

## **Electronic Filing in the Northern District of Illinois: Frequently Asked Questions**

### ***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.

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.e.*, attorney and defendants.

### ***Can the general public view CM/ECF cases and the documents in those cases using the internet?***

The public can access civil case data in CM/ECF unless it has been sealed by the court. Access over the internet to documents filed in criminal cases is limited to case participants, *i.e.*, attorneys and defendants. 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.

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

Yes. The PACER account gives you the ability to read case dockets and view electronic images of documents. The CM/ECF account is needed in order to electronically file a document with the Court.

### ***How can I get a PACER account?***

Go to the PACER Service Center's website at <http://www.pacer.psc.uscourts.gov/register.html> and complete the online form as instructed. You may also call the center toll free at 1-800-676-6856 to register.

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

You can use your firm's PACER Account.

### ***How can I get training in 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. Training classes are open to both attorneys and support staff.

***How can I register for a CM/ECF account?***

E-filing 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. If you meet one or more of these criteria, you may pick up a registration form at the Clerk's Office or receive a form via e-mail by calling 312-435-5358, 312-435-5359, or 312-435-5853.

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

If more than five days has passed since you submitted your registration form, you can check on the status of your account by calling 312-435-5358, 312-435-5359, or 312-435-5664.

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

CM/ECF accounts are issued only to individuals. You need your own account.

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

Yes. Terminals providing 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<sup>th</sup> floor of the Dirksen Courthouse, 219 South Dearborn. Public terminals are also available in the Clerk's Office in the Rockford, Illinois courthouse, located at 211 South Court Street. The Clerk's Office is open to the public Monday through Friday, 8:30 AM through 4:30 PM, except for legal holidays.

***Can any member of the public use CM/ECF to file documents with the court?***

No. Access to the *filing* portion of CM/ECF is available to authorized case participants only.

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

IBM or MAC PC

Pentium III or higher

Minimum 256MB RAM

A high-speed internet connection, or a modem speed of 56K

Acrobat Reader 4.0 or higher

Acrobat Writer 4.0 or higher, If you want to use Adobe Acrobat to publish documents to .pdf format

Internet access through a service provider

Internet Browser: Netscape Version 4.76 or Internet Explorer 5.5

A scanner to transmit documents that are not in your word processing system

***What are the rules and procedures regarding filing electronically?***

See the General Order on Electronic Case Filing on the Court's website.

***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 Section X(A) of the General Order on Electronic Filing provides as follows:

Electronically filed documents must include a signature block and must set forth the name, address, telephone number and the attorney's bar registration number, if applicable. In addition, the name of the Filing User under whose login and password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear.

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

The General Order on Electronic Filing requires that a certificate of service be included with all documents filed electronically as follows:

“XI(E): A certificate or affidavit of service must be included with all documents filed electronically. Such certificate or affidavit shall indicate that service was accomplished pursuant to ECF as to Filing Users and shall comply with LR 5.5 as to any party who is not a Filing User or represented by a Filing User.”

The Certificate of Service may be included with the main document being filed or linked as an attachment to the main document.

***How do I add additional e-mail addresses so someone else in my office can receive Notices of Electronic Filing?***

Log into CM/ECF Go to Utilities - Maintain your Account. Click on E-mail Information. A screen will appear where you can add additional e-mail addresses. Click on - Return to Account Screen. Click on Submit at the bottom of the primary Maintain User Account screen. The new e-mail addresses you added will now receive the Notices of Electronic Filing. If you add more than one extra e-mail address, be sure to separate the additional addresses with a comma.

***How many times will I be able to view my case documents as an attorney of record?***

If you are an attorney of record in a case, you will not be charged the first time you view a document. However, the next time you view the same document, you will be charged 8 cents per page, or up to \$2.40 per document. PACER will bill you after your account reaches \$10.00 in a calendar year.

***How much time do I have to access my “free look” when I receive my e-mail notification?***

The free look period for accessing documents via e-mail notification is fifteen days. If the document is not accessed in that time, you will be charged to view it.

***How do I add counsel to a case?***

To add counsel in a case, electronically file an attorney appearance.

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

All registered CM/ECF users will receive an e-mail notification of all filings, which includes a hyperlink to the document. Participants who are not registered users must be mailed a copy of the filing by the attorney filing electronically.

***How do I change my CM/ECF password?***

Log into CM/ECF. Click on Utilities. Click on Maintain Your Account. Click on More User Information. At the bottom of the screen Delete the row of asterisks and type in your new password. Click on Return to Account Screen. Click on Submit at the bottom of the page.

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

Yes, except for 7:00 through 7:30 AM on Fridays, which is reserved for routine system maintenance. The system may be down temporarily on other occasions, if an unplanned need for maintenance arises.

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

Billable pages are calculated in two ways in CM/ECF. A formula is used 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. For a PDF document, the actual number of pages is counted to determine the number of billable pages.

For report data retrieved from the CM/ECF system that is printed, the print job will not always match the number of pages billed. The number of pages printed is dependent on individual printer and browser settings. All users are charged equally for the same information regardless of the browser settings or printer configurations.

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.

***An attorney in our office is out of town. He has asked us to file a motion for him in his absence, on behalf of his client. Can I file this document electronically?***

On the motion itself, sign the document with your name, on behalf of the absent attorney, i.e., s/ John Worker on behalf of John P. Vacationer). When you electronically file the motion in CM/ECF, you will see the following on your screen:

The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case:

John Doe, (pty:pla) represented by John Worker (aty) Lead  Notice

Do **not** check the first box. Checking that box would add you as an attorney on the case.

The docket text will read that the document was filed by Attorney John Worker on behalf of Susie Client. That is correct, as long as the document is electronically signed, and you do not check the box to be added as counsel to the case.

***Can I file a sealed document electronically?***

No. Sealed cases and sealed documents **may not be filed electronically**. They must be filed in paper form. A party may electronically file a motion to file a document under seal. If the motion is granted, the assigned judge will electronically file an order authorizing the filing of the document under seal. The filing party shall then deliver the document to the Clerk's Office for conventional filing under seal.

***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 on which you are an attorney of record. For each subsequent viewing, you will be required to log in to PACER and pay a fee of \$.08 per page, not to exceed \$2.40 per document. We strongly recommend that you print or save the document during the first viewing to avoid these charges.

***Why is my login failing?***

The system is case sensitive. If you have the CAPS lock on, your login will fail. Also, be sure that you are not using your PACER login to try to access your CM/ECF account.

***When I click on the document link in my e-mail, it prompts me for a login and password. When I enter my ECF login, it tells me my login failed. What do I do?***

You need to enter your PACER login and password.

1. In civil cases, the first time you click on a document link in your e-mail, 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 of \$.08 per page, not to exceed \$2.40 per document.

2. In criminal cases, the first time you click on a document link in your e-mail, 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. If you do not have a PACER login and password, contact the PACER Service Center at 1-800- 676-6856.

3. For Civil Social Security cases, the first time you click on a document link in your e-mail, 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 document. If you do not have a PACER login and password, contact the PACER Service Center at 1-800- 676-6856.

***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 window and select Reload Frame(Netscape) or Refresh(IE). If that does not bring back all options have the user clear their cache or temporary internet files.

In Netscape:

Go to Edit...Preferences.

Double click on Advanced.

Click on Cache

Click Clear Memory Cache, click OK

Click Clear Disk Cache, click OK

In Internet Explorer

Go to Tools...Internet Options

Click Delete Files..(Temporary Internet Files)

In Firefox

Click on Tools...Options

Click on Privacy on the left side of the screen

Click the Clear button next to Cache

***Do I have to file a paper copy of a document that I have filed electronically?***

Yes, Local Rule 5.2(e) provides as follows:

“Where a filing is made electronically of a pleading, motion, or document other than an appearance form or return of service, a paper copy shall be provided for the judge within one business day, unless the judge determines that a paper copy is not required.”

The paper copy of the electronic filing should be placed in the drop box reserved for that purpose, located on the south end of the 20<sup>th</sup> floor Clerk’s Office, unless the judge has

directed that such copies be delivered directly to chambers.

***How can I learn who is an e-filer in a case, and who is not?***

Click on Utilities, then click on Mailings. Next, click on Mailing Info for a Case. Enter the case number and click on Submit.

***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 large can my electronic filing be?***

The General Order on Electronic Case Filing provides that an electronic filing should not exceed 2 megabytes in size. This applies to each individual component of an electronic filing, not to the entire filing. In other words, if you are filing a motion with several exhibits, the motion itself and each exhibit can each be up to 2 megabytes in size.

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

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

***Can I combine separate exhibits in a single attachment, or do I have to file them separately?***

As long as the combined exhibits do not exceed 2 megabytes in size, you can combine them in a single attachment. If you do, be sure to label the attachment appropriately, e.g., Exhibits A through D.

***How do I know if my electronic filing was successful?***

The last screen you see when you electronically file a document is a copy of the Notice of Electronic Filing (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.

***Oops. 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 help desk at 312-846-8727.