

# ECF: Attorney User Training

United States District Court  
District of Minnesota



# ECF Contact Information and Websites

- ECF Help Desk
  - 8am to 4:30pm, Monday - Friday
  - 612-664-5155
  - 866-325-4975
  - [ecfhelpdesk@mnd.uscourts.gov](mailto:ecfhelpdesk@mnd.uscourts.gov)
- District of Minnesota website & ECF website
  - [www.mnd.uscourts.gov](http://www.mnd.uscourts.gov)
  - <https://ecf.mnd.uscourts.gov>
- PACER
  - [www.pacer.uscourts.gov](http://www.pacer.uscourts.gov)
  - [www.pacer.gov/psc/faq.html](http://www.pacer.gov/psc/faq.html)



# Maintaining your CSO Account

- Attorney's responsibility to maintain account
- All Personal Information (address, phone number, etc.) is maintained through PACER
- Primary email address is maintained in PACER
- Secondary email addresses are maintained in ECF
  - Suggest adding at least 1-2
  - Support staff email addresses
- All email addresses receive one free look



# Electronic Signatures

s/Pat Attorney

Pat Attorney

Bar Number 12345

Firm Name and Address

Telephone and Fax numbers

Email address

Attorney for (Plaintiff/Defendant) XYZ  
Company

- Login & password constitutes signature
  - Do not need to upload ink signature
- Affix on behalf of 3<sup>rd</sup> parties & notaries
  - Retain ink signed original
- Parties have 14 days to object to s/signature



# Creating PDFs for Uploading

- Convert all documents to PDF
- 35 MB or less
  - If >35 MB, break into smaller PDFs
- Multiple NON-SEALED exhibits may be saved to one PDF
  - Describe each attachment uploaded
    - *Exhibits A–D or Exhibits 1-5*
  - Create index of exhibits or list within affidavit
- Include searchable text when possible
- PDF or PDF/A
- File Proposed Orders in ECF **and** email to chambers in word processing format, e.g., DOCX



# Notice of Electronic Filing (NEF)

- Automatic e-mail notice of case activity
  - Identifies parties not receiving electronic notice
- Attorneys of record and secondary email addresses each get one free copy of all documents filed electronically
- See Fed. R. Civ. P. 5 for information regarding service of process. Filers must serve copies of any electronically filed pleading, document, or proposed order to parties not served electronically by ECF. 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.
- Manually serve parties not receiving electronic notice via ECF
- NEF is available for 15 days



# Sample Notice of Electronic Filing (NEF)



Activity in Case **0:12-cv-00152-PJS-SER Ellingson v. Ellingson** Summons Issued

**ecf-test-notice** to: ecf-test-notice

12/07/2012 10:49 AM

[Show Details](#)

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

U.S. District Court Minnesota

## Notice of Electronic Filing

The following transaction was entered on 12/7/2012 at 10:47 AM CST and filed on 12/7/2012

Case Name: Ellingson v. Ellingson

Case Number: [0:12-cv-00152-PJS-SER](#)

Filer:

Document Number: [2](#)

Single-click on the document number to get free look/copy of the pleading

Docket Text:

[Summons Issued as to Chloe Ellingson. \(JME\)](#)

0:12-cv-00152-PJS-SER Notice has been electronically mailed to:



# Electronic Case Opening

- Attorneys open civil cases in ECF
- Exceptions:
  - Sealed cases
  - Whenever the filer is unable to open cases
- To file a new case conventionally, submit to the Clerk of Court:
  - Initiating Documents in Paper
  - Payment to the Clerk of Court
- New cases can be filed anytime
  - Recommend opening during business hours for 1<sup>st</sup> time filers



# Initiating a New Civil Case

Attorney/Filer

Opens case

Files complaint/initiating document



Court

Reviews case opening

Randomly assigns judges

Issues electronic summons



Attorney/Filer

Serves Summons & Complaint

Files Returned Summons Executed/Unexecuted



# Electronic Case Opening

- Review Civil Case Opening Resources
  - See court's website > NextGen ECF > Reference Guides and User's Manuals > [Civil Case Opening](#)
    - New Case Checklist
    - Party Name Guide
    - Cause of Action list
- Prepare before filing
  - Civil Cover Sheet
  - Initiating document
    - Exhibits saved as separate PDF files
  - Payment method
    - Credit/debit card
    - Bank account routing numbers



# Electronic Case Opening

- Documents filed separately
  - **Do not** attach to initiating document:
    - *Application to Proceed in District Court without prepaying Fees or Costs*
    - *Answer to Complaint*
    - *Rule 7.1 Corporate Disclosure*
    - *Request for Waiver of Service of Summons*



# Pay.gov

- Secure electronic payments to federal government agencies
- Use credit/debit card or banking account
  - Save billing info in your PACER user account
- See court's website > CM/ECF > Electronic Payments
  - Procedure Guide
  - Pay.gov FAQs
  - Requesting Refund for Payments made in Error
    - Prepare *Request for Refund* form
    - File form in ECF with event *Request for Refund of Fees Paid Electronically*



# 8 Basics Steps to File in ECF

- Select the event
  - Use the most specific event before a generic event
- Enter the case number
- Choose the party filing the document
- Browse to find your .pdf document
- Add any necessary attachments
- Modify docket text as needed
- Commit the transaction to ECF
- Receive receipt of filing



# Filing Documents Under Seal

- All documents filed in a civil case, whether sealed or not, must be filed electronically on ECF.
  - Exception: New sealed cases must be filed conventionally.
- References:
  - *LR 5.6 Filing Documents Under Seal in Civil Cases*
  - *Sealed Civil User's Manual*
    - See court's website > NextGen ECF > Reference Guides and User's Manual.
- See Fed. R. Civ. P. 5 for information regarding service of process. Filers must serve copies of any electronically filed pleading, document, or proposed order to parties not served electronically by ECF. 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.
- The **Conventional Filing Placeholder Form** has been updated as it no longer is used for sealed documents.



# Viewing Restricted Filings & Cases

- Certain case types and documents are restricted to specific users
  - Social Security and Immigration cases
    - Restricted to case participants only
  - Sealed Documents
- To view free look from NEF
  - Prompt for PACER login and password
  - ECF confirms user has authority to view document
  - Users without access to view document receive a message instead of viewing the document



# Documents Filed in Error

## Call ECF Help Desk Immediately!

- Correct case with wrong attachment:
  - Docket entry marked “Filed in Error”
- Incorrect case
  - Docket entry marked “Filed in Error”
  - Document restricted to court only
- Confidential document
  - Document temporarily sealed
  - Follow Local Rule 5.6 and Sealed Civil User’s Manual



# Redaction of Personal Identifiers

- Must redact personal identifiers under Fed. R. Civ. P.5.2

Personal Identifier	Redacted Personal Identifier
Social Security Number	XXX-XX-6789
Financial Account Number	XXX-XX-X4-321
Name of Minor Child	J.D.
Date of Birth	2004

- May file under seal without leave of court, either:
  - Unredacted document
  - [Reference List of Personal Identifiers Form](#)
    - See court's website > CM/ECF > Forms > ECF Forms
- The procedures set forth in Local Rule 5.6 need not be followed by a party who is merely redacting personal identifiers in compliance with Fed. R. Civ. P. 5.2 or LR 5.5.



# Transcripts

- Transcripts are restricted for 90 days.
  - ▶ If redaction of **personal identifiers** is necessary (Refer to LR 5.5, Fed. R. Civ. P. 5.2):
    1. Within 21 days of the transcript's filing:
      - File a *Statement of Redaction*
        - See court's website > > Court Forms > Transcript Forms
        - **Do not disclose** personal identifiers on the statement
    - ▶ **NOTE:** The *Statement of Redaction* is only used to redact personal identifiers.



# Sample Statement of Redaction

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

[Plaintiff Name(s)]

Plaintiff(s)

Case Number: [Case Number]

v.

[Defendant Name(s)]

Defendant(s)

**STATEMENT OF REDACTION**

**Sample**

In accordance with Local Rule 5.5, I have reviewed the transcript filed on [mo/dy/year] in the above-captioned matter, filed a timely Notice of Intent to Request Redaction, and have located personal identifiers (PIs) in the transcript that must be redacted pursuant to Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1. I hereby request the court reporter to redact the following PIs in the transcript:

Description of PIs to be Redacted	Page and Line Number of PIs to be Redacted	Redacted PIs to Read As
Social Security Number	Page 10, line 2	XXX-XX-1234
Financial Account Number	Page 63, line 4	XXXXXXXX1234
Name of Minor Child	Page 3, line 7	JXXX DXX
Date of Birth	Page 13, line 14	XXXX XX, 1981
Home Address (criminal cases only)	Page 12, line 12; Page 30, line 4	XX XXXX XX St. Paul, MN



# Helpful Reports & Tools

## Utilities tab

- Transaction Log
  - Log of transactions made in CM/ECF
- Case Mailing Information
  - Lists of parties receiving electronic or manual/paper noticing

## Reports tab

- Internet Payment History
  - List all fee payments made by attorney

## Search

- Find specific filing events



# Troubleshooting Tips

- ▶ Press **F5** to refresh page
  - ▶ Blank screen
  - ▶ Missing menu items
- ▶ Clear Cache
  - ▶ Internet search for “clear internet cookies [your browser]”
- ▶ Restart browser





# Thank You

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