Leave to File

If you are granted leave to file a document that is available in the Court's record (e.g., attached as an exhibit to your motion for leave to file), the clerk will file the document as of the date of the order granting leave. If the document is not available in the court's record because you have not submitted it yet, you must electronically file the document upon receipt of the order granting leave.

D. Non-Documentary or Oversized Object

If you are unable to electronically file a non-documentary or oversized object because of its physical size or character, submit it to the clerk's office for filing. The clerk will docket a text-only event, generating a Notice of Electronic Filing, that describes the non-documentary or oversized object filed.

E. Document Larger than the Electronic File Size Limit

The maximum size for any file is thirty five megabytes. To file a pleading, motion, or other paper that is larger than thirty five megabytes, follow the procedure on the court's website under <u>Filing Large Documents and Adding Attachments</u>.

F. Document to Be Issued by the Clerk

To request the clerk to tax costs, use the "Bill of Costs" event. To request the clerk to issue any other type of document (e.g., Clerk's Entry of Default, abstract of judgment, etc.), use the "Request for Clerk to Issue Document" event.

G. Consent to Proceed Before a United States Magistrate Judge

To consent to the disposition of a civil case by a United States Magistrate Judge, complete the "Consent to Proceed Before U.S. Magistrate Judge" event. Each party will receive a Notice of Electronic Filing, but the information will not be displayed on the docket sheet unless the presiding judge reassigns the case.

IV. AMENDMENT OF THIS MANUAL

The clerk's office may amend this ECF Administrative Procedures Manual, which includes by reference, all of the linked procedures, at any time, without prior notice.

V. ECF HELP DESK

For assistance, please contact your local clerk's office or ECF Help Desk.