

E-FILING NOTES – US DISTRICT COURT PRESENTATION (MCCARTER NOTES)
(February 8, 2005)

- Logging in with a password constitutes a signature. (No digital signature is required.)
- www.als.uscourts.gov Training site that lets you experiment.
- Privacy policy:
 - See Powerpoint slides for list of information deemed private and which should be redacted.
 - Redaction is attorneys' responsibility – court staff does not review.
 - Can file sealed documents – password protected so that only judge can access or authorize.
 - Certain types of filings are sealed and not available, e.g., pre-sentence investigative reports.
- Large documents have to be filed in segments. Typical limitations: 2-6 megabytes. One court allows 10 megabytes.
- Passwords are chosen by user – court does not keep track of them other than giving out an initial password which must be changed on 1st use.
- To file a complaint, the attorney has to call the court and get a docket number. (Also pay the filing fee.)
- Attorneys will not be required to maintain original.
- Judge's filing of order (with ID and password) constitutes his digital signature.
- Simple motions: program allows for simple endorsement – “granted” or “denied” which is docketed but no document is generated, although notice to the attorneys is provided.
- File name used by attorney stays with document.
- Type and description of motion or filing is helped along through the use of pull-down menus and type of document. Type examples are motions and pleadings. If you select motions, then you get a pull down menu with all sorts of possible options – compel, strike, extension, etc. Then you are allowed to elaborate – “First” Motion to Strike Scandalous Material From Complaint.
- The fields provide for responses and when you select “response” as the type of document, you get a list of the motions to which the response might apply.
- The CMS system allows for extensive names – does ours?
- The Feds have a “starter” dictionary of selections in drop-down menus, radio buttons, etc.
- Proposed orders – file as an attachment or forward a text document (Word or WP) to the court via e-mail.

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- Attorneys are responsible for service by mail if opposing counsel are not on the e-file list. Filing the document is certification that mailing has or is being accomplished.
- The court takes care of e-service.
- A certificate of service is generated [see sample] by the court when a document is filed and that certificate is attached at the end of the document.
- Bad e-mails – if service bounces back, the court notifies counsel of record.
- Good idea to set up e-mail just for court notice and service [attorneys].
- Multiple attorneys for party: one attorney must be designated for purposes of service and is called the “Lead Attorney to be Noticed.” (We can probably just notice all of them.)

