ELECTRONIC CASE FILING PROCEDURES GUIDE

CIVIL CASES

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Revised November 2016

ELECTRONIC CASE FILING PROCEDURES
CIVIL CASES

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ELECTRONIC CASE FILING PROCEDURES
CIVIL CASES

I. THE ELECTRONIC FILING SYSTEM AND REQUIREMENTS

A. IN GENERAL

Unless otherwise permitted by these administrative procedures, by local rules, or by a general order of the court, or unless otherwise specifically authorized by the assigned District or Magistrate Judge, all documents [1] submitted for filing in civil cases in this district on or after May 17, 2004, no matter when a case was originally filed, must be filed electronically as Portable Document Format (PDF) files [2] using the Electronic Case Filing System (ECF). However, the following exceptions apply:

1. **New Cases**. Complaints, notices of removal, civil cover sheets, summonses, and other initiating documents are governed by Section II.A. of these procedures.

2. **Social Security Cases**. Social Security cases are governed by Section IV of these procedures.

3. **Habeas Corpus Cases**. Habeas Corpus cases brought under 28 U.S.C. § 2241 or 28 U.S.C. § 2254 are governed by Section V of these procedures.

4. **Documents Filed Under Seal by Non-Court Users**. The documents filed in a case under seal must be filed and maintained in conventional [3] format, and will not be placed in ECF unless the assigned District or Magistrate Judge orders the case unsealed (*see* Section IX.D.).

5. **Restricted Filings Filed by Court Users.** Documents electronically filed by the court in ECF may have different restriction levels placed upon them, i.e. sealed, court only, applicable party, or ex parte.

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[1] The requirement that all documents be filed electronically includes motions, memoranda, briefs, exhibits, etc. It also includes transcripts of proceedings, and deposition transcripts if they are filed with the court (see LR 5.1; LR 80.1).

[2] All PDF files must be compatible with Adobe Acrobat version 4.0 and higher. Please see "PDF Troubleshooting Tips and Tricks" on the court's website at: http://www.mnd.uscourts.gov/cmecf/general_information.shtml for more information.

[3] As used in these procedures, a conventionally filed document is one presented in traditional paper or other non-electronic, tangible format.

a. If a document is restricted and the user has appropriate access to it, when clicking on the document number link in the Notice of Electronic Filing (NEF), the user will be prompted for his/her PACER login/password. This is simply a security measure to ensure they have proper access to view the document. The user should enter his/her PACER login and password, click the redaction box, and then click the login button to access the restricted document.

b. When both the document and the docket entry are restricted, the docket report will have skipped document numbers. A text only entry will indicate that the document is restricted and identify its docket number.

c. If a document is restricted and the docket text is public, when clicking on the document number, the user will be prompted with a message stating the document is not available, or you do not have permission to view this document.

6. **Documents Filed Conventionally** (i.e., in paper). Documents or material not filed electronically are governed by Section IX.

7. **Exemption from ECF**. An attorney may apply to the assigned Magistrate Judge for exemption from filing electronically on a case by case basis. Exemptions to the ECF Procedures will not be granted as a matter of course, but only upon a credible and persuasive demonstration of good cause. The grounds on which an exemption is requested must be explained in substantial detail. If an exemption is granted it may be withdrawn at any time and the attorney will thereafter be required to file documents electronically in ECF. A "Civil or Criminal ECF Exemption Form" is available from the Clerk's Office or on the "Court Forms" page of the court's web site at: www.mnd.uscourts.gov . The exemption form should be filed in paper with the Clerk. Clerk's Office staff will scan and file the form in ECF and the application will be reviewed by the assigned Magistrate Judge.

8. **Pro Se Litigants**. Pro Se Prisoner and non-prisoner Pro Se filers are automatically exempt from being required to file in ECF.

9. **Court's Discretion**. The Clerk or any District or Magistrate Judge of this court may deviate from these procedures without prior notice if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of every action. The court may also amend these procedures at any time without prior notice.

B. SYSTEM AVAILABILITY AND TIMELINESS

1. **System Availability**. The Electronic Case Filing System (ECF) will be available 24 hours a day, seven days a week except during scheduled maintenance. Advance notice will be provided to ECF users via email and on the District Court's public website when maintenance is required.

2. **Timeliness**. A document will be deemed to be timely filed if filed:

   a. Electronically in ECF prior to midnight on its due date, or

   b. Conventionally (i.e., in paper), pursuant to Section IX, in the Clerk's Office prior to 5:00 p.m. Central Time on its due date, unless a specific time is designated by a Judge (e.g., 5:00 p.m. deadline).

3. **Help Desk**. Please note the District Court's Help Desk is only supported between the hours of 8:00 a.m. and 5:00 p.m. Central Time. Contact the District Court's Help Desk between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, if you need assistance using ECF:

   Toll-Free Help Desk: (866) 325-4975 or (612) 664-5155

   or

   Email: ecfhelpdesk@mnd.uscourts.gov

C. PASSWORDS

1. **In General**. An attorney must not knowingly permit or cause to permit his/her password to be utilized by anyone other than an authorized employee of his or her office.

   Once an attorney receives his/her login and password, he/she is responsible for all documents filed using his/her password and is subject to Rule 11 sanctions (Fed. R. Civ. P. 11).

2. **Attorneys Admitted to Practice in This Court**. Each attorney admitted to practice in the District of Minnesota is entitled to one ECF account, which will allow the attorney to retrieve and file documents electronically and to receive notices of electronic filing.

3. **Attorneys Admitted Pro Hac Vice**. An attorney admitted to practice pro hac vice in the District of Minnesota is entitled to one ECF account, which will allow the attorney to retrieve and file documents electronically and to receive notices of electronic filing. Pro hac vice admissions in this district are for a

specific case. An attorney's affiliation with multiple cases on a pro hac vice basis must be made by separate application and payment of the $100.00 admission fee for each individual case, with the exception of actions consolidated for pretrial purposes.[4] See LR 83.5(d)-(e) for guidance on pro hac vice admission for nonresident attorneys and government attorneys. To obtain admission pro hac vice, nonresident attorneys must associate, with an active member in good standing of the court's bar who must participate in the preparation and presentation of the case listed above, and accept service of all papers served.

4. **Non-Prisoner Pro Se**. A non-prisoner pro se party may complete and sign an "Application for Pro Se Litigant to File Electronically" form. The form is available from the Clerk's Office or on the "Court Forms" page of the court's website at: www.mnd.uscourts.gov. In addition to submitting the form, applicants must also have/obtain an individual PACER account and apply for electronic filing access with the District of Minnesota through the "Non-Attorney E-File Registration" option on PACER's website. If the application is approved, the applicant will log in through PACER to file electronically. If the court becomes aware of misuse of ECF, access will be revoked by the court without advance notice. Upon closure of the case for which access is granted (and the expiration of all appeal periods), the account will be deactivated.

5. **Prisoner Pro Se**. Prisoner pro se parties may not receive a login and password to electronically file and must file their documents in paper.

D. YOUR CSO (Central Sign-On) ACCOUNT

1. Attorneys will retain filing access while in good standing with the bar of this court or admitted pro hac vice . To be in good standing, an attorney must comply with the requirements of LR 83.6, including timely payment of the re-registration fee due every third year during the court's re-registration process.

2. Existing attorneys (those who were admitted in the District of Minnesota prior to October 5, 2015 and have an active ECF account) will link their ECF account to their individual PACER account for filing access. Please see the NextGen Information page for additional information and procedures.

[4] The pro hac vice admission fee is waived for attorneys representing the United States or its officers or agencies.

3. Attorneys seeking admission and filing access must make a request through PACER. Please review the attorney admissions forms for specific instructions. Please note that pro hac vice and Multi District Litigation (MDL) attorneys also obtain filing access with the court through PACER.

4. If an attorney believes that the security of an existing account has been compromised and that a threat to ECF exists, the attorney must change his/her CSO password immediately. Directions on how to do so are listed on PACER's web site, or attorneys may call the helpdesk for assistance. If an ECF account has been misused, contact the helpdesk.

5. Attorneys who have forgotten their password should use the automated password reset and username recovery function on the PACER Login page.

6. Attorneys whose email address, mailing address, telephone number, or fax number have changed, must log into their CSO account and change their personal information in the "Manage My Account" section of PACER's website. It is the responsibility of the attorney to change this information in a timely manner.

7. Registration as a participant in the Electronic Filing System constitutes consent to electronic service of all documents in accordance with the Federal Rules of Civil and Criminal procedure.

E. COURTESY COPIES

1. When an attorney files motions, responses, or reply briefs in ECF, the attorney must also provide two (2) paper courtesy copies of the motion and all supporting documents (affidavits and exhibits) to the Judge hearing the motion.

2. The courtesy copies should be mailed or delivered to the District or Magistrate Judge in an envelope addressed to the Judge's calendar clerk contemporaneously with the documents being uploaded in ECF. This rule applies to dispositive and non-dispositive motions.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. FILING

1. In General

a. All motions, pleadings, applications, briefs, memoranda of law, or other documents must be electronically filed in ECF except as otherwise provided by these procedures, by local rule, or court order.

b. Emailing or faxing a document to the Clerk's Office or to the assigned District or Magistrate Judge does not constitute filing the document. A document is not filed until ECF generates a Notice of Electronic Filing.

c. Under LR 5.2(a), all documents filed must be typewritten, printed, or prepared by a clearly legible duplication process. Document text must be double-spaced, except for quoted material and footnotes, and pages must be numbered consecutively at the bottom. Documents filed after the case-initiating document must contain – on the front page and above the document's title – the case number and the name or initials of the assigned district judge and magistrate judge.

i. LR 5.2(a) does not apply: (1) to exhibits; and (2) in removed actions, to documents filed in state court before removal. Documents filed by an attorney must include the attorney's registration number. LR 5.2(b).

ii. Documents filed by an attorney must include the attorney's registration number. LR 5.2(c).

2. New Cases (Complaints, Petitions, and Removals)

a. Initiating documents (e.g., complaints, petitions, notices of removal, etc.) along with civil cover sheets should be filed electronically in ECF. Filers are responsible for entering all case information including the Nature of Suit, Cause of Action and named parties.

b. New cases filed electronically can be filed twenty four hours a day, seven days a week.

c. The filing fee is paid electronically through Pay.gov while filing the initiating document, e.g. Complaint, Notice of Removal, or Petition. If submitting an Application to Proceed in District Court Without Prepaying Fees or Costs, make this selection when prompted while

filing the initiating document in ECF. The Application to Proceed in District Court Without Prepaying Fees or Costs should be filed as a separate entry after filing the initiating document.

d. Copies of state court records and proceedings removed pursuant to 28 U.S.C. 1446(a) must be filed electronically in accordance with the Local Rules and these procedures. *See* LR 5.2

e. The court assigns a judge after the case is opened and notifies the filer through ECF, via the Notice of Electronic (NEF).

f. Sealed civil cases and miscellaneous cases cannot be opened electronically by attorneys and will be opened by the Clerk's Office. Submit the initiating documents on CD, to the Clerk's Office. The complaint, civil cover sheet, and exhibits must be separate PDF documents. Payment must be included at the time of submission.

g. Pro se filers (including prisoners) will not be able to open new cases electronically; they will submit initiating documents in paper.

h. Filers who are unable to open their cases electronically must submit the initiating documents on CD, to the Clerk's Office. Please note the Clerk's Office is open 8:00 a.m. to 5:00 p.m. Central Time on regular business days. The complaint, civil cover sheet, and exhibits must be separate PDF documents. Payment must be included at the time of submission. If paying by check, the short case title should be typed or written directly on the memo line of the check.

i. If submitting a new case on CD, the new case is filed the day the Clerk's Office receives the initiating documents AND the required filing fee or the Application to Proceed in District Court Without Preparing Fees or Costs. If the Clerk's Office has initiating documents in its possession, but has not received the required filing fee, the case will not be opened and assigned.

3. **Summonses**

a. Filers may request a summons be issued during the filing of the initiating document. If a summons was not initially requested when filing the initiating document, file the text only event, *Request to Clerk's Office to Issue Summons.*

b. The Clerk's Office will issue the summons electronically through ECF with access through the Notice of Electronic Filing (NEF) email hyperlink

c. The summons and complaint must be served in accordance with Fed. R. Civ. P. 4.

4. **Notice of Appearance**. ECF is only capable of recognizing an entry of appearance on behalf of the attorney who files the entry of appearance. Accordingly, if an attorney files an entry of appearance on his or her own behalf as well as on behalf of other attorneys, the additional attorneys will be added to the case after the filing is reviewed as part of Clerk's Office quality control procedures.

5. **Attorney Substitution**. If substituting an attorney, the attorney entering his/her appearance must:

   a. Obtain the withdrawing attorney's signature on a "Notice of Withdrawal and Substitution of Counsel" (see LR 83.7);

   b. Affix the s/signatures (see Section II.C., Subpart 2) for both attorneys to the electronic document; and

   c. Convert the document to PDF and file it in ECF.

6. **Withdraw as Counsel**. If withdrawing as attorney of record without a substitution, the attorney must file either a "Notice of Withdrawal" or a "Motion to Withdraw" depending on the circumstances. See LR 83.7 for guidance on whether a notice or motion to withdraw must be filed.

7. **Filings Requiring Leave to File**. If filing a document requires leave of the court (e.g., an amended complaint, surreply brief, etc.), the attorney must file the proposed document as an attachment to the motion pursuant to LR 15.1. If the court grants the motion, the attorney must file the amended document in ECF.

8. **Official Court Record**. The official court record is the electronic file maintained on the court's servers and any documents or exhibits allowed to be filed conventionally.

9. **Document Retention**. The Court encourages attorneys to retain the originals of electronically filed documents that have intrinsic value.

10. **Transcribers and Court Reporters**. Transcripts must be filed electronically in ECF in accordance with LR 80.1 unless otherwise ordered by the Court.

B. SERVICE OF PROCESS

1. Under LR 5.4, a party may serve a paper under Fed. R. Civ. P. 5(b)(2)(E) by using ECF. Whenever a pleading or other paper is filed electronically in accordance with these procedures, ECF will generate a "Notice of Electronic Filing" (NEF).

2. Under Fed. R. Civ. P. 5(d)(1), any paper after the complaint that is required to be served – together with a certificate of service – must be filed within a reasonable time after service.

    a. Under LR 5.4, the NEF generated by ECF constitutes a certificate of service with respect to those persons to whom electronic notice of filing is sent, and no separate certificate of service need be filed with respect to those persons.

    b. If service is not made through ECF, the filing party must file a certificate of service in ECF. The certificate must state the manner in which service or notice was accomplished on each party so entitled. Certificates of service can be filed as a separate filing in ECF or as an attachment to another filing. Sample certificates of service are attached to these procedures as Form A, B, and C.

3. Filers are required to serve copies of any electronically filed pleading, document, or proposed order to parties not served electronically by ECF according to the Federal Rules of Civil Procedure. [5] When mailing paper copies of documents that have been electronically filed, the filer must also include a copy of the NEF to provide the recipient with proof of the filing.

4. The three-day rule in Fed. R. Civ. P. 6(d) for service by mail applies to service by electronic means. [6]

5. Documents filed conventionally must be served conventionally (i.e., in paper) by the filer on all parties entitled to service.

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[5] Attorneys may verify in ECF that a party is receiving email noticing before uploading a filing in ECF. This is accomplished by selecting the "Utilities" menu. Located under the Miscellaneous heading, click on "Mailings." Select "Mailing Info for a Case," enter the case number, then "Submit." If more than one case matches the case number a case verification window may appear. The "Electronic Mail List" and "Manual Mail List" are displayed.

[6] Attorneys should be aware that the "Response Due Date," which appears when either electronically filing a motion or querying deadlines, is for court use only and must not be relied upon as an accurate computation of the response date.

C. SIGNATURES

1. **s/ Signature**

   a. A pleading or other document requiring a signature must be signed in the following manner:

      s/Pat Attorney
      Pat Attorney
      Bar Number 12345
      Attorney for (Plaintiff/Defendant) XYZ Company
      ABC Law Firm
      123 South Street
      Minneapolis, MN 55415
      Telephone: (612) 555-5555
      Fax: (612) 555-5554
      emailaddress@domain.com

   b. Any party challenging the authenticity of an electronically filed document or the signature on that document must file an objection to the document within 14 days of service of the document.

2. **Non-Attorney/Third Party Signatures, Generally**. If the original document requires the signature of a non-attorney, the filer must obtain the original ink signature of the signatory before filing. The filer must then sign the electronic version of the document using the "s/signature" of the signatory (*see below*).

   By filing the document, the attorney certifies that: (1) the document has been signed by all necessary people, including affiant and notary, if applicable; and (2) the ink signed originals exist and will be available in certifying attorney's office for inspection. [7] **These documents should be retained in accordance with the retention rules required by the Eighth Circuit and Federal Circuit.**

   a. This rule includes all notarized documents.

   b. The electronically filed document as it is maintained on the court's servers constitutes the official version of that record.

   c. A non-filing signatory or party who disputes the authenticity of an electronically filed document with a non-attorney signature or the

[7] This procedure applies when the third party document exists on the computer of the attorney or client. If so, after obtaining the ink signatures on a paper copy, the filer should affix "s/" signature(s) to the word processing version, convert the document to PDF, and upload it in ECF. If the document is not available in electronic format, the ink signed paper version may be scanned and filed in ECF. Scanning, however, is not the preferred method.

authenticity of the signature on that document must file an objection to the document within 14 days of service of the document.

d. Upon request, the original document must be made available for review.

3. **Multiple Signatures**. The following procedure applies when a stipulation or other document (e.g., a joint motion, joint exhibit list, and 26(f) report) requires two or more signatures:

   a. The filer must initially confirm that the content of the document is acceptable to all signatories by obtaining their original signatures on the document.

   b. The filer then must file the document electronically, indicating the signatories with an "s/signature" (e.g., "s/ Jane Doe," "s/ John Smith," etc.) for each signatory.

   By filing the document, the attorney certifies that: (1) the document has been signed by all necessary people, including affiant and notary; and (2) if applicable, and the ink signed originals exist and will be available in their office for inspection. [8] **These documents should be retained in accordance with the retention rules required by the Eighth Circuit and Federal Circuit.**

   c. A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves must file an objection to the document within 14 days of service of the document.

D. FEES PAYABLE TO THE CLERK

1. Any fee required for filing a pleading or paper is payable to the Clerk of the Court by credit/debit card, check, money order, or cash. The Clerk's Office will document the receipt of fees on the docket sheet. The court will not maintain electronic billing or debit accounts for lawyers or law firms.

[8] This procedure applies when the third party document exists on the computer of the attorney or client. If so, after obtaining the ink signatures on a paper copy, the filer should affix "s/" signature(s) to the word processing version, convert the document to PDF, and upload it in ECF. If the document is not available in electronic format, the ink signed paper version may be scanned and filed in ECF. Scanning, however, is not the preferred method.

2. Secure, online payments may be made by a checking or savings account or by a credit, or debit card as part of specific e-filing events through the U.S. Treasury's Pay.gov website.

3. ECF allows for electronic payment of fees in the following civil events: **Notice of Appeal to the 8th Circuit**, **Motion for Pro Hac Vice Admission (Resident and Non-Resident Movant), Complaint, Notice of Removal, Petition (in a Civil Case), Petition for Writ of Habeas Corpus, Prisoner Complaint under 42 U.S.C. 1983, and Petition re: Review of Naturalization Application.** Also, attorney re-registration fees may be made through ECF (under the Utilities menu).

4. Electronic payment of appeal fees and pro hac admission fees through Pay.gov is mandatory.

5. When using these events, the e-filer is prompted for electronic payment of the required filing fee. The e-filer's browser is automatically directed to the secure Pay.gov website, and credit/debit card billing information is entered. The payment transaction is seamlessly integrated in the ECF filing event, and a Pay.gov receipt number is automatically added to the filer's docket entry text.

6. The court does not maintain or have access to attorney credit card data through the ECF system.

E. MOTION PRACTICE

Refer to LR 7.1(b) and (c) for the briefing schedule for filing motions, responses, and replies in ECF.

1. Procedurally, attorneys should file their motions in the following order as separate docket entries:

    a. Motion (must be filed first)

    b. Notice of Hearing on Motion (do not combine your motion and notice of hearing on motion in one document)

    c. Memorandum of Law

        i. *Certificate of Compliance.* A memorandum of law must be accompanied by a certificate executed by the party's attorney, or by an unrepresented party, affirming that the

memorandum complies with the limits in LR 7.1(f) and with the type-size limit of LR 7.1(h).

d. Affidavits and Exhibits*

e. Meet-and-Confer Statement

f. Certificate of Service of above documents if not served electronically through ECF.[9] (*see* "Form B")

Pursuant to LR 7.1(l), parties must not file affidavits or exhibits as attachments to a memorandum that they support. Instead, such affidavits and exhibits must be filed separately. Exhibits must be accompanied by an index — either in the form of a supporting affidavit or of a separate title page — that identifies the exhibits. Exhibits may be attached to affidavits in one docket entry or filed separately. See the "*ECF User's Manual*" (on the "CM/ECF" tab of the Court's website at www.mnd.uscourts.gov) for step-by-step instructions on filing motions and related documents.

2. NOTE: Motions for emergency injunctive relief must be filed in accordance with LR 7.1(c)(1); however, the moving party may file the motion with initiating documents (e.g., complaints, petitions, notices of removal, etc.). After receiving the case number and judge assignments, the moving party must then contact the judge's calendar clerk to obtain a briefing schedule.

3. **Proposed Orders**. Pursuant to LR 7.1 (l) parties must not file proposed orders on the court's ECF system. Proposed orders must be sent by email to chambers. Refer to Section II.G., for guidance on filing proposed orders.

4. **Courtesy Copies**. Refer to Section I.F. for requirements on submitting courtesy copies to the Judge.

5. **Motion Documents to be Filed Under Seal**. Refer to Section IX.D. for guidance on filing one document (e.g., affidavit or exhibit) under seal that is part of a motion that is otherwise unsealed.

6. **Withdrawing a Motion**. The moving party may withdraw their motion by filing a letter to withdraw a motion in ECF. Do not send such letters in paper

[9] Pursuant to Local Rule 5.4 a Certificate of Service is no longer required if service was conducted electronically through the court's electronic transmission facilities (ECF). When service is conducted electronically, the notice of electronic filing (NEF) may serve as the certificate of service to comply with Fed. R. Civ. P. 5(d)(1).

to chambers staff. The motion will be terminated by Clerk's Office staff upon receipt of the letter in ECF.

7. **Objections and Responses to Motion**s. Within 14 days after being served with a copy of the Magistrate Judge's order, unless a different time is prescribed by the Magistrate Judge or a District Judge, a party may file and serve objections to the order.

    a. *Certificate of Compliance.* Objections or a response to objections must be accompanied by a certificate executed by the party's attorney, or by an unrepresented party, affirming that the document complies with the limits in LR 72.2(d)(1) and with the type-size limit of LR 72.2(d)(2).

F. CONSENT TO DISPOSITION OF CASE BY MAGISTRATE JUDGE

1. **Joint Consent Form**. The parties may execute a joint consent form which must be filed electronically in ECF by Counsel for one of the parties on behalf of all signatories pursuant to Section II.C., Subpart 3 of this guide.

2. **Separate Consent Forms**. If the parties are directed by the District or Magistrate Judge to execute separate forms, counsel must return the executed consent form for his/her client to the calendar clerk for the District Judge, pursuant to Section II.H.2. of this guide. When sending the document by email, please scan the signed document to a PDF and include "Magistrate Judge Consent Form - short case title" in the subject line. In the body of the document, counsel should indicate whether or not their client consents to have the matter tried before the Magistrate Judge. This separately executed form need not be served on opposing counsel.

G. ORDERS

1. **Orders Issued by the Court**

    a. **Generally**. The Court must electronically file all signed orders.

    b. **Conventional Service of Orders**. When the Clerk's Office mails paper copies of an electronically filed order to a party who is not receiving service through ECF, the Clerk's Office will include a copy of the Notice of Electronic Filing (NEF) to provide the non-participant with proof of the filing.

c. **Text-Only Orders**. The assigned District or Magistrate Judge or the Clerk's Office, if appropriate, may issue routine orders or notices by a text-only docket entry for which ECF will generate a Notice of Electronic Filing and email notification to parties in ECF. In such cases, no PDF document will be attached. In such circumstances, the text-only entry will constitute the Court's only filing on the matter. Copies of Notice of Electronic Filing (NEF) for the text-only docket entry will be sent in hard copy to those not using ECF.

2. **Proposed Orders**. Parties must not file proposed orders on the court's ECF system. Proposed orders must be submitted as outlined below:

   a. Proposed orders must not be combined with the motion into one document. Rather, the motion must be filed first in ECF, and then the proposed order must be sent by email to chambers and served on other parties as agreed. The proposed order must refer to the document number that ECF assigns to the motion when the motion is electronically filed.

   b. So that the court may have the flexibility to edit proposed orders, all proposed orders must be submitted in a word processing format. Judges will not accept proposed orders in PDF format. Each Judge requires the proposed order to be submitted in either MS-Word® or WordPerfect® format. If you do not currently have MS-Word or WordPerfect, you may select the "Save As" option in most word processing software and rename the document with a *.wpd* (WordPerfect) or *.doc* (MS-Word) extension. You may also save a document in Rich Text Format with an .rtf extension.

   c. A proposed order must be sent via Internet email as an attachment to the email address of the chambers of the Judge hearing the motion. When sending the document by email, please include "Proposed Order - short case title and case number" (e.g., "*Proposed Order - Jones v. Smith -03cv100*") in the subject line.

d. The individual chambers' email addresses are as follows:

Email Addresses for Submitting Proposed Orders:

Chief Judge Tunheim	tunheim_chambers@mnd.uscourts.gov
Judge Ericksen	joanericksen_chambers@mnd.uscourts.gov
Judge Schiltz	schiltz_chambers@mnd.uscourts.gov
Judge Nelson	nelson_chambers@mnd.uscourts.gov
Judge Wright	wright_chambers@mnd.uscourts.gov
Sr. Judge Alsop	alsop_chambers@mnd.uscourts.gov
Sr. Judge Magnuson	magnuson_chambers@mnd.uscourts.gov
Sr. Judge Doty	doty_chambers@mnd.uscourts.gov
Sr. Judge Kyle	kyle_chambers@mnd.uscourts.gov
Sr. Judge Davis	davis_chambers@mnd.uscourts.gov
Sr. Judge Montgomery	montgomery_chambers@mnd.uscourts.gov
Sr. Judge Frank	frank_chambers@mnd.uscourts.gov
Mag. Judge Noel	noel_chambers@mnd.uscourts.gov
Mag. Judge Mayeron	mayeron_chambers@mnd.uscourts.gov
Mag. Judge Brisbois	brisbois_chambers@mnd.uscourts.gov
Mag. Judge Rau	rau_chambers@mnd.uscourts.gov
Mag. Judge Leung	leung_chambers@mnd.uscourts.gov
Mag. Judge Bowbeer	bowbeer_chambers@mnd.uscourts.gov
Mag. Judge Thorson	thorson_chambers@mnd.uscourts.gov
Mag. Judge Huseby	huseby_chambers@mnd.uscourts.gov
Mag. Judge Menendez	menendez_chambers@mnd.uscourts.gov

e. Proposed orders must be sent to either the District Judge or the Magistrate Judge who will hear the motion. Do not send the proposed order to both Judges.

f. Because proposed orders are not filed in ECF and therefore not served by ECF, proposed orders must be served upon all parties who are entitled to service in the manner agreed by each party.

g. A certificate of service must be filed in ECF for all proposed orders. *See* Fed. R. Civ. P. 5(d); LR 5.4. When filing a certificate of service for the service for proposed orders, use the ECF event "Certificate of Service on Proposed Orders." See Form C for a sample certificate of service of proposed orders.

3. **Stipulations**. Stipulations must be filed in ECF by one attorney.

a. The filing attorney must follow instructions for filing documents requiring multiple signatures in Section II.C., Subpart 3.

b. The Stipulation must not include a signature line for the Judge.

c. The District or Magistrate Judge will rule on the stipulation with an order.

d. Filers must send a proposed order to the District or Magistrate Judge ruling on the stipulation in accordance with the Proposed Orders procedures listed in Section II.G., Subpart 2.

H. CONSENT DECREES

1. The party who created the decree must:

a. Execute the document pursuant to Section II.C., Subpart 3 regarding documents requiring multiple signatures.

b. Email the document, in word processing format (not in PDF), to the Judge who is issuing the decree (*see above for a listing of chambers' email addresses*). [10]

[10] By submitting the document with the "s/signature" for all signatories, the party sending the email is certifying that the document has been signed by all necessary people, including affiant and notary, if applicable, and the ink signed originals exist and will be available in their office for inspection.

c. Retain the fully executed, signed original in accordance with the retention rules of the Eighth Circuit and Federal Circuit. [11]

2. Upon approval of the document, the Judge will affix his or her "s/signature" and file the consent decree in ECF noting in the docket text the name of the person who emailed the document.

I. TRIAL DOCUMENTS

Trial documents such as proposed jury instructions, exhibit lists, and voir dire questions should be electronically filed in ECF. The presiding Judge may also require that a MS-Word or WordPerfect version of these documents be sent to the chambers email address (*see listed above*) after the ECF filing. The additional request for a word processing version will be written in the pretrial order of the Judge or communicated informally.

J. TITLE OF DOCKET ENTRIES

The user who electronically files a document is responsible for designating an appropriate docket entry title by using one of the docket event categories prescribed by the court. For assistance in designating an appropriate docket entry title, contact the Help Desk at 1-866-325-4975. See Section I.B. for more information.

K. CORRECTING DOCKET ENTRIES

1. After a document is filed electronically, corrections to the docket must only be made by the Clerk's Office. ECF will not permit the filer to make changes to the document(s) or docket entry once the transaction has been submitted.

2. Documents filed in error in the correct case (e.g., wrong version of the document attached, wrong event code, etc.) must remain part of the record as filed. Upon discovery of error, the filer must:

    a. Call the Clerk's Office Help Desk at 1-866-325-4975 or reply to the e-notice and identify the error. Clerk's Office staff will edit the docket text of the incorrect entry indicating "DOCUMENT FILED IN ERROR" in all caps at the beginning of the docket entry.

[11] Upon request, the person who emailed the document shall make the original, fully executed document available for review.

b. Immediately file the correct document in the case in ECF, and modify the title of the pleading as appropriate (e.g., "Amended", "Substituted", "Corrected").

3. If a document is filed in the wrong case, the filer must:

a. Immediately call the Help Desk at 1-866-325-4975 or reply to the e-notice to notify the Clerk's Office of the error.

i. The Clerk's Office will edit the docket text of the incorrect entry indicating, "DOCUMENT RESTRICTED-FILED IN WRONG CASE" in all caps at the beginning of the docket entry.

b. File the document in the correct case.

L. TECHNICAL DIFFICULTIES

1. **Generally**

a. Notification of planned system outages will be announced on the web site.

b. A filer who has a deadline and cannot file a document electronically because of a technical difficulty (e.g., ECF is down, internet service is down, law firm server malfunction, etc.) may do one of the following:

i. Fill out the "ECF Form Declaration of Technical Difficulties," which is provided on the Court's website at www.mnd.uscourts.gov, under the "Court Forms" tab. The form is required to explain what the technical difficulties were and why the filing is untimely. Serve courtesy copies on the Court and parties entitled to service. File the document in ECF as soon as possible once the difficulty is resolved. Attach to the filing the "ECF Form Declaration of Technical Difficulties."

ii. Contact chambers to request an extension of time to file due to technical difficulties.

iii. Submit the document in paper to the Clerk's Office for filing. Documents filed conventionally are due in the Clerk's Office before 5:00 p.m. Central Time on the due date.

2. **Filing a New Case with a Statute of Limitation Deadline**

    a. A filer who has a statutory deadline and cannot file a new case electronically because of a technical difficulty (e.g., ECF is down, internet service is down, law firm server malfunction, etc.) must:

        i. If physically possible, submit the document in paper to the Clerk's Office for filing. Documents filed conventionally are due in the Clerk's Office before 5:00 p.m. Central Time on the due date.

        or

        ii. File the case in ECF as soon as possible once the difficulty is resolved. Attach to the filing the "ECF Form Declaration of Technical Difficulties," which is provided on the Court's website at www.mnd.uscourts.gov, under the "Court Forms" tab. The form is required to explain what the technical difficulties were and why the filing is untimely.

        iii. File a motion requesting the court to accept the filing even though it is beyond the statute of limitations.

M. HYPERLINKS IN DOCUMENTS

1. Electronically filed documents may contain the following types of hyperlinks:

    a. Hyperlinks to other portions of the same document;

    b. Hyperlinks to a location on the Internet that contains a source document for a citation; and

    c. Hyperlinks to other documents filed within the ECF system in all Federal Courts.

2. Hyperlinks to personal websites, inclusive of law firms, are strictly forbidden.

3. Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of a filed document. Neither a hyperlink, nor any site to which it refers, must be considered part of the record. Hyperlinks are simply convenient mechanisms for accessing material cited in a filed document.

4. A user cannot access a hyperlink to a restricted document (e.g., a private entry, sealed document) unless the user has appropriate permissions.

The court accepts no responsibility for, and does not endorse, any product, organization, or content at any hyperlinked site, or at any site to which that site may be linked. The court accepts no responsibility for the availability or functionality of any hyperlink.

III. PRIVACY PROTECTION FOR FILINGS MADE WITH THE COURT

A. IN GENERAL

The Court accepts electronically filed pleadings and makes the content of those pleadings available on the court's website via ECF and PACER. Any subscriber to PACER will be able to read, download, store and print the full content of documents filed electronically with the court, including criminal documents filed after November 1, 2004. Documents filed under seal and/or conventionally under Section IX of this Guide will not be available via the Internet and PACER.

B. INFORMATION TO BE REDACTED

1. **Generally.**

   Under Fed. R. Civ. P. 5.2(a), unless the court orders otherwise, an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, the filing party or nonparty may include only:

   a. The last four digits of the social-security number and taxpayer-identification number;

   b. The year of the individual's birth;

   c. The minor's initials; and

   d. The last four digits of the financial-account number.

2. In addition, exercise caution when filing documents that contain the following:

   a. Personal Identifying Number (e.g., driver's license number);

   b. Medical Records, Treatment and Diagnosis;

   c. Employment History;

   d. Individual Financial Information;

   e. Proprietary or Trade Secret Information.

3. **Exemptions**

Under Fed. R. Civ. P. 5.2(b), the redaction requirements do not apply to the following:

a. A financial-account number that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;

b. The record of an administrative or agency proceeding;

c. The official record of a state-court proceeding;

d. The record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;

e. A filing covered by Rule 5.2(c) or(d) ; and

f. A pro se filing in an action brought under 28 U.S. C. §§ 2241, 2254, or 2255.

4. **Waiver of Protection of Identifiers**. A person waives the protection of Rule 5.2(a) as to the person's own information by filing it without redaction and not under seal. Fed. R. Civ. P. 5.2(h).

C. ENFORCEMENT

It is the sole responsibility of counsel and the parties to be sure that all pleadings comply with the rules of this court requiring redaction of personal identifiers. The Clerk will not screen documents for redaction and will not reject documents solely on the basis that the documents contain personal identifiers.

D. FILING UNREDACTED DOCUMENTS UNDER SEAL

1. Under Fed. R. Civ. P. 5.2(f)-(g), a person making a redacted filing may also file:

a. An unredacted copy of the document under seal without seeking leave of the court in accordance with Section IX.D. regarding filing documents under seal; or

b. A reference list under seal without seeking leave of the court in accordance with Section IX.D. regarding filing documents under seal. The reference list must contain the complete personal identifier(s) and the redacted identifier(s) used in its place in the filing.

2. The redacted version of the document must be filed in ECF with a conventional filing placeholder as an attachment indicating the existence of the sealed document on the record. A sample conventional filing placeholder is available from the clerk or from the court's website at www.mnd.uscourts.gov, under the "Court Forms" tab.

3. The Notice of Electronic Filing (NEF) and the conventional filing placeholder for the redacted version must be attached to the envelope of the sealed version or list.

4. File the sealed version or list in accordance with Section IX.D.

5. The unredacted version and/or reference list must be retained by the court as part of the record.

IV. SOCIAL SECURITY CASES

Absent a showing of good cause, all documents, notices, and orders in social security reviews filed in the District Court must be filed and noticed electronically in ECF, except as noted below.

A. The complaint and other documents typically submitted at the time a social security case initiated with the District Court must be filed and served according to Section II.A.2. of these procedures.

B. The administrative record must either be filed and noticed electronically or conventionally

   1. Upon receipt of the administrative record in paper form, the Clerk's Office will note receipt of the documents on the record.

C. All other documents in the case, including briefs, will be filed and served electronically in ECF, unless the court orders otherwise.

D. Pursuant to Fed. R. Civ. P. 5.2, parties and their attorneys of record may have Internet access to all documents filed in social security cases. The public will have Internet access only to docket sheets, opinions, orders, judgments or dispositions of the court. Unless otherwise ordered by the court, all documents in Social Security cases may be viewed on the public terminals in the Clerk's Office during normal business hours.

E. Social security cases must comply with all redaction procedures pursuant to Fed. R. Civ. P. 5.2 (*see* Section III.B.). However, redaction requirements do not apply to the administrative record.

V. HABEAS CORPUS CASES

In Habeas Corpus cases brought under 28 U.S.C. § 2241 or 28 U.S.C. § 2254, the Respondent(s) are not required to file the following materials electronically, but may instead file such materials conventionally without seeking leave of the court pursuant to Section IX:

1. All or any part of the record of any prior state court proceedings;
2. All or any part of the record of any prior federal court proceedings;
3. All or any part of the record of any prior administrative proceedings.

This exemption from the general requirement of electronic filing does not extend to any motions, briefs, memoranda, or other new documents that are prepared specifically for the current habeas corpus case.

VI. IMMIGRATION CASES

Rule 5.2 of the Federal Rules of Civil Procedure requires that Courts limit remote access to electronic files in immigration cases. Attorneys of record may have access in ECF to all documents filed in immigration cases. The public will have Internet access only to docket sheets, opinions, orders, judgments or dispositions of the court. Unless otherwise ordered by the court, all documents in immigration cases may be viewed on the public terminals in the Clerk's Office during normal business hours.

VII. TRANSCRIPTS

Transcripts of this court's proceedings must be filed and noticed electronically in ECF pursuant to LR 80.1 unless specifically ordered otherwise by the Court. Please see the "*Policy for Electronic Access to Transcripts of Court Proceedings*" at: www.mnd.uscourts.gov/cmecf/procedure_guides.shtml

A. ACCESS TO TRANSCRIPTS

Under LR 80.1(b), ECF and PACER access to electronically filed transcripts is subject to a 90-day restriction period

1. During this 90-day period, copies of the transcript may only be purchased from the court reporter.
2. Court staff, public terminal users, and attorneys of record or parties who have purchased the transcript will have access to the transcript in ECF during the 90-day restriction period.
3. PACER fees will apply at all times when the transcript is remotely accessed electronically.

B. REDACTION OF TRANSCRIPTS

Electronically filed transcripts are subject to the redaction requirements of LR 5.5, Fed. R. Crim. P. 49.1 and Fed. R. Civ. P. 5.2.

1. Attorneys of record, including attorneys serving as "standby" counsel and unrepresented parties are responsible to request redaction of personal identifiers pursuant to LR 5.5.
2. "Notice of Intent to Request Redaction" must be filed within 7 days after the transcript was filed.
3. "Statement of Redaction" must be filed within 21 days after the date the transcript was filed. See LR 5.5 for specific instructions.
4. The redacted transcript will be filed by the court reporter 31 days after the original transcript was filed.
5. Extensions of redaction deadlines may only be granted by court order.

C. TRANSCRIPT AVAILABILITY

Transcript availability after the 90-day restriction period:

1. The original transcript or the redacted transcript if redaction occurred will be available via the court reporter, Clerk's Office or PACER, unless otherwise ordered by the Court.

2. If redaction occurred, the Clerk will maintain the original un-redacted electronic version of the transcript, which will be available for viewing at the Clerk's Office.

VIII. ADMINISTRATIVE RECORDS, GENERALLY

Records from a judicial or extra-judicial matter held before the initiation of a federal court action may be filed conventionally, without leave of court. For example, the administrative record of an E.R.I.S.A. case may be filed in paper with the court, according to procedures in Section IX. If the administrative record is filed conventionally, counsel must file a conventional filing placeholder in ECF according to Section IX.C.

IX. CONVENTIONAL FILING OF DOCUMENTS

The following procedures govern documents filed conventionally (i.e., in paper).

A. IN GENERAL

1. **Leave of Court Required**. A party must seek leave of the court to file a document conventionally if leave is not already so provided by these procedures (*see Part B below*).

2. **Leave of Court Not Required**. A party may conventionally file the following without seeking leave of the court.

    a. Items that cannot be converted to electronic form (e.g., video tape, audio tape, etc.).

    b. The "administrative record" in Social Security, Habeas Corpus and other administrative records from cases (e.g., E.R.I.S.A., Environmental Act, etc.).

    c. Documents filed under seal pursuant to protective order (see Section IX.D.).

    d. Unredacted documents filed under seal pursuant Fed. R. Civ. P. 5.2 (see Section IX.D.).

3. **Timeliness**. Documents filed conventionally are due in the Clerk's Office before 5:00 p.m. Central Time on the due date.

B. OBTAINING LEAVE TO FILE CONVENTIONALLY [12]

To request permission to file certain documents conventionally:

1. Complete and file an "Application to File Certain Documents Conventionally" which is available on the "Court Forms" page of the court's web site at www.mnd.uscourts.gov .

2. The application must be filed in ECF and approved before the filing due date.

3. Please complete the form with a detailed description why you are unable to file the documents electronically. The most common reason for filing this application is for voluminous exhibits (see Section X).

[12] This procedure/form should not be used to request permission to file under seal. See Part D.

4. The filer must allow 7 days for the assigned Magistrate Judge to review this request.

5. The Magistrate Judge will issue an order granting or denying the application.

C. FILING CONVENTIONALLY

If leave to file document(s) conventionally is granted, or if filing items or documents which do not require leave of the court to file conventionally:

1. The conventional filing placeholder (available on the "Court Forms" page of the court's website at www.mnd.uscourts.gov) must be filed in ECF in place of the document(s) being filed conventionally, and is intended to show, in ECF, the existence of documents that reside in the Clerk's Office.

   EXAMPLE: if filing an exhibit conventionally, file the placeholder as if it is the exhibit - using the "Exhibit" event - but instead of attaching the exhibit, attach the placeholder.

2. The Notice of Electronic Filing (NEF) and the conventional filing placeholder must be attached to the outside of the envelope of the conventionally filed document(s).

3. The conventionally filed documents must be tabbed, two-hole punched and fastened with tongs at the top.

4. The paper original of the document(s) must be filed with the Clerk's Office before 5:00 p.m. on the due date.

5. Mail or deliver the COURTESY COPIES (with a copy of the NEF and conventional filing placeholder attached) pursuant to Section I.F. for the District or Magistrate Judge handling the matter in a separate envelope.

6. Conventionally filed materials must be served conventionally, with a copy of the NEF, by the filer on all parties who are entitled to service. The e-notice of the court's receipt of these documents does not constitute service.

7. A Certificate of Service must be filed in ECF for all conventionally filed documents.

The Clerk will note receipt of the conventionally filed original documents on the record.

D. FILING UNDER SEAL

1. Notwithstanding agreement of the parties, documents must not be filed under seal unless the assigned District or Magistrate Judge has first issued a protective order or an order granting a motion to seal document.

2. Documents filed under seal must be filed conventionally pursuant to Part C above.

3. All documents filed under seal are to be filed with the conventional filing placeholder in place of any sealed document in ECF. To indicate, on the ECF system, the existence of the conventionally filed document, attorneys must file a placeholder in ECF, under the appropriate event code (the placeholder form is on the court's web site and is titled "Conventional Filing Placeholder").

   EXAMPLE: For a sealed affidavit, an attorney would select the filing event "Affidavit" in ECF, file the conventional filing placeholder as their affidavit, and then file their actual sealed affidavit in paper with the Clerk's Office. Attach the Notice of Electronic Filing (NEF) and a copy of the conventional filing placeholder as a cover sheet to the front of the sealed document to be filed conventionally.

4. The Clerk's Office will note the receipt of sealed documents on the record.

5. When filing sealed documents, submit the following to the Clerk's Office:

   a. A separate sealed 9x12" envelope of each ORIGINAL document to be filed under seal;

      i. Motions, affidavits, and memoranda are considered a separate document and each must be sealed in a separate envelope.

      ii. Multiple exhibits may be in one envelope.

      iii. An envelope is considered sealed when it is closed, fastened, taped, or otherwise secured.

   b. A label affixed to the 9x12" envelope, containing the following information:

      i. Case Number

      ii. Case Name

iii. Party name and complete title of document (i.e., "Deft. Johnson's Motion for Dismissal")

iv. Document Number Assigned by ECF

v. The word "SEALED" or "CONFIDENTIAL"

c. A copy of the NEF and conventional filing placeholder attached to the sealed 9x12" envelope; and

d. Two paper copies of each sealed document, placed in separate envelopes addressed to the assigned District or Magistrate Judge. Exhibits do not need to be separated; they can be placed in one envelope.

6. If filing a motion to seal (not covered under a protective order), the filer must:

a. Electronically file in ECF a "Motion to Seal."

b. Submit to the District Judge or Magistrate Judge an Affidavit in Support of the Motion, with a "COPY" of the document(s).

c. Submit a proposed order via email to the Judge's chambers (see Section II.G. for chambers email addresses).

d. Upon approval of the Motion to Seal, file the document(s) to be sealed with the Clerk's Office. Clearly note on the document(s) "Sealed" or "Filed Under Seal." (Include a copy of the Judge or Magistrate Judge's order approving the sealing with this submission.)

e. After filing the sealed documents with the Clerk's Office, serve (in paper) the other parties as required by the Federal Rules of Civil Procedure.

X. VOLUMINOUS DOCUMENTS

A. MAXIMUM FILE SIZE

The maximum file size limit for individual documents (including exhibits) filed in ECF is fifteen megabytes (15 MB or 15, 360 KB) per PDF document.

1. Before filing, the PDF file size should be checked by locating the file in Windows Explorer, then right-clicking on the file and choosing "Properties."
2. Any document which exceeds fifteen megabytes (15 MB or 15, 360 KB) in size:
    a. Must be broken down into separate components (PDF files) of fifteen megabytes (15 MB) or less, and
    b. Each component must be filed in ECF as a separate attachment with the file containing the first page of the large document attached as the "Main document" or as the first attachment to the main document.
    c. The filer must label each component document clearly when attaching it in ECF (e.g., "Exhibit A-1 - Copy of Affidavit of John Doe pgs. 100-200").
3. The practical cumulative limit when viewing all or downloading all documents in a single entry is 60 MB.

B. LEGIBILITY

Filers are required to verify that PDF documents are legible before the documents are filed electronically with the court.

C. LEAVE TO FILE CONVENTIONALLY

A party may seek leave of the Court to conventionally file documents that are too lengthy to electronically image (i.e., "scan"). See procedures in Section IX.B. for further information.

XI. EXHIBITS

A. PDF DOCUMENT FILE SIZE LIMIT

Pursuant to Section X, exhibit documents must not exceed fifteen megabytes (15 MB or 15, 360 KB) per PDF document.

B. SCANNING DOCUMENTS

1. Scan documents at 300 dpi in black and white whenever possible.
2. Filers must verify that scanned documents are legible before the documents are filed electronically with the court.
3. Text -searchable scanned PDF documents are preferred, but not required.

C. EXHIBIT INDEX

The filer must prepare and upload to ECF an Exhibit Index, unless the affidavit or another document serves the same purpose as an index.

1. The index must either be filed as the "main document" if filing under the "Exhibit" event code, or as the first attachment to the main document if filed as an attachment to the pleading.
2. The following is a sample Exhibit Index:

Exhibit Index

A	Copy of Affidavit of John Smith
B	Excerpts from Jane Doe's Deposition
C-1	Contract Between XYZ Company and ABC Company (Part 1, Pages 1-15)
C-2	Contract Between XYZ Company and ABC Company (Part 2, Pages 16-24)
D	XYZ Company General Ledgers

D. ATTACHMENTS

Each exhibit may be attached as a separate attachment to the main document or exhibits may be combined into 15 MB components and attached to the main document in "Attachments to Document" in ECF.

E. CONVENTIONAL FILING

For conventional filing of exhibits, see Section IX.

XII. EX PARTE SUBMISSIONS AND IN CAMERA REVIEW

A. EX PARTE SUBMISSIONS

A party who seeks to file a document without giving notice to other parties of record may present the document to the presiding District or Magistrate Judge, on an ex parte basis, by either (1) causing the document to be mailed or hand-delivered to the judge's chambers in a conventional, (i.e., paper), format, or (2) transmitting the document via email to the judge's chambers email box, (identified at Section II.G., subpart 2, above).

Any document submitted pursuant to this subsection of the Procedures must be clearly labeled "Ex Parte Submission." A judge who receives a document submitted ex parte may direct the party who submits it to file the document electronically, using normal ECF procedures, or may otherwise handle and address the document as he or she deems most appropriate.

B. DOCUMENTS SUBMITTED FOR IN CAMERA REVIEW

A party who seeks to present a document to a judge for in camera review, whether acting on the party's own initiative or pursuant to a court order, must present the document to the presiding District or Magistrate Judge by either (1) causing the document to be mailed or hand-delivered to the judge's chambers in a conventional, (i.e., paper), format, or (2) transmitting the document via email to the judge's chambers email box, (identified at Section II.G., Subpart 2, above).

Any document submitted pursuant to this subsection of the Procedures must be clearly labeled "For In Camera Review." A judge who receives a document submitted for in camera review may direct the party who submits it to file the document electronically, using normal ECF procedures, or may otherwise handle and address the document as he or she deems most appropriate.

XIII. PUBLIC ACCESS TO THE SYSTEM DOCKET

A. PUBLIC ACCESS AT THE COURT

Electronic access to ECF is available to the public at no charge at the Clerk's Office during regular business hours. A copy fee for electronic reproduction of documents is required in accordance with 28 U.S.C. § 1914.

B. INTERNET ACCESS

Remote electronic access to ECF is limited to subscribers to the Public Access to Court Electronic Records ("PACER") system. The Judicial Conference of the United States has established that a user fee will be charged for remotely accessing certain detailed case information, such as filed documents and docket sheets in civil and criminal cases, as well as calendars and similar general information.

C. FREE ACCESS TO WRITTEN OPINIONS

Pursuant to the E-Government Act of 2002, written opinions, in all cases, as designated by the authoring judge, must be available to the public on PACER or on the public terminals in the Clerk's Office at no charge.

D. CONVENTIONAL COPIES AND CERTIFIED COPIES

Conventional copies and certified copies of electronically filed documents may be purchased at the Clerk's Office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.

XIV. BILL OF COSTS

Bills of Cost must be filed in accordance with LR 54.3(c) and in ECF by the filer using the AO 133 form, which is available on the Court's website at: www.mnd.uscourts.gov under the "Court Forms" tab. Supporting documentation, in the form of affidavits and exhibits, must be filed in ECF in accordance with the procedures for filing exhibits (*see* Section XI). Counsel must file their objections and responses in ECF. For more information on filing bills of costs, see the Court's Bill of Costs Guide on the Court's website.

XV. BANKRUPTCY APPEALS

Please see Section II.A. for instructions on initiating a case. Please see Section X for instructions on filing voluminous documents and Section XI for instructions on filing exhibits.

FORM A – *Sample Certificate of Service for Service by Mail*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

[Name of Plaintiff(s)]

Plaintiff(s)

v.

[Name of Defendant(s)]

Defendant(s)

CERTIFICATE OF SERVICE FOR SERVICE BY MAIL
Case No.: *[Case Number with initials]*

I hereby certify that on (date), I caused the following documents:

[List documents to be filed and served]

to be filed electronically with the Clerk of Court through ECF and= that I caused a copy of the foregoing documents and the notice of electronic filing to be mailed by first class mail, postage paid, to the following non-ECF participants:

[List names and address of those served by U.S. Mail]

Dated: _____, 20___

s/ Attorney's Name
Attorney's Typed Name

FORM B – *Sample Certificate of Service of Conventionally Filed/ Sealed Documents*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

[Name of Plaintiff(s)]

Plaintiff(s)

v.

[Name of Defendant(s)]

Defendant(s)

CERTIFICATE OF SERVICE OF CONVENTIONALLY FILED/ SEALED DOCUMENTS
Case No.: *[Case Number with initials]*

I hereby certify that on (date), I caused the following documents:

[List documents to be filed and served]

to be filed conventionally with the Clerk of Court in accordance with Section IX of the Civil ECF Guide or Section V of the Criminal ECF Guide and that I caused a copy of the foregoing documents and the notice of electronic filing of the applicable placeholder to be mailed by first class mail, postage paid, to the following:

[List names and address of those served by U.S. Mail]

Dated: _____, 20___

s/ Attorney's Name
Attorney's Typed Name

FORM C - *Sample Certificate of Service of Proposed Orders*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

[Name of Plaintiff(s)]

Plaintiff(s)

v.

[Name of Defendant(s)]

Defendant(s)

CERTIFICATE OF SERVICE OF PROPOSED ORDERS
Case No.: *[Case Number with initials]*

I hereby certify that on (date), I caused the following proposed order:

[List documents to be filed and served]

to be filed with the court via email to the following judge who is hearing the motion:

[List name and email address of judge to whom you will send the proposed order]

and I certify that I caused a copy of the proposed order to be emailed or mailed by first class mail, postage paid, as noted below, to the following:

[List names and method of service of those on whom you will serve the proposed order]

Dated: _____, 20___

s/ Attorney's Name
Attorney's Typed Name