



Electronic Case Filing Procedures Guide
CRIMINAL CASES

Updated:
April 2025

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E-FILING SYSTEM REQUIREMENTS AND OVERVIEW

Unless otherwise permitted by these administrative procedures, by local rules, by a general order of the court, or unless otherwise specifically authorized by the assigned District Judge or Magistrate Judge, all documents¹ submitted for filing in criminal 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) files² using the Electronic Case Filing System (ECF). However, the following exceptions apply:

1. **New Cases.** Charging instruments are governed by the **New Cases** section of these procedures.
2. **Pro Se Litigants.** Pro Se Prisoner and non-prisoner Pro Se filers are automatically exempt from being required to file in ECF.
3. **Restricted Filings.** Some electronically filed documents in ECF may have different restriction levels placed upon them (i.e. sealed, court only, applicable party, or ex parte).
 - 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 [Public Access to Court Electronic Records \(PACER\)](#) username/password. This is simply a security measure to ensure they have proper access to view the document. The user must enter his/her PACER username and password, click the redaction box, and then click the login button to access the restricted document.
 - When both the document and the docket entry are restricted, the public docket report will show skipped document numbers.
 - If a document is restricted and the docket text is public, when clicking on the document number, a user who does not have access to the document will be prompted with a message stating that the document is not available, or that you do not have permission to view the document.
 - When a Pre-sentence Report (PSR) is filed, access for applicable parties may be slightly delayed. If access is not obtained within an hour of the filing during business hours, please call the CM/ECF help desk for assistance at 612-664-5155.
4. **Documents Filed Conventionally** (i.e., in paper). Documents or material not filed electronically are governed by the [Conventional Filing of Documents](#) section of these procedures.
5. **Exemption from ECF.** An attorney may apply to the assigned Magistrate Judge for exemption from filing electronically on a case-by-case basis. Exemptions from ECF 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 [“Request for Exemption from Electronic Filing”](#) must 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.
6. **Court’s Discretion.** The Clerk, District Judges, or Magistrate Judges of this court may deviate from these procedures without prior notice if deemed appropriate in the exercise of discretion,

¹ The requirement that all documents be filed electronically includes motions, memoranda, briefs, exhibits, etc. See [LR 49.1](#). 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 10.0 and higher. Please see [“PDF Troubleshooting Tips and Tricks”](#) for more information.

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.

7. **Document Retention.** In general, the Clerk's Office does not retain original documents submitted conventionally. If conventionally filed documents are scanned and posted to ECF, the electronically filed document maintained on the court's servers constitutes the official court record of the document. The original document is either returned (by request) to the party who submitted it, recycled, or shredded if the document is sealed/restricted.

Several documents in criminal cases require the signature of a non-attorney, such as a grand jury foreperson, a third-party custodian, a United States Marshal, an officer from Pretrial or Probation, or some other federal officer or agent. In general, the Clerk's Office will scan these documents and post to ECF. The electronically filed document is the official record.

8. **Original Signatures of Non-Parties.** Documents containing original signatures of non-parties are governed by the [Signatures](#) section of these procedures.

SYSTEM AVAILABILITY AND TIMELINESS

1. **System Availability.** ECF will be available 24 hours a day, seven days a week except during scheduled maintenance. Advance notice will be provided to ECF users by way of 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:
 - Electronically in ECF before midnight on its due date, or
 - Conventionally (i.e., in paper), in the Clerk's Office before 4:30 p.m. Central Time on its due date, unless a specific time is designated by a judge. Please consult the [Conventional Filing of Documents](#) section of these procedures for instructions on how to file documents conventionally.
3. **Help Desk.** Please note the District Court's Help Desk is only supported between the hours of 8:00 a.m. and 4:30 p.m. Central Time, Monday through Friday. Contact the District Court's Help Desk at:

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

or

Email: ecfhelpdesk@mnd.uscourts.gov

YOUR CSO (CENTRAL SIGN-ON) ACCOUNT

1. **Passwords**
 - An attorney must not knowingly permit or cause to permit his or her password to be utilized by anyone other than an authorized employee of his or her office.
 - **Do not share log in credentials with third-party service providers:** The Central Sign-One functionality in the Next Generation (NextGen) of CM/ECF, allows filers to access PACER and NextGen CM/ECF systems using a single PACER account. If attorneys share these log in credentials with a third-party service provider, the provider would be able to access restricted documents (including sealed documents) to which the filer has access. If the third-party service providers place the restricted documents they obtain in internet repositories, other users of the third-party service or software may access the documents and/or make them publicly available. Once an

attorney obtains ECF filing access, the attorney is responsible for all documents filed using the attorney's username and password and is subject to Rule 11 sanctions ([Fed. R. Civ. P. 11](#)).

- **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.
- **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 motion and payment of the \$150.00 admission fee for each individual case, unless otherwise ordered by the court.³ 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 and accept service of all papers served.

- **Non-Prisoner Pro Se.** A non-prisoner pro se party may complete and sign an "[Application for Pro Se Litigant to File Electronically](#)" form. In addition to submitting the form, applicants must also 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.
- **Prisoner Pro Se.** Prisoner pro se parties must file their documents in paper.

2. Good Standing

- Attorneys will retain filing access while in good standing with the bar of this court or when 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.
- Existing attorneys (those who were admitted in the District of Minnesota prior to October 5, 2015 and have an active ECF account) must link their ECF account to their individual PACER account for filing access. Please see the [Case Information](#) page for additional information and procedures.
- 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 also obtain filing access with the court through PACER.
- The username and password used to submit documents to ECF serve as the attorney's signature on all electronic documents filed with the court. The username and password also serve as the attorney's signature for purposes of [Fed. R. Crim. P. 49\(b\)\(2\)](#), the local rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court.

³ The pro hac vice admission fee is waived for attorneys representing the United States or its officers or agencies.

- If an attorney believes the security of an existing account has been compromised and a threat to ECF exists, the attorney must change his/her Central Sign-On (CSO) password immediately. Directions on how to do so are posted on PACER's website, or attorneys may call the Help Desk for assistance. If an ECF account has been misused, contact the Help Desk.
- Attorneys who have forgotten their password should use the automated password reset and username recovery function on the PACER login page.
- 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.
- If the Clerk's Office receives a "bounce back" or an undeliverable e-mail notice from a Registered User's primary or secondary e-mail account, no follow up will occur by Court staff. It is the Registered User's responsibility to update all information as it pertains to the user's account.
- 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 Procedures.

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, credit cards, or debit accounts for lawyers or law firms.
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](https://www.pay.gov) website. Pay.gov will not maintain credit card numbers or debit accounts for future billing.
3. ECF allows for electronic payment of fees in the following events: Notice of Appeal to the 8th Circuit, Motion for Pro Hac Vice Admission (Resident and Non-Resident Movant), Attorney Re-Registration, Complaint, Notice of Removal, Petition (in a Civil Case), Petition for Writ of Habeas Corpus, Prisoner Complaint under [42 U.S.C. § 1983](https://www.law.cornell.edu/ucc/42usc/42usc1983.html), Petition re: Review of Naturalization Application and to initiate miscellaneous cases. Attorney re-registration fees may be paid through ECF (under the Utilities menu).
4. Electronic payment through Pay.gov is mandatory for appeal fees, pro hac vice admission fees, and attorney re-registration fees.
 - 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.
 - The court does not maintain or have access to attorney credit card data through the ECF system.

E-FILING AND SERVICE OF DOCUMENTS

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. Docket entry titles should be succinct, preferably with only the title of the document that is being filed in the entry. For assistance in designating an appropriate docket entry title, contact the Help Desk at 612-664-5155 or 1-866-325-4975

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 an error, the filer must:
 - Call the **Clerk's Office Help Desk at 612-664-5155 or 1-866-325-4975** 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.
 - Immediately file the correct document in the case in ECF and modify the title of the pleading is appropriate (e.g., "Amended," "Substituted," "Corrected").
3. If a document is filed in the wrong case, the filer must:
 - Immediately call the **Clerk's Office Help Desk at 612-664-5155 or 1-866-325-4975** to notify the Clerk's Office of the error.
 - The Clerk's Office will restrict the document to court only and 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.
 - File the document in the correct case.

TECHNICAL DIFFICULTIES

1. Notification of planned system outages will be provided to ECF users by way of email and the District Court's [website](#).
2. A filer who has a deadline and cannot file a document electronically because of a technical difficulty (e.g., ECF is unavailable, internet service is unavailable, law firm server malfunction, etc.) may do one of the following:
 - Fill out the "[ECF Form Declaration of Technical Difficulties](#)." 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 the form to the filing.
 - Contact chambers to request an extension of time to file due to technical difficulties and submit the document in paper to the Clerk's Office for filing. Documents filed conventionally are due in the Clerk's Office before 4:30 p.m. Central Time on the due date.

HYPERLINKS

1. Electronically filed documents may contain the following types of hyperlinks:
 - Hyperlinks to other portions of the same document;
 - Hyperlinks to a location on the Internet that contains a source document for a citation; and
 - 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 or 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.

FILING

1. All motions, pleadings, applications, briefs, memoranda of law, or other documents must be electronically filed on ECF except as otherwise provided by these procedures, by local rule, or court order.
2. Emailing or faxing a document to the Clerk's Office or to the assigned District Judge or Magistrate Judge does not constitute filing the document. A document is not filed until ECF generates a NEF.
3. Documents must be filed in accordance with [LR 5.2](#).
4. Documents submitted (after a case is open) on an electronic storage media device (e.g., CD, thumb drive, etc.) must be preapproved by the District Judge or Magistrate Judge assigned to the case.
5. **New Cases.** The Clerk's Office will scan and post to ECF all charging instruments (e.g., indictments, superseding indictments, complaints, informations, etc.).
6. **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.
7. **Attorney Substitutions.** See [LR 83.7](#).
8. **Withdraw as Counsel** See [LR 83.7](#).
9. **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.
10. **Document Retention.** The Court encourages attorneys to retain the originals of electronically filed documents that have intrinsic value.
11. **Transcriber and Court Reporters.** Transcripts must be filed electronically in ECF in accordance with [LR 80.1](#) unless otherwise ordered by the Court.

12. **Notice That a Case Concerns a Child.** [See LR 12.1\(e\).](#) If a party becomes aware that a criminal case concerns a child victim or a child witness that party must file a notice that the case concerns a child, unless such a notice has already been filed. The notice is a text only entry in ECF entitled NOTICE TO COURT OF A CHILD VICTIM.

SERVICE OF PROCESS

See [Fed. R. Crim. P. 49](#) for information regarding service of process. Filers must serve copies if any electronically filed pleading, document, or proposed order to parties not served electronically by ECF.⁴ 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. Documents filed conventionally must be served conventionally (i.e., in paper) by the filer on all parties entitled to service.

SIGNATURES

1. s/Signature

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

s/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

2. **Non-Attorney/Third Party Signatures.** 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.

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. Documents containing original signatures must be filed electronically with originally executed copies maintained by the filer until final resolution of the action, including final disposition of all appeals.

- This rule includes all notarized documents.
 - The electronically filed document as it is maintained on the court’s servers constitutes the official version of that record.
3. **Multiple Signatures.** The following procedure applies when a stipulation or other document (e.g., a joint motion, joint exhibit list, or 26(f) report) requires two or more signatures:

⁴ Attorneys may verify in ECF that a party is receiving an email notice 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.

- The filer must initially confirm that the content of the document is acceptable to all signatories by obtaining their original signatures on the document.
- The filer must then 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, if applicable, and (2) the ink signed originals exist and will be available in certifying attorney’s office for inspection.⁵ Documents containing original signatures must be filed electronically with originally executed copies maintained by the filer until after final resolution of the action, including final disposition of all appeals.

4. **Signature Disputes.** Any 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. Upon request, the document must be made available for review.

MOTION PRACTICE

Refer to [LR 12.1](#) for the briefing schedule for filing motions, responses, and replies on ECF.

1. Procedurally, attorneys should file their motions in the following order as separate docket entries:
 - Motion (each motion must be filed as a separate filing entry);
 - Affidavits and Exhibits* (see [LR 7.1\(l\)](#) regarding the filing of affidavits or exhibits);
***NOTE:** Exhibits may be attached to affidavits in one docket entry or filed separately. See the [“CM/ECF Criminal Manual for New Users”](#) for step-by-step instructions on filing motions and related documents.
 - Meet and Confer Statement;
 - Proposed Orders (an editable copy must be emailed to chambers); and
 - Certificate of Service of above documents if not served electronically through ECF.
2. **Courtesy Copies.** See the [Courtesy Copies](#) section of these procedures.
3. **Withdrawing a Motion.** The moving party may withdraw their motion by filing a letter to withdraw a motion on ECF. Do not send such letters to chambers staff. The motion will be terminated by Clerk’s Office staff upon receipt of the letter on ECF.
4. **Objections and Responses to Motions.** Within 14 days after being served with a copy of the Magistrate Judge’s order a party may file and serve objections to the order.

COURTESY COPIES

1. Judges may require two courtesy copies of documents filed. Please review the [Practice Pointers](#) for each judges’ written submissions before delivering the paper courtesy copies to the court.

⁵ 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. The courtesy copies should be mailed or delivered to the District Judge or Magistrate Judge in an envelope addressed to the Judge's courtroom deputy contemporaneously with the documents being uploaded on ECF. This requirement applies to dispositive and non-dispositive motions.

ORDERS

1. Orders Issued by the Court

- The court must electronically file all signed orders.
- **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 NEF to provide the party with proof of the filing.
- **Text-Only Orders.** The assigned District Judge 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 NEF and email notification to parties on ECF. In such cases, no PDF document will be attached. The text-only entry will constitute the Court's only filing on the matter. Copies of NEFs for the text-only docket entry will be mailed to those not using ECF.

2. Proposed Orders. Proposed orders must be submitted as outlined below.

- Proposed orders must not be combined with the motion into one document. Rather, the motion must be filed first on ECF, and then the proposed order must be filed separately in ECF and sent by email to chambers. The proposed order must refer to the document number that ECF assigns to the motion when the motion is electronically filed.
- So that the court may have the flexibility to edit proposed orders, all proposed orders must be submitted to chambers 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.
- A proposed order must be sent via 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-USA v. Smith-03cr100") in the subject line.
- The individual chambers' email addresses can be found [here](#).
- 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.

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

- The filing attorney must follow instructions for filing documents requiring multiple signatures the [Multiple Signatures](#) section of these procedures.
- The Stipulation must not include a signature line for the judge.
- The District Judge or Magistrate Judge will rule on the stipulation with an order.

- Filers must file a proposed order in ECF and send a proposed order to the District Judge or Magistrate Judge ruling on the stipulation in accordance with the [Proposed Orders](#) section of these procedures.

TRIAL DOCUMENTS

Trial documents, such as proposed jury instructions, witness list, exhibit list, and voir dire questions must be electronically filed on ECF. The presiding judge may also require that a MS-Word or WordPerfect version of these documents be sent to the chambers [email address](#) after the ECF filing. The additional requires for a word processing version will be written in the pretrial order of the judge or communicated informally.

PRIVACY PROTECTION FOR FILINGS MADE WITH THE COURT

The court accepts electronically filed pleadings and make 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 after July 20, 2015 will be available to the applicable parties selected during filing. See the [Sealed Criminal User's Manual](#).

1. Information to be Redacted:

Under [Fed. R. Crim. P. 49.1\(a\)](#), 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, or the home address of an individual, the party or nonparty making the filing may include only:

- The last four digits of the social-security number and taxpayer-identification number;
- The year of the individual's birth;
- The minor's initials;
- The last four digits of the financial-account number; and
- The city and state of the home address.

2. Exercise caution when filing documents that contain the following:

- Personal Identifying Number (e.g., driver's license number);
- Medical Records, Treatment and Diagnosis;
- Employment History;
- Individual Financial Information;
- Proprietary or Trade Secret Information.

3. Exemptions

Under [Fed. R. Crim. P. 49.1\(b\)](#), the redaction requirements do not apply to the following:

- A financial-account number or real property address that identifies the property allegedly subject to forfeiture proceeding;
- The record of an administrative or agency proceeding;
- The official record of a state-court proceeding;

- The record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;
- A filing covered by [Rule 49.1\(d\)](#);
- A pro se filing in an action brought under [28 U.S.C. §§ 2241, 2254, or 2255](#);
- A court filing that is related to a criminal matter or investigation and that is prepared before the filing of a criminal charge or is not filed as part of any docketed criminal case;
- An arrest or search warrant; and
- A charging document and an affidavit filed in support of any charging document.

4. Waiver of Protection of Identifiers.

A person waives the protection of [Fed. R. Crim. P. 49.1\(a\)](#) as to the person's own information by filing it without redaction and not under seal. [Fed. R. Crim. P. 49.1\(h\)](#).

5. Exceptions.

Pretrial Exhibits.

- Pretrial Exhibits need not be redacted.
- Exhibits received in evidence during motion hearings must be filed with the Magistrate Judge hearing the motion and must not be filed with the Clerk. Pretrial exhibits will be retained in chambers of the Magistrate Judge hearing the motion.

6. Enforcement.

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

7. Filing Unredacted Documents Under Seal.

- See [Fed. R. Crim. P. 49.1\(f\)-\(g\)](#).
- If filing an unredacted original document under seal, the filer must:
 - Clearly state one of the following in the document heading:
 - SEALED PURSUANT TO FED. R. CRIM. P. 49.1-UNREDACTED ORIGINAL (Redacted Document filed in ECF as Document # [number]); or
 - SEALED PURSUANT TO FED. R. CRIM. 49.1-REFERENCE LIST (Redacted Document filed in ECF as Document # [number]).
 - File the sealed unredacted original or reference list electronically on ECF.

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.

1. ACCESS TO TRANSCRIPTS

See [LR 80.1\(b\)](#) for ECF and PACER access to electronically filed transcripts.

2. 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](#).

- Attorneys of record, including attorneys serving as “standby” counsel and unrepresented parties are responsible to request redaction of personal identifiers under [LR 5.5](#).
- “Notice of Intent to Request Redaction” or “Notice that No Redaction is Required” must be filed within 7 days after the transcript was filed.
- “Statement of Redaction” must be filed within 21 days after the date the transcript was filed. See. [LR 5.5](#) for specific instructions.
- The redacted transcript will be filed by the court reporter 31 days after the original transcript was filed.
- Extensions of redaction deadline may only be granted by court order.

3. TRANSCRIPT AVAILABILITY

- If no redactions are requested or required, the unredacted transcript will be available for inspection in the Clerk’s Office during the 90-day restriction period unless otherwise ordered by the court.
- If redaction occurred, the Clerk will permanently seal the unredacted transcript unless otherwise ordered by the court.

FILING DOCUMENTS UNDER SEAL

All sealed documents submitted in a criminal case must be filed electronically. This does not affect a party’s obligation to redact personal identifiers under [Fed. R. Crim. 49.1](#). See the [Privacy Protection for Filings Made with the Court](#) section of this document and the [Sealed Criminal User’s Manual](#) for step-by-step instructions for filing sealed documents.

1. **Sealed Documents.** See [LR 49.1\(c\)\(1\)](#) for documents that must be filed under seal and will remain sealed absent a court order.
2. **Optional Sealed Documents.** See [LR 49.1\(c\)\(2\)](#) for documents that may be filed under seal without court permission, but will be unsealed when the judgment is entered.
3. **Motion to Seal.** Any document not listed in [LR 49.1\(c\)](#) may not be filed under seal except by order of the court. See [LR 49.1\(d\)](#).
4. **Motion to Seal Denied.** If the court denies the motion to seal:
 - Within 7 days after entry of the order, the moving party may withdraw the temporarily sealed document by filing a notice of withdrawal.
 - The memorandum of law or affidavit and exhibits filed in support of the motion to seal will remain sealed if the sealed document is withdrawn or unsealed.
5. **Sealed Indictments.** See [LR 49.1\(e\)](#).
6. **Extensions to Seal.** See [LR 49.1\(f\)](#).
7. **Ex parte Documents.** Ex parte submissions and in camera review documents must be filed electronically. These documents will only be accessible by the filing party and the court.

CONVENTIONAL FILING OF DOCUMENTS

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

1. IN GENERAL

- **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 [Obtaining Leave to File Conventionally](#)).
- **Leave of Court Not Required.** A party may conventionally file the following without seeking leave of the court.
 - Items that cannot be converted to electronic form (e.g., video tape, audio tape, etc.);
 - Physical objects (e.g., baseball hat, painter's tape);
 - Charging instruments (see [New Cases](#)); and
 - Documents filed in sealed cases (see [Filing Documents Under Seal](#)).
- **Timeliness.** Documents filed conventionally are due in the Clerk's Office before 4:30 p.m. Central Time on the due date.

2. OBTAINING LEAVE TO FILE CONVENTIONALLY⁶

To request permission to file certain documents conventionally:

- Compete and file an "[Application to File Certain Documents Conventionally](#)."
- The application must be filed in ECF and approved before the filing due date.
- Please complete the form with a detailed description why you are unable to file the documents electronically.
- The filer must allow 7 days for the assigned Magistrate Judge to review this request.
- The Magistrate Judge will issue an order granting or denying the application.

3. FILING CONVENTIONALLY

If leave to file material(s) conventionally is granted, or if filing items or documents which do not require leave of the court to file conventionally (NOTE: This Part does not apply to documents filed under seal in criminal cases, please see [Filing Documents Under Seal](#) for information regarding filing documents under seal conventionally in a criminal case).

- The [conventional filing placeholder](#) must be filed in ECF in place of the document or material being filed conventionally, and is intended to show, in ECF, the existence of the document or material that reside in the Clerk's Office.

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

- The NEF and the conventional filing placeholder must be attached to the outside of the envelope of the conventionally filed material(s).

⁶ This form should not be used to request permission to file.

- The conventionally filed materials must be filed with the Clerk's Office before 4:30 p.m. Central Time on the due date.
- Mail or deliver the COURTESY COPIES (with a copy of the NEF and conventional filing placeholder attached) to the District Judge or Magistrate Judge handling the matter in a separate envelope, following the [Courtesy Copies](#) section of these procedures.
- 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 materials does not constitute service.
- A Certificate of Service must be filed in ECF for all conventionally filed materials.
- The Clerk will note receipt of the conventionally filed original materials on the record.

4. FILING CASES UNDER SEAL

- Sealed Cases.
 - A case filed under seal will remain sealed until the assigned District Judge or Magistrate Judge orders the case unsealed or as specified in [LR 49.1\(e\)](#) for sealed multi-defendant indictments.
- Juvenile Criminal Matters.

All juvenile criminal matters are sealed. Documents in juvenile criminal matters must be filed in ECF and will be available to the appropriate party/parties through PACER.

VOLUMINOUS DOCUMENTS

1. MAXIMUM FILE SIZE

The maximum file size limit for uploading individual documents (including exhibits) filed in ECF is 35 MB (35,840 KB) per PDF document. The combined file size of PDFs being uploaded technically does not have a limit and will be determined by your internet speed. However, the court recommends limiting the combined file size to a total of 250 MB (358,400 KB) (i.e., 10 PDFs at 35 MB each) which is the maximum file size that is possible to be downloaded at one time.

- 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."
- Any document which exceeds 35 MB (35,840 KB) in size:
 - Must be broken down into separate components (PDF files) of 35 MB or less.
 - 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.
 - 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").
- The practical cumulative limit when viewing all or downloading all documents in a single entry is 60 MB.

2. LEGIBILITY

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

3. 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 the [Obtaining Leave to File Conventionally](#) section of these procedures for further information.

EXHIBITS

1. PDF DOCUMENT FILE SIZE LIMIT

In accordance with the [Maximum File Size](#) section of these procedures, exhibit documents must not exceed 35 MB (35,840 KB) per PDF document.

2. SCANNING DOCUMENTS

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

3. EXHIBIT INDEX

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

- 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.
- 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

4. ATTACHMENTS

Each exhibit may be attached as a separate attachment to the main document or exhibits may be combined into 35 MB components and attached to the main documents in “Attachments to Document” in ECF. Sealed exhibits must be filed as separate documents or attachments. See the [Filing Documents Under Seal](#) section of these procedures.

5. CONVENTIONAL FILING

For conventional filing of exhibits, see [Conventionally Filing of Documents](#) of these procedures.

6. PRETRIAL EXHIBITS

See the [Pretrial Exhibits](#) section of these procedures.

PUBLIC ACCESS TO THE SYSTEM DOCKET

1. 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](#).

2. INTERNET ACCESS

Remote electronic access to ECF is limited to subscribers to 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.

3. 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.

4. 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 is assessed in accordance with [28 U.S.C. § 1914](#).