

# Electronic Case Filing System User Manual

Eastern District of Tennessee

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CM/ECF User Manual  
Eastern District of Tennessee

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APPENDIX A

APPENDIX B

## PREFACE

In 2004, the United States District Court for the Eastern District of Tennessee implemented a new case management/electronic case filing system (CM/ECF). The system was developed by the Administrative Office of the U.S. Courts and is in use by many bankruptcy and district courts across the county.

This system revolutionizes the way documents are filed and managed in our Court. Attorneys are able to file documents from the comfort of their own offices or anywhere else that has Internet access. Attorneys also can receive notice of electronically filed documents by e-mail, instantaneously. They will be able to view and copy documents, not only in their cases, but in other cases as well, without having to leave their office.

We believe that you will find this is an easy system to learn and to use. The Court's Local Rules and the Court's Electronic Case Filing Rules and Procedures (hereinafter ECF Rules and Procedures) govern electronic filing. In addition, the Clerk's Office has developed this User's Manual to explain in detail how to file documents electronically. It also has developed training materials, available on our web site, and training classes, for which you may register on our web site at [www.tned.uscourts.gov](http://www.tned.uscourts.gov). The Clerk's Office also has established an ECF Help Desk to assist you with any questions you may have.

The Clerk's Office, Bench, and attorney advisors have worked hard to make this system easy and convenient to use. We welcome your input on our procedures and your experience with our system. We will continue to work together to improve the system. If you have any comments or suggestions, please e-mail them to: [ecfhelp@tned.uscourts.gov](mailto:ecfhelp@tned.uscourts.gov).

s/Curtis L. Collier, Chief Judge

## INTRODUCTION

This User Manual provides procedures and instructions for using the Electronic Case Filing (ECF) system to file documents with the Court, and to view and retrieve docket sheets and documents for all civil, criminal and miscellaneous cases in the system. A Filing User<sup>1</sup> should have a working knowledge of an ECF-compatible Web browser (e.g., Internet Explorer, Firefox) and Adobe Acrobat or equivalent software for creating and reading Portable Document Files (PDF). For questions regarding Internet Explorer, Firefox, or Adobe Acrobat, please refer to their instruction manuals.

All civil, criminal and miscellaneous cases filed on or after May 17, 2004, as well as any documents filed in cases pending as of that date, are subject to the electronic filing requirements and procedures as set forth in E.D.TN. LR 5.2 (Filing and Service by Electronic Means), E.D.TN. LR 7.3 (Redaction of Personal Information from Filed Documents), the Court's ECF Rules and Procedures, and this User's Manual, unless exempted by the presiding judge.

**By order of the Court entered on October 22, 2004, "All attorneys practicing in the Eastern District of Tennessee must register as Electronic Filing Users and file their pleadings electronically through the CM/ECF system by January 10, 2005, or show the presiding judge good cause to file and serve documents in the traditional manner."**

## CHAPTER I

### GETTING STARTED

#### A. HELP DESK

Call the ECF Help Desk for telephone assistance in using ECF between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday, at one of the following numbers:

(Chattanooga)	(423) 752-5200 (fax 5205)
(Knoxville)	(865) 545-4228 (fax 4247)
(Greeneville)	(423) 639-3105 (fax 7134)
(Winchester)	(931) 967-1444 (fax 9693)

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1. A Filing User means an individual registered with the Court to whom the Court has issued a login and password allowing the individual to access the Electronic Filing System for all permitted purposes. ECF Rules and Procedures ¶2.3.

## B. ECF SYSTEM CAPABILITIES

A Filing User with a PACER account<sup>2</sup>, an ECF-compatible web browser, Adobe Acrobat or equivalent software, and access to the Internet can use the Court's ECF system to perform the following functions:

- Open the Court's web site, [www.tned.uscourts.gov](http://www.tned.uscourts.gov)
- View, print or download the most recent version of the ECF User Manual.
- Self-train on a web-based ECF Tutorial.
- Practice entering documents into ECF using a "training" system and database. The "training" ECF system is similar to the "live" ECF database.
- Register for classroom training in ECF. Classroom training is strongly encouraged before filing cases in the live ECF database.
- Electronically file pleadings and documents in actual cases in the live ECF database.
- View official docket sheets and other documents associated with cases.
- View reports for cases that were filed electronically.

## C. REQUIREMENTS

### 1. Hardware and Software Requirements

The hardware and software needed to electronically file, view, and retrieve case documents are the following:

- A personal computer running a standard operating system such as Microsoft Windows.
- Software to read PDF documents such as Adobe Acrobat Reader.
- Software capable of converting documents from a word processor format to the portable document format (PDF) such as Adobe Acrobat Standard.
- Internet access. We do not recommend a particular provider, but suggest broadband internet access.
- A compatible Internet browser. We support Internet Explorer and Mozilla Firefox.

**NOTE:** Mozilla Firefox can be downloaded free of charge at [www.mozilla.com](http://www.mozilla.com).

- A scanner to convert paper documents that are not in a word processing format to

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<sup>2</sup> See p. 1:2 for a discussion of PACER.

digital format for electronic filing in the Court's ECF system (e.g., medical records filed as exhibits). Use a scanner **ONLY** if you **cannot** electronically prepare your documents with a word processing software package and convert them to PDF format. When scanning documents for ECF, scan at a resolution of **300 dpi**. All documents should be scanned with a "black and white" setting unless the exhibit is in color.

## 2. PACER (Public Access to Court Electronic Records) Account

Filing users must have a PACER account to use the **Query** and **Report** features of the ECF system and to access the ECF system. The Judicial Conference of the United States has the authority to impose user fees for electronic access to case information. Effective January 1, 2005, the fee was set at 8 cents per page. All registered PACER users will be assessed a charge of 8 cents per page (generally defined as 54 lines of data) up to a maximum of \$2.40 (or the equivalent of 30 pages) for electronic access to any single document. When charges are accrued, a transaction receipt will appear before the document may be viewed. This receipt will indicate the date and time of the transaction, the type or description of the transaction, the number of pages billed and the cost for that particular transaction. The user may click the [**View document**] button to proceed, or use the browser's "Back" button to cancel the request.

The PACER Service Center sends quarterly statements to account holders. For any balance less than \$10, payment will be deferred until the next quarter. For more information regarding billing and payment requirements and to obtain a PACER account, you may contact the PACER Service Center by calling (800) 676-6856 or (210) 301-6440 or by visiting the PACER registration page at [www.pacer.uscourts.gov](http://www.pacer.uscourts.gov). A link to PACER's site is provided on the Court's web site. There is no fee to register for a PACER account. It normally takes about a week to receive a login and password but the process can be expedited by registering on-line.

**NOTE:** The Filing User and all other individuals the Filing User has designated to receive e-mail notification of electronic filings are permitted one "free look" at the document by clicking on the associated hyperlinked document number embedded in the Notice of Electronic Filing. (*See* p. 6:12 of this Manual for discussion of Notice of Electronic Filing.) The hyperlink to access the document will expire after the earlier of these two events: the first use or 15 days. Any time that same hyperlink is accessed after it has expired, the user will be asked for a PACER login and will be charged to view the document. Viewing attachments and subsequent retrieval of the case docket sheet or document from ECF must be made through your PACER account and is subject to regular PACER fees.

In addition to handling registration and billing for PACER, the PACER Service Center provides assistance ranging from general information about CM/ECF to complex technical set-up inquiries including:

- troubleshooting connection issues
- browser issues

- installing and using Adobe Acrobat
- navigating CM/ECF sites

Questions involving CM/ECF passwords, procedural issues and filing problems such as filing a document in the wrong case cannot be handled by the PACER Service Center and must be addressed to the local court.

### 3. ECF Account

Participants will need to register with the Court to receive a login and password for the ECF system. The registration form is on our Court's web site at [www.tned.uscourts.gov](http://www.tned.uscourts.gov).

Classroom training provided by the Court is **strongly encouraged** before you file documents in the live ECF database. The registration form for an ECF login and password requires you to certify that you will read the ECF Rules and Procedures and this User's Manual. The completed registration form should be submitted on line.

#### a. ECF Login and Password

Once registration is completed, the Court will e-mail Filing Users their login and password. The e-mail will be sent to the e-mail address submitted on the registration form. When you receive your login and password, you should log into the system to ensure that they work. The login and password are case-sensitive so you must type them exactly as they appear in the e-mail. If you are unable to log into the system, you should contact the ECF Help Desk at one of the numbers listed on page 1:1.

Registration as an electronic Filing User constitutes consent to electronic service of all documents, as provided herein, and in E.D.TN. LR 5.2, Fed. R. Civ. P. 5(b)-(e), Fed.R. Crim. P. 49 (b)-(d ) and by any applicable rule of procedure. This consent is applicable to all cases, present and future, where the user is counsel of record.

Use of the login and password issued to a Filing User to electronically file a document shall serve as the Filing User's signature on that document for all purposes, including those of the Federal Rules of Civil and Criminal Procedures, the Court's Local Rules and the Court's ECF Rules and Procedures.

Filing Users agree to protect the security of their password. No Filing User may knowingly permit a Filing User's login and password to be used by anyone other than an authorized agent of the Filing User. (*See* ECF Rules and Procedures, ¶5) In the event an attorney believes that the security of an existing password has

been compromised and that a threat to the Electronic Filing System exists, the attorney must give immediate notice by telephone to the ECF Help Desk and confirm by facsimile in order to prevent access to the Electronic Filing System by use of that password.

For more information about registration and passwords *see* ECF Rules and Procedures ¶5.

- b. **Changing Your Password.** Your initial password is computer-generated. Once you receive your login and password you can change your password to one which is easy for you to remember. To change your password, you must use the **Utilities Feature** of the ECF system. This feature and the process to change your password are described in detail at pages 9:1-9:4 of this Manual. **DO NOT CHANGE YOUR LOGIN.**
- c. **Forgetting Your Password.** Visit [www.tned.uscourts.gov](http://www.tned.uscourts.gov), attorney information, “For Attorneys,” and click on reset ECF password request OR from the CM/ECF login screen, click on the reset password link. **DO NOT SUBMIT ANOTHER REGISTRATION FORM.**

#### 4. ECF Accounts and PACER Accounts Are Different

An ECF account allows you to file documents electronically and provides you with e-mail notification of docket activity in cases in which you are counsel of record. In other cases in which you are not counsel of record you can receive email notification of docket activity when you sign up for electronic notification (*See* discussion of Utilities Feature at pages 9:1-9:4 of this Manual). It allows you to view docket sheets and court documents through the one time link in the Notification of Electronic Filing (*See* discussion of Notification of Electronic Filing at page 6:14-6:15 of this Manual.) Only members of the bar of this Court, or those appearing *pro hac vice*, or *pro se* filers with permission of the Court, can be assigned an ECF account.

A PACER account allows you to view docket sheets and documents which have been filed electronically. You cannot file any documents using a PACER Account. Anyone can sign up for a PACER account.

If you click on the [**Query Feature**] or [**Report Feature**] while working in ECF (*See* discussion at pages 7:1-8:2 of this Manual), the system will prompt you for your PACER login and password. If you choose “Make this my default PACER login,” the system will link your PACER account information to your ECF login and password. Thereafter, you will not be required to enter your PACER information while you are working in ECF.

5. Procedural Rules

The Filing User must be familiar with the Local Rules of this Court, in particular E.D.TN. LR 5.2, E.D.TN. LR 5.3, E.D.TN. LR 7.3, the ECF Rules and Procedures, this User's Manual, and In Re: Electronic Case Filing, E.D.TN. standing order, entered 10-22-04. The Filing User should be aware that the Local Rules, as amended, apply to all filings. Electronic filing has not changed the applicability of the Local Rules. ECF may calculate the time for responses to pleadings and motions. **If a different deadline is provided by law, regulation, court order, local rules or agreement, the law governs.**

6. Effect on Time Computation

Electronic service under E.D.TN. LR 5.2 is complete upon transmission and is equivalent to service by mail within the meaning of Fed. R. Civ. P. 6(e). Therefore, the additional three days to do an act or take a proceeding after service of a document by mail applies when service is made electronically.

7. Discovery

Pursuant to Fed. R. Civ. P. 5(d), neither depositions, interrogatories, requests for production of documents and requests for admissions, nor responses thereto, shall be filed, except by order of the Court. Further, these documents cannot be sent to opposing counsel via the Court's electronic filing system. The electronic filing system is to be used only for the purpose of filing documents in a case. However, with consent, parties may serve these documents upon one another electronically through e-mail. (*See* Fed. R. Civ. P. 5.)

8. Training

- a. Case Filing Tutorials are provided on the Court's web site at [www.tned.uscourts.gov](http://www.tned.uscourts.gov).
- b. Training classes are held at the courthouses in Chattanooga, Knoxville and Greeneville. The training is conducted by the Clerk's Office staff. You may obtain the training schedule by visiting the Court's web site at [www.tned.uscourts.gov](http://www.tned.uscourts.gov) or by calling the Clerk's Office;
- c. ECF Training Database - A training database is provided on the Court's web site at [www.tned.uscourts.gov](http://www.tned.uscourts.gov).

## CHAPTER II

### PREPARATION

#### A. SETTING UP THE ADOBE ACROBAT PDF READER

A Filing User must install Adobe's Acrobat Reader software in order to view documents that have been electronically filed on the system. All documents must be filed in PDF format. When installing this product, please review and follow Adobe's directions to utilize Acrobat Reader after installation. Adobe provides a PDF Reader free of charge on its web site that works for viewing PDF documents. However, in order to create and subsequently file PDF documents, you will need Adobe Acrobat Standard or a similar conversion program. All new documents prepared for ECF cases must be converted to PDF before entering them into ECF or transmitting them to the Court.

#### B. PORTABLE DOCUMENT FORMAT (PDF)

Only documents in PDF format may be filed with the Court using its ECF System. Before sending the file to the Court, users should preview the actual PDF document to ensure it is complete and in the proper format.

There are two types of PDF documents - electronically converted PDF documents and scanned image PDF documents. Electronically converted PDF documents are created from word processing documents (MS Word, WordPerfect, etc.) using Adobe Acrobat or similar software. They are text searchable and their file size is small. Scanned image PDF documents are created from paper documents run through an optical scanner and have a large file size.

##### 1. Converting Electronic Documents to PDF Format

You must convert all of your documents to PDF format before submitting them to the Court's system, unless exempted by Order, the ECF Rules and Procedures, or this User's Manual. As discussed above, the conversion process requires special software such as Adobe Acrobat Standard, which has built-in PDF conversion capabilities, or word processing software having conversion capabilities.

**NOTE:** We strongly suggest you choose a descriptive name for the PDF document that includes the case number, the title of the pleading,

and the date of the document. Be sure to use the extension PDF.  
For more help in naming and organizing files, *See*  
<http://pacer.psc.uscourts.gov/ecfbt/dc/filemgt1/> and  
<http://pacer.psc.uscourts.gov/ecfbt/dc/filemgt2/>

## CHAPTER III

### BASICS

#### A. USER INTERACTIONS

A user normally interacts with the Electronic Case Filing (ECF) system in three ways.

1. Entering information in data fields.
2. Mouse-clicking on hyperlinks or drop down menus.
3. Using command buttons to direct system activities.

#### B. CONVENTIONS USED IN THIS MANUAL

- Hyperlinks are displayed as **blue underlined boldface type** (when viewed on screen or printed in color).
- Command buttons appear in **[bracketed boldface type]**.

#### C. DOCUMENTS FILED IN ERROR

A document incorrectly filed in a case may result from: (a) posting the wrong PDF file to a docket entry; (b) selecting the wrong document type from the menu; or (c) entering the wrong case number and not discovering the error before completing the transaction.

For assistance, telephone the ECF Help Desk at one of the following:

(Chattanooga)	(423) 752-5200
(Knoxville)	(865) 545-4228
(Greeneville)	(423) 639-3105
(Winchester)	(931) 967-1444

You will need to provide the case number and document number for the document in question. If appropriate, the Clerk's Office will make an entry indicating that the document was filed in error. You may be advised that you need to refile the document or to petition the Court for other appropriate relief. The ECF system does not permit you to make changes to the misfiled document or incorrect docket entry after the transaction has been accepted.

D. VIEWING TRANSACTION LOG

This feature, selected from the Utilities feature of the ECF system, allows you to review all the transactions ECF has processed with your login and password. (See page 9:1-9:4 of this Manual for a detailed discussion of the Utilities feature.) If you believe or suspect someone is using your login and password without your permission, change your password immediately, then telephone the ECF Help Desk, and confirm with a faxed message.

E. USER MANUAL

You can view or download the most recent version of this Manual (in PDF format) from the Court's web site. Enter [www.tned.uscourts.gov](http://www.tned.uscourts.gov) in your browser's location field; and when the Court's web site opens, click on the **Electronic Case Filing System**.

**NOTE:** The ECF User Manual is best viewed using Adobe Acrobat Reader Version 5.0 or higher. Users can download a free copy of Acrobat Reader from Adobe's web site at [www.adobe.com](http://www.adobe.com).

F. TECHNICAL FAILURES

A Filing User whose filing is made untimely as the result of a technical failure may seek appropriate relief from the Court. (See ECF Rules and Procedures, at ¶6.) If necessary, you may bring the document to the courthouse in PDF format on an appropriately labeled disk or CD-ROM.

## CHAPTER IV

### A STEP-BY-STEP GUIDE

Below is a step-by-step guide for entering the system, preparing a document for filing, filing a motion or application, and displaying a docket sheet.

#### A. HOW TO ACCESS THE SYSTEM

Users can enter the system by going to the Court's web site at [www.tned.uscourts.gov](http://www.tned.uscourts.gov)

After clicking on the **Login to ECF** hyperlink, a new screen opens providing the user with information about ECF, such as this User Guide, the Court's Rules, Policies and Procedures and various training options.

Alternatively, Filing Users may enter the ECF system directly by typing the following URL into the location field of their ECF-compatible web browser: <http://ecf.tned.uscourts.gov>.

This URL connects you directly to the Court's ECF screen. Point and click on the United States District Court-Eastern District of Tennessee - Document Filing System hyperlink to open the login screen and log into ECF.

#### B. HOW TO LOG IN

To log into the system, you must have a login and password. Instructions for obtaining a login and password are on pages 1:3. If you have not received e-mail notification from the Clerk's Office of a login and password, you are not yet officially registered in ECF. Please contact the

ECF Help  
assistance.  
Figure

##### CM/ECF Filer or PACER Login

###### Notice

This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

###### Instructions for filing:

Enter your CM/ECF filer login and password if you are electronically filing something with the court.

###### If you received this login page as a result of a link from a Notice of Electronic Filing email:

Enter your CM/ECF filer login and password. The system prompts customers for a CM/ECF login and password when attempting to view certain types of documents.

###### If you have trouble viewing a document:

After successful entry of your CM/ECF login, you should be able to view the document. If you receive the message "You do not have permission to view this document," viewing the document is restricted to attorneys of record in the case and the system does not recognize you as such. If the login prompt appears again, after you have entered your CM/ECF login and password, it means that the "free look" link has expired. You will need to enter your PACER login and password to view the document.

###### Instructions for viewing filed documents and case information:

If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, you may register online at <http://pacer.psc.uscourts.gov>.

###### Authentication

Login   
Password   
client

**IMPORTANT NOTICE OF REDACTION RESPONSIBILITY:** All filers must redact Social Security or taxpayer identification numbers, dates of birth, names of minor children, financial account numbers, and, in criminal cases, home addresses, in compliance with Fed. R. Civ. P. § 2 or Fed. R. Crim. P. § 51. This requirement applies to all documents, including attachments.

Line for  
(p. 1:1). See  
Below.

Enter your ECF login name and user password in the appropriate data entry fields. All ECF login names and passwords are case-sensitive so you must type them exactly as they appear in the e-mail from the Clerk's Office. The client code field is provided so that, when using PACER, attorneys may track usage by client for billing purposes. Also on the login screen a new Notice regarding redaction has been placed on the login page. Please note that you will check the box to comply with the redaction rules. If you **DO NOT** check the box to comply with the redaction rules, it will not accept your login and password. **NOTE FIGURE REGARDING REDACTION BELOW.**

**IMPORTANT NOTICE OF REDACTION RESPONSIBILITY:** All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and, in criminal cases, home addresses, in compliance with Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1. This requirement applies to all documents, including attachments.

I understand that, if I file, I must comply with the redaction rules. I have read this notice.

**NOTE:** Use your **ECF** login and password if you are entering the system to file a document or to maintain your account. If you only wish to enter ECF to query the database for case information or to view a document, enter your **PACER** login and password. As discussed on page 1:2-1:3, there is a charge of 8 cents per page for viewing, printing and/or downloading case dockets and documents. The maximum amount you will be charged is \$2.40 or 30 pages viewed, printed or downloaded.

Verify that you have entered your ECF login and password correctly. If not, click on the **[Clear]** button to erase the login and password entries and re-enter the correct information. After you enter the correct login and password, click on the **[Login]** button to transmit your user information to the ECF system.

- If the ECF system does not recognize your login and password, it will display the following error message on the screen:  
**Login failed - either your login name or key is incorrect.**
- Click on the browser **[Back]** button and re-enter your correct login and password.

After ECF accepts your login and password, your monitor will display the Main ECF screen with a **blue** functional selection menu bar at the top.

NOTE: The date and time *you last logged into the system* appears at the bottom-left corner of this screen. You should review this information each time you log in. If you believe the date and time of your last log in are not correct, or you suspect an unauthorized party is using your login and password, telephone the ECF Help Desk (p. 1:1) with this information as soon as possible, and confirm with a faxed message.

## C. SELECTING ECF FEATURES

ECF provides the following features that are accessible from the **blue** menu bar at the top of the opening screen.

- Civil** - Select **[Civil]** to electronically file all civil and miscellaneous case pleadings, motions, and other court documents. If filing in a miscellaneous case be sure to select “mc” as the case type.
- Criminal** - Select **[Criminal]** to electronically file all criminal case pleadings, motions, and other criminal court documents.
- Query** - **[Query]** ECF by specific case number or party name to retrieve information and documents that are relevant to the case. You must log into PACER before you can query ECF.
- Reports** - Choose **[Reports]** to retrieve cases-filed reports and docket sheets. You must log into PACER before you can view an ECF report.
- Utilities** - View your personal ECF transaction log and maintain personal ECF account information in the **[Utilities]** area of ECF
- Logout** - Provides the means to gracefully exit from ECF, and prevents further filing with your password until the next time you log in.

## CHAPTER V

### GENERAL RULES AND MANIPULATIONS

Filing Users will use the Civil events feature of ECF to electronically file and docket with the Court a variety of pleadings, motions, and other documents for civil cases. Filing Users will use the criminal events feature to file and docket with the Court a variety of pleadings, motions and other documents for criminal cases.

#### A. GENERAL RULES

##### 1. Signatures; Unsworn and Sworn Documents

- A. Attorney signature. The Filing User log in and password required to submit documents to the ECF system shall serve as that Filing User's signature for purposes of Fed. R. Civ. P. 11 and for all other purposes under the Federal Rules of Civil Procedure and the Local Rules of this Court. All electronically filed documents must include an "s/" followed by the typed name of the attorney, e.g., "s/Jane Doe." All electronically filed documents shall set forth the attorney's address, telephone number, and BPR number. (*See* ECF Rules and Procedures ¶6)
- B. Multiple signatures. To file documents containing the signatures of more than one person, the Filing User shall: (1) File a scanned image of the document containing all necessary signatures; or (2) file the document without the requisite signatories but with a representation by the Filing User that all signatories have consented to the filing of the document; or (3) file the document in any other manner approved by the Court. (*See* ECF Rules and Procedures, ¶6)
- C. Unsworn declaration. Documents which must contain original signatures which require either verification or an **unsworn** declaration under any rule or statute, shall be filed electronically with originally executed copies maintained by the filer. The Filing User who files the document shall retain the document for one year after all time periods for appeal expire. (*See* ECF Rules and Procedures ¶6-7)
- D. Sworn documents. (e.g., affidavits, notarized documents, etc.) Documents bearing original signatures or notarial seals shall be filed by electronically filing a scanned document containing all necessary signatures. The Filing User who files the document shall retain the original of the document until one year after all time periods for appeal expire. (*See* ECF Rules and Procedures ¶6-7)
- E. Objections to Authenticity. A party who disputes the authenticity of an electronically filed document containing multiple signatures or third party signatures must file an objection to the document within ten days of the date on

the Notice of Electronic Filing. (See ECF Rules and Procedures ¶6)

2. Filing Initiating Documents (e.g., complaint, indictment, notice of removal)

Complaints, including civil cover sheets, shall be filed, fees paid, and summons issued and served in the traditional manner on paper rather than electronically. Notices of Removal must be filed on paper in the traditional manner. Charging documents in criminal cases (e.g., criminal complaints, indictments, informations) also shall be filed in the traditional manner on paper. When filing such initiating documents, the Filing User also must submit a disk or CD-ROM containing the documents in PDF format. (See ECF Rules and Procedures ¶¶4.3, 4.4, 4.5)

The disk/CD-ROM must be labeled as follows: (1) The name of the filing party, (2) the type of document(s) being filed (i.e., complaint); and (3) the number of documents contained on the disk/CD-ROM. If attachments are filed, they must be separate PDF documents. All documents may be included on one disk or CD-ROM.

The Clerk's Office will open the case and electronically file the complaint or other initiating document and any other documents submitted. You will be electronically notified of the filing of the complaint. The notification will include your case number.

The Clerk's Office will issue the summonses. The paper summonses will be returned to you for service or, if appropriate, sent to the U.S. Marshal for service. You must serve the summons as provided in Fed. R. Civ. P. 4. **Summonses cannot be served electronically.** ECF Rules and Procedure, ¶11. When you serve the summons and complaint, you should print the PDF version and serve it so that the line numbers and other formatting match the official, electronically-filed version of the document.

3. Return of Service

Returns of service are to be filed electronically. The Filing User should maintain the original paper version until one year after the period for all appeals expires. (See ECF Rules and Procedures ¶7)

4. Sealed Documents. The motion to seal will be filed in CM/ECF using the *Leave to File Document Under Seal* motion event. The document sought to be sealed **can not** be filed as an attachment to the motion. It **must** be filed separately using the *Proposed Sealed Document* event. The *Proposed Sealed Document* event will automatically seal the document. Please note that counsel of record will not be able to access the proposed sealed document in CM/ECF. Therefore, it is essential that counsel take due care when uploading the proposed sealed document for review by the court.

Motions to seal will not be sealed. Counsel is *strongly encouraged* to set forth in the motion the justification for sealing in such a way that the motion need not be sealed. If counsel deems it necessary

for the justifications to be sealed, counsel shall note in the motion that a memorandum is being filed and request that the memorandum and the document be sealed. The memorandum is **not** to be filed as an attachment to the motion. The memorandum must be docketed separately using the *SEALED Memo in Support of Leave to File Doc Under Seal* event. This event will automatically seal the memorandum.

Only court personnel will have access to sealed documents.<sup>3</sup> A notice of electronic filing will be sent upon the filing of a sealed document; however, non-court users will not be able to access the document. **Accordingly, counsel must serve a copy of proposed sealed documents and sealed memoranda in support of motions to seal to all parties in some other manner allowed under the Federal Rules of Civil Procedure or Federal Rules of Criminal Procedure.**

Upon entry of the Court's order:

If the motion to seal is granted, the Clerk's Office will retrieve the proposed sealed document and re-docket it under seal.

If the motion is denied, the Clerk's Office will delete the proposed sealed document and modify the docket entry to note the document was deleted upon the denial of the motion to seal.

If the court orders that the memorandum (if filed) be sealed, no further action will be needed. If the court does not order the memorandum sealed, the Clerk's Office will delete the memorandum and modify the docket entry to note the memorandum was deleted upon the ruling on the motion.

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<sup>3</sup> Unless otherwise directed by the Court, the docket entries for sealed documents (in non-sealed cases) will appear on the publicly viewable docket report, but the document will not be viewable by the non-court users.

The events identified in these procedures can be found in CM/ECF as follows:

### **Criminal Events:**

Motion for Leave to File Document Under Seal

◆ Criminal → Motions → *Leave to File Document Under Seal*

Proposed Sealed Document

◆ Criminal → Other Documents → *Proposed Sealed Document*

SEALED Memo In Support of Leave to File Document Under Seal

◆ Criminal → Filings in Support of Motion → *SEALED Memo In Support of Leave to File Document Under Seal ONLY*

### **Civil Events:**

Motion for Leave to File Document Under Seal

◆ Civil → Motions → *Leave to File Document Under Seal*

Proposed Sealed Document

◆ Civil → Other Documents → *Proposed Sealed Document*

SEALED Memo In Support of Leave to File Document Under Seal

◆ Civil → Filings in Support of Motion → *SEALED Memo In Support of Leave to File Document Under Seal ONLY*

*Tip: The Search feature (on the blue bar) is an easy way to locate an event. For example, a search on the word "seal" will return all of these events.*

**NOTE:** These procedures do not apply to **sealed cases**. All documents in sealed cases must be filed in paper form. Only court personnel will have access to documents in sealed cases. A notice of electronic filing will not be sent on documents filed in sealed cases and counsel will not have access to the docket for sealed cases. Service must be made in some other manner allowed under the Federal rules of Civil Procedure or Federal Rules of Criminal Procedure. Please note that all documents filed in paper format **must** have an original signature.

#### 5. Privacy

To address the privacy concerns created by Internet access to court documents, unless otherwise ordered by the Court, the filing attorney shall modify certain personal data

identifiers in pleadings and other papers as follows:

- a. Social security numbers: Use last four digits.
- b. Names of minor children: Use initials.
- c. Dates of birth: Use year of birth.
- d. Financial account numbers: Use last four digits.
- e. Home Address: Use city and state only.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk will not review filed documents to assure compliance with the rule. An unredacted document can be filed under seal upon order of the Court. (*See* E.D.TN. LR 7.3.)

6. Ex Parte Communications

Ex parte communications cannot be filed in ECF because of the electronic notification feature. (*See* discussion at p. 6:14-6:15.) The attorney who wants to make an ex parte communication should contact the judge's chambers or visit the Judicial Preference section on the Court's web site at [www.tned.uscourts.gov](http://www.tned.uscourts.gov) for instructions on how the judge prefers to handle ex parte communications.

## CHAPTER VI

### FILING DOCUMENTS IN ECF

#### A. TWELVE BASIC STEPS

There are twelve steps to file documents electronically:

1. Select the Case Type from the *blue* menu bar at the top of your screen (Civil or Criminal);
2. Select the type of document to file (e.g., answer, motion, etc.);
3. Enter the case number in which the document is to be filed;
4. Select the Defendant (in criminal filings only);
5. Select the parties for whom the pleading or document is being filed;
6. Associate attorney and party;
7. Select the PDF document to be filed;
8. Add attachments, if any, to the document being filed;
9. Modify docket text as necessary;
10. Submit the document to ECF;
11. Retain Notification of Electronic Filing (NEF);
12. Mail paper copies of document and NEF to any non-registered party.

For purposes of describing the Electronic Filing process and the ECF screens, this section of the User Manual describes the process for filing a Civil Motion in ECF. The process is similar for filing other pleadings/documents in ECF.

1. Select the Case Type  
Select **Civil** from the *blue* menu bar at the top of the ECF screen. The Civil Event window opens displaying all of the events from which you may choose for your filing.

2. Select the Type of Document to File

For example, click on **[Motions]** under **[Motions and Related Filings]**.

The **Motions** screen appears and displays a motion selection field with a scroll bar next to it. Scroll through the menu until you find the type of motion or application you wish to file. (If the type of motion you are filing is not listed, use **Motion for Miscellaneous Relief**.)

**NOTE:** When navigating the Civil and Criminal Menu screens, you can highlight any event then type the first letter of the event you are looking for. This will move you to those events in the menu beginning with the same letter.

A Filing User who wishes to file a document other than a civil motion or application should make the appropriate selection from the Civil or Criminal Events menu. The process for other filings is very similar to what has been described in this manual for filing a motion.

3. Enter the Case Number in which the Document is to be Filed

A new Motions screen opens with a Case Number field. Enter the number of the case for which you are filing a motion, then click the **[Next]** button. If the number is entered incorrectly, click the **[Clear]** button to re-enter the case number, then click the **[Next]** button.

**NOTE:** ECF defaults to the last case in which you worked. **Ensure the proper case number is entered in this field to avoid filing your document in the wrong case.**

The case number can be entered in two different formats:

- a) If the entire case number is known, it may be entered in the format:  
<office>:<case year>-<case type>-<case number> (i.e., 3:03-CV-33).

Office:           1 = Chattanooga  
                  2 = Greeneville  
                  3 = Knoxville  
                  4 = Winchester

Case Type:      cv = civil cases  
                  mc = miscellaneous cases

cr = criminal cases  
mj = magistrate cases  
po = petty offense cases

- b) You also can simply enter the case year-case number (i.e., 03-33). The system may identify more than one case with that number. Select the appropriate case by clicking on the box next to the case number.

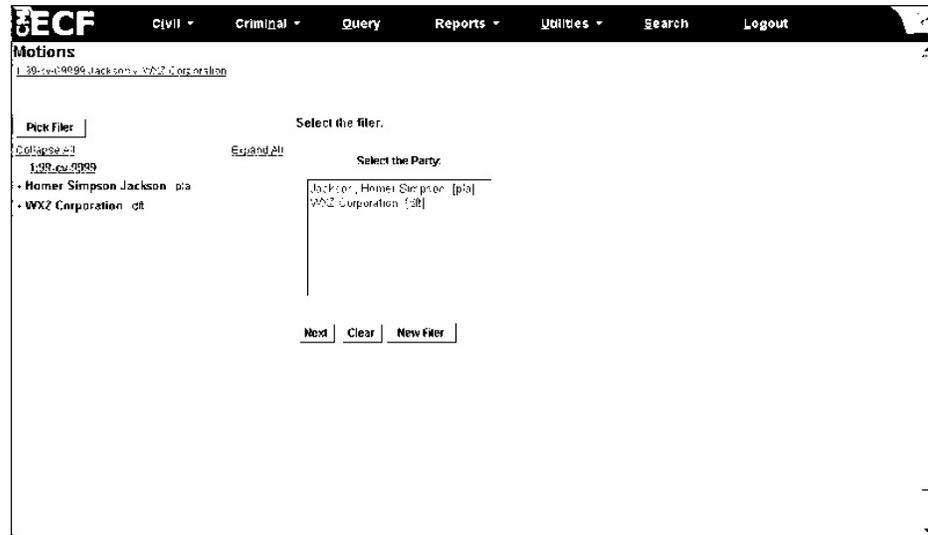
If you submit a case number that is formatted incorrectly, ECF will prompt an error message advising you of the correct format for entering the case number. Click **[OK]** to acknowledge and close the error message. Click the **[Clear]** button on the screen and re-enter the case number in the correct format. Click on the **[Next]** button.

4. Select the Defendant (**criminal cases only**)

**Very Important.** If there is more than one defendant in a criminal case, the system will display a Select Defendant screen. Select the defendant for whom the motion applies.

5. Select the party for whom the document is being filed by pointing and clicking on the name of the party. If you represent more than one defendant or plaintiff, hold down the **CTRL KEY** while pointing and clicking on each party you represent, then click on the **[Next]** button.

**NOTE:** In rare cases you may need to add a party to the ECF system. If the party you represent is not listed in the “Select a Filer” screen, click on **[New Filer]**. The screen depicted below will appear.



You must perform a search to see if your party is already entered on the ECF system. Type the first few letters of the party’s last name for an individual, or the first few letters of the company name. Click **[Search]**.

If a match is found, ECF will display a list of party names. If the name of the party you represent appears in the list, click on it and then click **[Select Party]**. Review the party information and select the party’s role in this filing. Click **[Submit]**.

If a match is not found or your party does not appear in the list, click **[Create New Party]**.

Pick Files  
 Collapse All  
 1:28-cv-00090  
 • Homer Simpson Jackson pla  
 • WXZ Corporation dt

Expand All

Party Information

Last name Attorney First name  
 Middle name Generation  
 Title  
 Role Defendant (dft pty)  
 Pro se No  
 Prisoner Id Unit  
 Office  
 Address 1  
 Address 2 Show this address on the docket sheet  
 Address 3 City  
 State Zip Country  
 Prison  
 Phone Fax  
 Email  
 Party text  
 Start date 10/26/2009 End date  
 Corporation no Notice yes  
 Add Party

- For a company, enter the entire company name in the **Last Name** field. Choose the appropriate **Role** from the drop-down list. If a corporation, change to yes at bottom of screen. Click **[Add Party]**.
- For an individual, fill out the **Last Name, First Name, Middle Name, Generation** and **Title** fields as appropriate. Choose the appropriate **Role** from the drop-down list. Click **[Add Party]**.
- Leave all other fields blank.

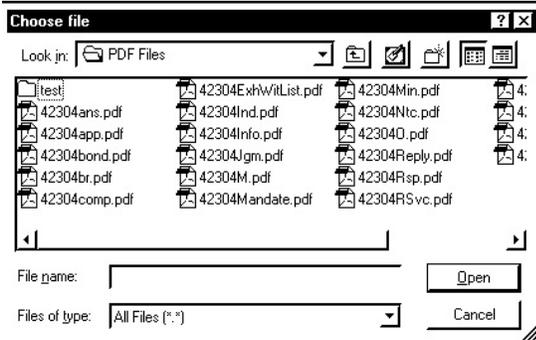
6. Select the filer (new party that was just added). Click **[Next]**. If this is your first filing in a case on ECF, you will need to make an attorney/party association. To do so, leave the box on the left checked if you represent this party in the case and click **[Next ]**.

7. Select the PDF Document to be Filed. **NOTE:** If you fail to select a document, the system will give you a warning: “You have not selected a document.”

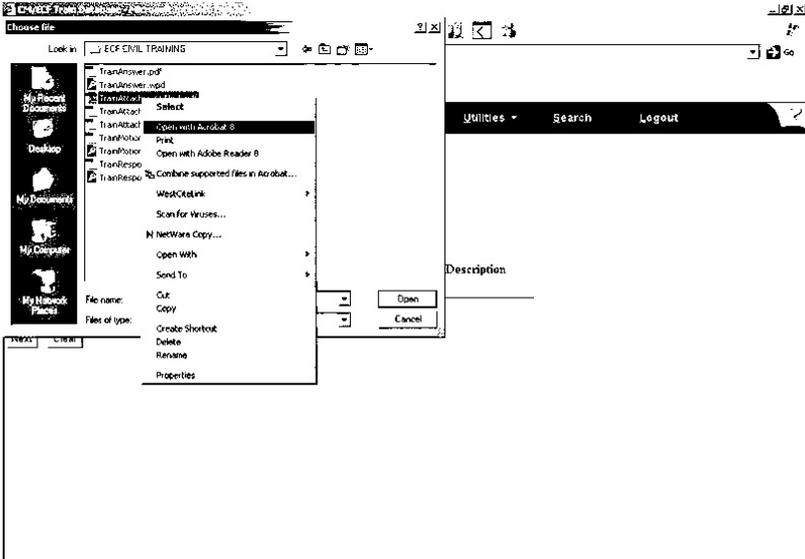
ECF displays a field for locating and entering the PDF file of the document you are filing.

**NOTE:** It is imperative that you attach an electronic copy of the actual document when prompted by the system. All documents that you intend to file in ECF **MUST** be in **PDF** format. Otherwise, ECF will not accept the document and Filing Users will be unable to retrieve and read your document from within ECF.

- Click on the **[Browse]** button. ECF opens a window to access the files on your computer or network. If necessary, change the **Files of type** to All Files (\*) (The screen depicted below is an example. Your window will be different.) Navigate to the appropriate directory and file name to select the PDF document you wish to file. Highlight the file to upload to ECF. (See Below.)



In order to verify that you have selected the correct document, right mouse click on the highlighted file name to open a **quick menu** and left mouse click on **[Open]**. Adobe Acrobat or Acrobat Reader will launch and open the PDF document that you selected. You should view it to verify that it is the correct document.



Once you have verified the document is correct, close Adobe Acrobat and click on the **[Open]** button from the screen above. ECF closes the **File Upload** screen and inserts the PDF file name and location in the **Motions** screen.

Click on **[Next]**. In the event you selected and highlighted a file that is **not** in PDF format, ECF will display the following error message: **“ERROR: Document is not a well formed PDF document.”** Click on the **[Back]** button and ECF will return to the **Motions** screen. Select and highlight the PDF file of your pleading and proceed as before.

If there are no attachments to the motion, click on **[Next]** and proceed to Section 9, “Modify the docket text as necessary” to proceed with your filing.

If you have attachments to your motion, you will select **[Yes]** on the screen depicted above. Click on **[Next]** and proceed to the first step in Section 8, **“Add attachments, if any, to the documents being filed.”** Click on the **[Browse]** button. ECF will again open a window to access the files on your computer or network.

## 8. Adding Attachments to Filings and Exhibits

A Filing User must submit in electronic form all documents referenced as exhibits or attachments in accordance with the Court’s ECF Rules and Procedures unless otherwise ordered by the Court. A Filing User shall submit as exhibits or attachments only those excerpts of the referenced documents that are directly germane to the matter under consideration by the Court. ECF Rules and Procedures, ¶4.6. Excerpted material must be clearly and prominently identified as such. Filing Users who file excerpts of documents as exhibits or attachments under this rule do so without prejudice to their right to timely file additional excerpts or the complete document. Responding parties may timely file additional excerpts or the complete document that they believe are directly germane.

Each referenced attachment or exhibit must be labeled with a proper attachment/exhibit marking and be filed as a separate attachment. The Filer User can choose a category and/or description.

- To choose a category, click on the arrow and ECF opens a drop-down screen. Highlight the type of attachment from the displayed selection.
- To describe the attachment more fully, click in the description box and type a clear and concise description of the attachment.
- Click on **[Next]**.

**Filing Users must not attach as an exhibit or attachment any pleading or other paper already on file with the Court, but shall merely refer to that document.**

Filed documents, including attachments and exhibits, cannot be greater than 10 MB in size. Documents greater than 10 MB in size must be divided into separate documents less than 10 MB in size. ECF Rules and Procedures, at ¶4.2. If you attempt to file a document greater than 10 MB the system will reject it and you will receive this message:

“This document exceeds the maximum file size of 10MB and cannot be loaded.”

**NOTE:** To check your file size, the document must be closed. Using Windows Explorer, locate the document on your network, right click on it and select Properties. That will show you the size. (1MB=1000KB).

- a) Attachments and Exhibits  
These documents must be filed according to the following guidelines.

<b><u>IF THE ATTACHMENT OR EXHIBIT IS</u></b>	<b><u>THEN IT SHOULD BE</u></b>
Any document exceeding 10 MB in size	Divided into multiple files less than 10 MB in size and filed in ECF.
Exhibits which cannot be scanned (e.g., videotapes, demonstratives, photographs, color documents, etc.)	Filed in the Clerk’s Office and a document filed in ECF stating the exhibit was filed with the Clerk’s Office.
Trial exhibits.	Filed in paper form during the hearing with the courtroom deputy.

If a relevant portion of a deposition transcript is filed in support of a motion, the transcript shall be filed using ECF or on either a 3.5" disk or CD-ROM in PDF, unless otherwise permitted by the Court.

- b) Non-scanned Exhibits

All attachments and exhibits that are referenced in a document and are filed with the Clerk’s Office (i.e., videotapes, demonstratives, pre-trial hearing exhibits, large documents, etc.) must have notice of their filing recorded in ECF. The Filing User must create a “Notice of Manual Filing” that contains the name and a description of the attachment/exhibit. (*See Appendix A.*) During the filing of the referencing document, answer “yes” to the attachment question and upload the “Notice of Manual Filing.”

If you have multiple non-scanned exhibits you may include them all in a single descriptor PDF format.

**NOTE:** Whenever it is practical, the Clerk's Office will scan manual filings and enter them into ECF. Once a document is scanned, the electronic version becomes the official record of the court and permits the Clerk of Court to retain, return or discard the original.

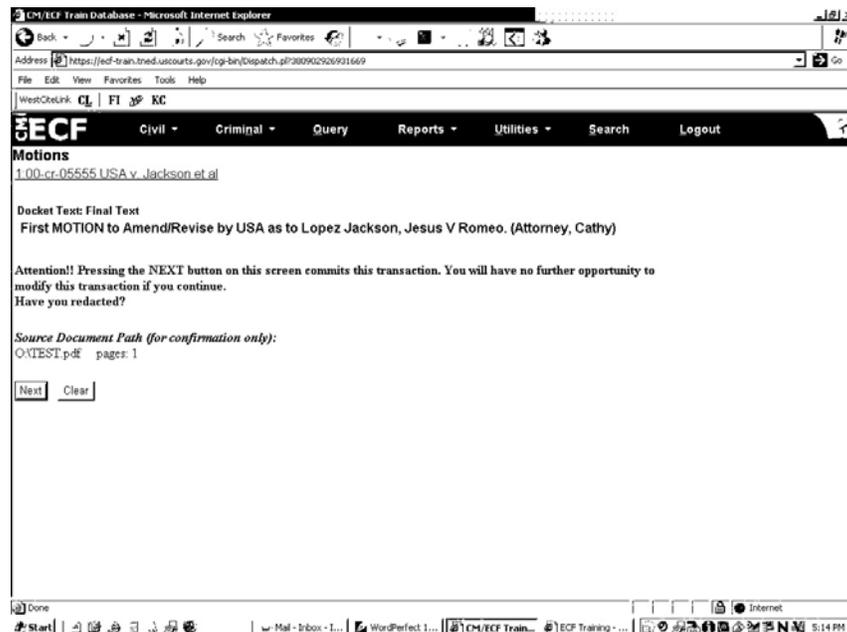
**NOTE:** With some events, ECF may create and display a response deadline. The deadline cannot be changed by Filing Users. If the response deadline is different from the deadline required by order of the Court, federal procedure rules, local rules, statute or regulation, the law governs.

9. Modify Docket Text as Necessary

ECF selections determine the filing text that appears on the docket sheet.

- To open a modifier drop-down list you may select one of the words in the drop-down list or leave the field blank.
- Click on the field by the party's name, and type a description of the document that will appear in the docket report.

10. Submit Document for Filing



After entering docket text, click on the final approval screen, click on the [Next]

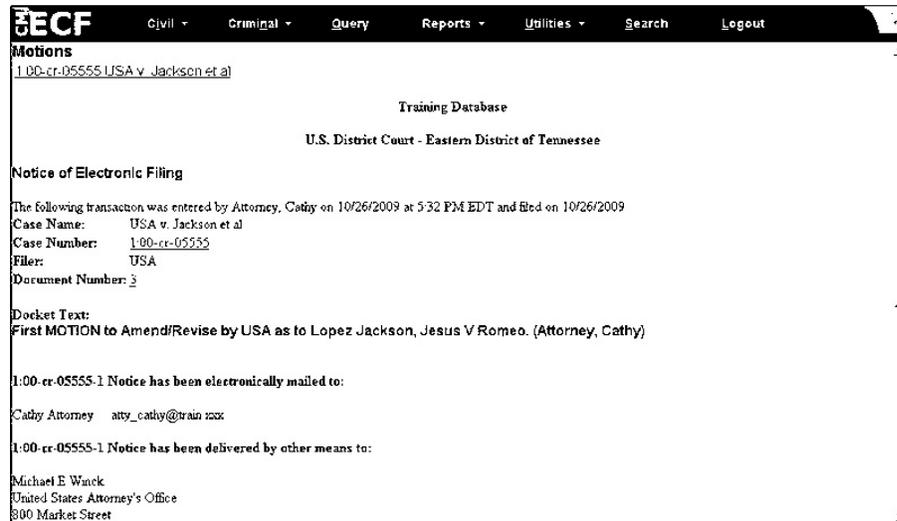
button depicted above. A new **Motions** window appears, with the complete text for the docket entry.

Review the docket text and correct any errors. If you need to modify data on a previous screen, click the [**Back**] button on the browser toolbar to find the screen you wish to modify.

If the text is correct, click on the [**Next**] button to file the document.

11. Retain Notification of Electronic Filing (NEF)

ECF opens a new window displaying the ECF filing receipt, known as the Notice of Electronic Filing CM/ECF. (See Below.)



The screen depicted above provides confirmation that ECF has registered your transaction and the document is now an official court record. It also displays the date and time of your transaction and the number that was assigned to your document.

To ensure the documents transmitted arrived in their entirety, it is important to read the documents after they are received by the Court.

The Filing User and all other individuals the Filing User has designated to receive e-mail notification of electronic filings in the User Account are permitted one “free look” at the document by clicking on the associated hyperlinked document number embedded in the NEF. The hyperlink to access the document will expire after the earlier of these two events: **the first use or 15 days**. Any time that same hyperlink is accessed after it has expired, the user will be asked for a PACER login and will be charged to view the document. Viewing attachments and subsequent retrieval of the case docket sheet or document from ECF must be made through your PACER account and is subject to regular PACER fees.

If prompted to put in a login or password, this means the system thinks you have had one free look. To avoid this, do not forward an e-mail notification to another e-mail address, and do not open the NEF and close it without using the link to view, download, or print the document. All additional e-mail addressed in your Maintain User's Account will be given one free look.

Filing users and PACER subscribers will have access to criminal cases whether or not they are a participant in the cases. However, documents filed prior to November 1, 2004, will continue to be restricted to court and counsel in the case.

#### 12. Mail Paper Copies of Pleading to Any Non-registered Party

The NEF also displays the names and addresses of individuals who will *not* be electronically notified of the filing. It is the **filer's** responsibility to serve hard copies of the pleading/document and the NEF to attorneys and pro se litigants who are not yet registered for electronic notification. The attorney should print the electronically filed PDF document and serve it on the non-filing users so that the format and pagination are the same as the electronically filed, official court document.

### B. CERTIFICATE OF SERVICE

A certificate of service in accordance with the Fed. R. Civ. P. 5(d) is still required when a party files a document electronically. The certificate must state the manner in which service was accomplished on each party and should be included as the final page of the document. You may use the "Mailing Info for a Case" feature in ECF under "Utilities," "Mailings..." to obtain information regarding which parties are registered users of ECF and which parties require service by regular mail. (See p. 9:5 for discussion and **Appendix B** for a sample certificate of service.)

### C. FILING OTHER TYPES OF DOCUMENTS

The process for other filings is very similar to what has been described in this Manual for filing a motion.

#### 1. Documents Which Require Leave of Court

If the document you wish to file requires leave of court (e.g., amended complaint), the proposed document shall be attached as an exhibit to the motion. If the motion is granted, the order will direct you to electronically file your document with the Court.

2. Proposed Order

A document submitted in PDF format cannot be modified; therefore, for the convenience of the Court, a proposed order must be in WordPerfect format. All proposed orders must be e-mailed as a WordPerfect attachment to the e-mail addresses below:

Judge Curtis L. Collier	collier_chambers@tned.uscourts.gov
Judge Thomas W. Phillips	phillips_chambers@tned.uscourts.gov
Judge Thomas A. Varlan	varlan_chambers@tned.uscourts.gov
Judge J. Ronnie Greer	greer_chambers@tned.uscourts.gov
Judge Harry S. Mattice, Jr.	mattice_chambers@tned.uscourts.gov
Judge Leon Jordan	jordan_chambers@tned.uscourts.gov
Judge R. Allan Edgar	edgar_chambers@tned.uscourts.gov
Magistrate Judge Dennis H. Inman	inman_chambers@tned.uscourts.gov
Magistrate Judge William B. Carter	carter_chambers@tned.uscourts.gov
Magistrate Judge Clifford C. Shirley	shirley_chambers@tned.uscourts.gov
Magistrate H. Bruce Guyton	guyton_chambers@tned.uscourts.gov
Magistrate Susan K. Lee	lee_chambers@tned.uscourts.gov

3. Agreed Orders

Agreed orders must be filed in ECF as an attachment to a **Joint** motion. The agreement of the parties must be reflected in accordance with Paragraph 6 of the standing order.

4. Answers

ECF may calculate the date an answer is due based on 20 days or 60 days depending on the defendant's status. If a statute, regulation, rule, or order of the Court requires a different answer date, the law governs.

5. Memoranda

Memoranda should be filed separately from the motion. Click on [**Motions and Related Filings, then Filings in Support of Motions**] and choose Memorandum in Support of Motion.

6. Objections to Presentence Reports

Pursuant to TN E.D.LR. 83.9, objections to presentence reports are to be provided to the Probation Officer and copies provided to all parties. The objections are not to be filed in ECF. A notice that the objections have been filed with the Probation Officer should be filed in ECF using the "Notice of Filing" event. Courtesy copies of objections may be provided to the district judge at the same time the objections are provided to the Probation Officer. Notices of no objections may be filed in ECF.

## 7. Correspondence

The Civil feature contains a category for correspondence. Please use this event if you file correspondence to the Clerk's Office with your documents.

### D. LINKING DOCUMENTS (REFER TO EXISTING EVENT)

Some pleadings, such as motions, responses and briefs, should be "linked" to related documents in the case. When filing these and certain other types of documents you will be presented with the following screen. To link the document, check the box in front of the "Refer to existing event(s)?" You also have the option of entering filed dates or document numbers if you would like to further narrow your search and click [Next]. (See Below.)

The screenshot shows the ECF system interface. At the top, there is a navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below the navigation bar, the page title is "Motions" and the case information is "3:99-cv-00100 Benson v. Mills, et al CASE CLOSED on 02/23/1999". The main content area is titled "Select document to be amended/corrected." and contains a checkbox labeled "Refer to existing event(s)?". Below this checkbox, there are two rows of input fields: "Filed" and "Documents", each with a "to" field. At the bottom of the form, there are "Next" and "Clear" buttons.

You will be presented with a list of documents that match your search criteria. Click the checkbox for the document you wish to link to and click [Next]. (See Below.)

The screenshot shows the ECF system interface. At the top, there is a navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below the navigation bar, the page title is "Motions" and the case information is "3:99-cv-00100 Benson v. Mills, et al CASE CLOSED on 02/23/1999". The main content area is titled "Select the appropriate event(s) to which your event relates:". Below this title, there is a list of documents with checkboxes. The first document is "02/04/1999 1 APPLICATION to proceed without prepayment of fees by plaintiff Rickey Benson C/S (ADA) (Entered: 02/26/1999)". The second document is "02/23/1999 2 MEMORANDUM AND ORDER by Honorable James H. Jarvis directing the clerk to file this action w/o prepayment of fees. Pursuant to the PLRA, pls is ordered to submit the \$150 filing fee and the custodian of the inmate's trust account is directed to submit payments as set forth. The clerk is directed to send a copy of this Order to the Warden of Brushy Mountain, Commissioner of TNDOC, and the State Attorney General to ensure that the custodian of the inmate's trust account complies w/the PLRA with relation to payments of filing fees. This document is in support of Order #4 dismissing this action (cc: all counsel) (ADA) (Entered: 02/26/1999)". The third document is "02/04/1999 3 COMPLAINT (Summons shall not issue), Magistrate Judge Phillips designated (ADA) (Entered: 02/26/1999)". The fourth document is "02/23/1999 4 ORDER by Honorable James H. Jarvis stating that this action be dismissed for failure to state a claim for relief, The court certifies that any appeal from this action would not be taken in good faith and would be totally frivolous. dismissing case OB 171 Pg 105 (cc: all counsel) (ADA) (Entered: 02/26/1999)". The fifth document is "03/27/2004 5 First MOTION for Preliminary Injunction (added text) by Rickey Benson. (Attorney, Bob)". At the bottom of the list, there are "Next" and "Clear" buttons.

E. APPEALS

Unless you represent the federal government or a party proceeding *in forma pauperis*, in order to file a Notice of Appeal in CM/ECF you must pay the fee by credit card. Instructions can be found at: <http://tned.uscourts.gov/docs/ecf/paygov.pdf>

Otherwise, a Notice of Appeal must be filed on paper with the Clerk's Office. When filing manually, both a paper copy and an electronic version (pdf) on disk must be filed.

## CHAPTER VII

### QUERY FEATURE

Registered participants should use this feature to query the ECF system for specific case information. To enter the Query mode, click on **[Query]** from the *blue* menu bar of ECF which opens up the **PACER Login** screen. You must enter your **PACER login and password** before ECF permits you to query the ECF database.

**NOTE:** Your PACER login and password are different from your ECF login and password. You must have a PACER account in order to retrieve, view, and print certain documents. Effective January 1, 2005, you will be charged a fee of 8 cents per page to access documents, docket sheets, etc., from ECF. The maximum amount you will be charged is \$2.40 or 30 pages viewed. You will not receive a bill from the PACER Service Center until you have incurred charges in excess of \$10.

#### A. SELECTING A CASE TO QUERY

After you enter your PACER login and password, ECF opens a Query data entry screen as depicted in Figure 20. If you know the number that the Court has assigned to the case, enter it in the **Case Number** field and click on the **[Run Query]** button. ECF opens the query screen depicted below.

The screenshot shows the ECF Query interface. At the top is a navigation bar with the ECF logo and links for Civil, Criminal, Query, Reports, Utilities, and Logout. The main section is titled "Query" and contains a "Search Clues" section. This section includes a "Case Number" field with the value "3:99-cv-100" and examples "(Examples: 99-500, 1:99cv500)". Below this are "Filed Date" and "Last Entry Date" fields, each with a "to" field and a "or search by" label. The "Nature of Suit" field is a dropdown menu with options "0 (zero)", "110 (Insurance)", and "120 (Contract Marine)". Below this are "Last Name", "First Name", and "Middle Name" fields, with examples "(Examples: Desoto, Des\*t)". The "Type" field is a dropdown menu. At the bottom are "Run Query" and "Clear" buttons.

Also, you may query the ECF database by the name of a party or an attorney. Enter the last name of the party in the appropriate field. If more than one person with that name is in the database, ECF returns a screen from which to select the correct name. When you click on the name of the party, ECF will open a query screen. (If the individual is a party to more than one case, ECF will open a screen listing all of the party's cases. Click on the [case number] hyperlink and ECF opens a query screen.)

You may also query a case by the nature of the suit. You must enter a range for either the file date or the last entry date in order for the query to run. To search for all cases of a certain type, use the date 1/1/1970 as the "beginning time." When you run the query if there is more than one case that meets those criteria you will get a screen listing multiple case numbers.

After querying the database by case number, name, or nature of suit, ECF opens the **Query** window for the specific case you selected. (See Below.)

The screenshot shows the ECF interface. At the top, there is a navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, and Logout. Below the navigation bar, the case information is displayed: 3:99-cv-00100 Benson v. Mills, et al, James H Jarvis, presiding, Date filed: 02/23/1999, Date terminated: 02/23/1999, and Date of last filing: 03/27/2004. On the left side, there is a 'Query' section with a list of hyperlinked options: Alias, Associated Cases, Attorney, Calendar - Monthly..., Case Summary, Deadlines/Hearings..., Docket Report..., Filers, History/Documents..., Judge, Party, Motions Report..., and Related Transactions... The 'Status' link is also visible at the top of this list.

At the top of the window, ECF displays the case number, case title, presiding judge, date that the case was filed, and date of last filing for the case. You may choose specific case information from a large list of query options by clicking on the appropriate hyperlinked name on the screen depicted above. The following paragraphs describe several of the available case-specific query options.

## B. CASE-SPECIFIC QUERY OPTIONS

### 1. Attorney

Displays the names, addresses, and telephone numbers of the attorneys who represent each of the parties to the case.

### 2. Case summary

Provides a summary of current case-specific information.

### 3. Deadlines/Hearings

Produces a screen that allows you to query the database by various means to obtain hearing and other schedule deadlines.

### 4. Docket Report

When you select Docket Report, ECF opens the Docket Sheet screen as depicted below.

The screenshot shows the ECF Docket Sheet interface. At the top, there is a navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, Search, and Logout. Below the navigation bar, the title "Docket Sheet" is displayed. The main content area contains several input fields and checkboxes. The "Case number" field is set to "100-cr-5656" with a "Hide Case List" button. Under "Select a case", there are three checkboxes: "100-cr-05555 USA v Jackson et al" (checked), "100-cr-05555-1 Lopez Jackson", and "100-cr-05555-2 Jesus V Romeo". There are also fields for "Filed" and "Entered" with "to" indicators, and a "Documents" field with "to" indicators. The "Include:" section has checkboxes for "Parties and counsel" (checked), "Terminated parties" (checked), "List of member cases", and "Links to Notices of Electronic Filing". The "Document options:" section has checkboxes for "Include headers when displaying PDF documents" (checked) and "View multiple documents". The "Format:" section has radio buttons for "HTML (unpaginated)" (selected) and "PDF (paginated)". At the bottom, there is a "Sort by" dropdown menu set to "Oldest date first" and two buttons: "Run Report" and "Clear".

You may select a date range for your docketing report as well as a range of docketing numbers. If you leave the range fields blank, ECF will default to the entire docket report. Place a check mark in the box to include links to **Notice of Electronic Filing** if you wish to view them from the docket sheet. After you have selected the parameters for your report, click on the **[Run Report]** button. ECF will run your custom docket report.

**NOTE:** If you are checking a case for recent filings, use “most recent date first” for the sort option and this will list the filings in reverse chronological order so you do not have to scroll through the entire docket sheet to view the most recent filings.

## 5. History/Documents

This selection queries the database for case event history and documents associated with the case. After you click on the [**History/Documents**] hyperlink, ECF opens the screen depicted below. You may select the sort order for the query report and choose to exhibit all events or only those with documents attached.

ECF also offers you the option to display the docket text of documents filed in ECF. The “Doc. No.” in the left column are hyperlinks to PDF files of the actual documents. (If the “Doc No.” is not blue, the document has not been filed electronically.) If you did not select “Display Docket Text” the report will display a silver button in the center column. Clicking the silver button will display the full docket text. (See Below.)

### History

Doc. No.	Dates	Description	Private Event	Type Subtype	Docket Part ID
1	Filed: 02/04/1999 Entered: 02/26/1999	Motion for Leave to Proceed in forma pauperis		motion ifp	690432
3	Filed: 02/04/1999 Entered: 02/26/1999	Complaint		cmp cmp	690453
2	Filed: 02/23/1999 Entered: 02/26/1999	Memorandum & Opinion		order memoon	690433

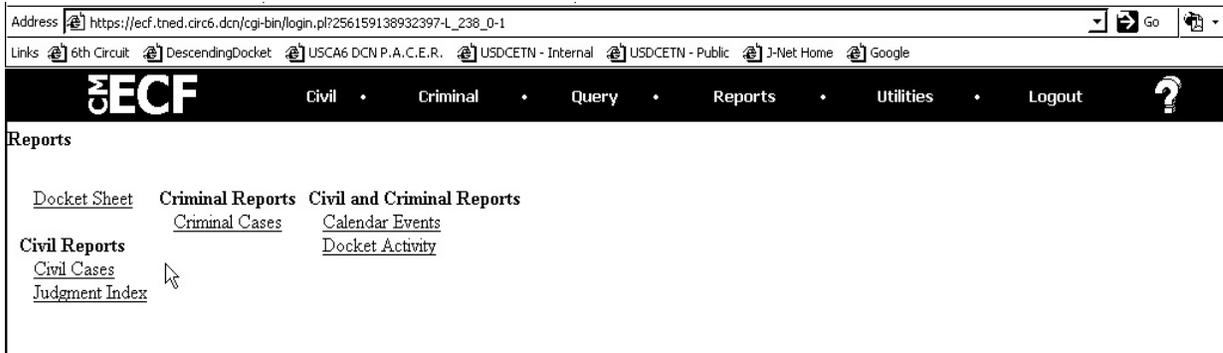
## 6. Other Queries

The process for selecting and running other queries in the **Query** feature of ECF is similar to what has been described above.

## CHAPTER VIII

### REPORTS FEATURE

The Reports feature of ECF provides the user with report options for civil cases, criminal cases, and docket sheets. After selecting the Reports feature from the *blue* menu bar, ECF opens the Reports screen depicted below.



#### A. DOCKET SHEET REPORT

This is the same query window that ECF displayed when you selected [**Docket Report**] from the Query feature. Enter the case number for your docket sheet in the Case Number field. Select parameters for the remainder of the data entry fields and click on the [**Run Report**] button. ECF will display a full docket sheet for the case you selected. If you do not need a complete docket sheet, you can narrow the query using the date filed/entered fields. ECF also offers various sorting options from the Docket Sheet query screen.

#### B. CIVIL CASES REPORT AND CRIMINAL CASES REPORT

These reports provide you with the flexibility to query the ECF database to locate cases electronically filed within a specific date range, or by Nature of Suit and Cause Code.

**NOTE:** If you are not logged into **PACER**, ECF will display the **PACER** login screen. Log in to **PACER** and ECF will open the [**Civil Cases Report**] screen.

The far-left column of the Cases Filed report contains hyperlinked case numbers. If you click on a particular case number, ECF opens the Docket Sheet report window from which you can retrieve the docket sheet for the selected case. Follow the instructions in the previous section for a Docket Sheet report.

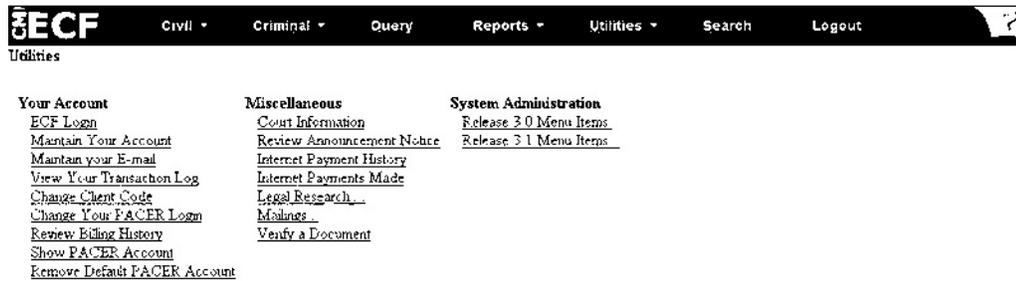
## C. DOCKET ACTIVITY REPORT

This report will allow you to query the system for filings using a number of selection criteria including: party name, case number, division, event and filing date.

## CHAPTER IX

### UTILITIES FEATURE

The Utilities feature provides the means for Filing Users to maintain their account in ECF and to view all of their ECF transactions. The figure below depicts the opening screen for the ECF Utilities feature.



## A. YOUR ACCOUNT

This section of the Utilities feature allows you to maintain certain aspects of your ECF account with the Court and to view a log of all your transactions within ECF.

1. ECF Login
2. Maintain your Account

Click on the [**Maintain Your Account**] hyperlink to open the Maintain User Account information screen.

This screen displays all of the registration information that is contained within the ECF database. This includes BPR# and Bar status. **DO NOT CHANGE YOUR POSTAL MAILING ADDRESS. CONTACT THE CLERK'S OFFICE TO REQUEST ANY CHANGE OF YOUR POSTAL MAILING ADDRESS.** The Change of Address Form is also available on our website at [www.tned.uscourts.gov](http://www.tned.uscourts.gov).

3. Maintain your E-mail

This screen allows you to add secondary e-mail addresses to receive Notices of Electronic Filings (NEF) and to configure how NEF's are received.

Clicking on your *Primary e-mail address* will produce the following screen:

<i>Primary e-mail address:</i> <u>john_medearis@test.gov</u>	<input type="text" value="john_medearis@test.gov"/>
<i>Secondary e-mail addresses:</i> <u>add new e-mail address</u>	Should this e-mail address receive notices? <input checked="" type="radio"/> Yes <input type="radio"/> No
<u>Submit all changes</u>   <u>Clear</u>	How should notices be sent to this e-mail address? <input checked="" type="radio"/> Per Filing <input type="radio"/> Summary Report
	Should this e-mail address receive a "no activity" notice when no summary noticing occurs? <input type="radio"/> Yes <input checked="" type="radio"/> No
	In what format should notices be sent to this e-mail address? <input checked="" type="radio"/> HTML <input type="radio"/> Text
	Should this e-mail address receive general announcement notices from this court? <input checked="" type="radio"/> Yes <input type="radio"/> No
	<u>Show all cases for this e-mail address</u>   <i>(Copy case lists from here)</i>
<hr/> <b>Case-specific options</b>	
Add additional cases for noticing <input type="text"/>	
These cases will send notice <i>per filing</i> . (default method)	
1:97-mc-00604 In Re: CJA Panel Aty v. (Closed on 01/17/2003) - Representing In Re: Criminal Justice Act Panel - Chatt 2:08-cv-00060 Jinks v. Peake et al - Representing Danny R Jinks	
<u>Remove selected cases</u>   <u>Change selected cases to notice as a summary report</u>	
These cases will send notice <i>as a summary report</i> . (alternate method)	
1:09-cv-00002 Doe v. Doe - Representing Ann Doe	

Following is an explanation of each of the options:

Option	Description
Should this e-mail address receive notices?	For the primary email address, the default is <b>Yes</b> . To disable the primary address, select <b>No</b> . If set to <b>No</b> , the primary email address will not receive notices of electronic filing (NEFs)— <b>This is not recommended</b> .
How should notices be sent to this e-mail address?	Sets the default delivery method for notices sent to this address. If <b>Per Filing</b> , an email will be sent for each individual NEF. If <b>Summary Report</b> , one daily summary email notice that lists all the filings for that day will be sent; if this option is selected, an additional option is added to the screen: <i>Should this e-mail address receive a “no activity” notice when no summary noticing occurs?</i> If <b>Yes</b> , the Daily Summary Report email will include the message “no transactions found for this time period” if no activity occurs in the cases for which the user is configured to receive summary notices. If <b>No</b> , then no email will be generated when there is no activity in the cases.
In what format should notices be sent to this e-mail address?	Controls the format of the emails—either <b>HTML</b> or <b>Text</b> .
Should this e-mail address receive general announcement notices from this court?	If <b>No</b> , the user will not receive general court announcement email message unless the court overrides the user’s preference (e.g., the message is urgent and must be sent to all users).*
Show all cases for this e-mail address	Displays a list of all of the cases for which the user is configured to receive NEFs.

\* **NOTE:** Past e-mail announcements can be viewed under Utilities → Miscellaneous → Review Announcement Notices

The Court recommends that you set up a secondary e-mail address that is either (1) a central repository address that several people have access to, and/or (2) the e-mail address of someone who works closely with you in your cases (secretary, legal assistant, paralegal). This is a safeguard to ensure that nothing is missed.

To add a secondary e-mail address, click *add new e-mail address*. Once a complete e-mail address is entered in the field on the right side of the screen, the configuration screen shown above will appear.

If desired, registered attorneys can receive Notices of Electronic Filings in cases that the attorney is not a counsel of record. To add additional cases from which to receive NEFs, enter the case number(s) in the *Add additional cases for noticing* text field and then either click *Enter* or *Find This Case*. After selecting the appropriate case(s), click *Add case(s)*. This will add the case(s) to the list of cases in the default method of service list (the first list of cases).

To move cases from the default method list to the alternate method list, click the case number(s) in the primary list and then click the *Change selected cases to notice as a summary report* button (if summary noticing is the default method, then this button will be labeled *Change selected cases to notice per filing*). The cases will be moved to the alternate method list. To delete cases from the default method list or the alternate method list, select the case(s) and then click the *Delete selected cases* button.

For secondary email addresses, the additional *Should this e-mail address receive notice for all cases in which this individual is a participant?* option appears in the Configuration Options section of the screen. The user can answer Yes or No. To remove an email address, the user should click on the address on the left side of the screen. This will cause the email address to display in a text field on the right side of the screen, along with all the configuration options and case lists (if any) associated with the email address. The user should remove the email address from the text field. If the user wants to change the email address to a different one, the user should immediately type the new address in the text field. If the user clicks anywhere outside the text field while a complete email address is not in the text field, all of the configuration options and case lists will disappear from the screen, and the previous email address and settings will be removed.

#### 4. View Your Transaction Log

From the Utilities screen, click on the **[View your Transaction Log]** button. ECF opens a screen with two fields for entering the Date Selection Criteria for a Transaction Log Report. Enter the date range for your report and click on the **[Submit]** button. ECF displays a report of all your transactions in ECF within the date range you specified for Date Selection Criteria. (See Figure on next page for a sample transaction log report.)

 <span style="margin-left: 20px;">Civil</span> • <span style="margin-left: 20px;">Criminal</span> • <span style="margin-left: 20px;">Query</span> • <span style="margin-left: 20px;">Reports</span> • <span style="margin-left: 20px;">Utilities</span> • <span style="margin-left: 20px;">Logout</span> 			
Transaction Log			
Report Period: 03/24/2004 - 03/27/2004			
Id	Date	Case Number	Text
121473	03/23/2004 18:41:10	3-99-cv-101	MOTION to Amend/Correct [78] USCA Order by Glenn Hensley. (Attorney, Bob)
121499	03/27/2004 13:42:44	3-99-cv-100	First MOTION for Preliminary Injunction <D>(added text)<D> by Rickey Benson. (Attorney, Bob)
Total Number of Transactions: 2			

Use this feature of ECF to review your transactions and to verify that:

1. All of the transactions you entered are reflected in the Transaction Log
2. No unauthorized individuals have entered transactions into ECF using your login name and password.

**NOTE:** If you believe or suspect that someone is using your login and password without your permission, change your password immediately, then telephone the ECF Help Desk on page 1:1, as soon as possible, and confirm with a faxed message.

3. Miscellaneous

ECF provides three Miscellaneous functions within the Utilities feature of the system.

- Legal Research
- Mailings
- Verify a Document

When you click on the **[Legal Research]** hyperlink from the **[Miscellaneous]** screen, ECF opens a new screen that contains hyperlinks to a Law Dictionary, a Medical Dictionary, and Westlaw via the Internet. This is a pre-packaged option that came with the ECF system. The Court does not endorse any particular service or web site. Select the **[Verify a Document]** hyperlink to open a query screen and enter data in the screen fields to locate a particular document attached to a specific case number. Clicking on the **[Mailings]** hyperlink provides information on who receives the NEF and who does not.

## CHAPTER X

### LOGOUT

After you have completed all of your transactions for a particular session in ECF, you should exit from the system.

Click on the **[Logout]** hyperlink from the ECF *blue* menu bar. ECF will log you out of the system and return you to the ECF login screen.

**APPENDIX A**

**Notice of Manual Filing**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

at \_\_\_\_\_

	)	
Plaintiff,	)	
	)	
v.	)	[Case Number]
	)	[Judge]
Defendant.	)	

NOTICE OF MANUAL FILING

Please take notice that [Plaintiff/Defendant, Name of Party] has manually filed the following document/thing:

[Title of Document/Thing]

This document/thing has not been filed electronically because [insert reason, *e.g.*, it cannot be converted to an electronic document; the Court's ECF Rules and Procedures provide such documents are to be filed manually; the Court has ordered that the document/thing be filed manually; etc.]

Respectfully submitted,

s/ [Name of Attorney]

Name of Attorney

TN BPR #

Address

Phone number

## **APPENDIX B**

### Sample Certificate of Service

#### Certificate of Service

I hereby certify that on [date], a copy of the foregoing [name of document] was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ [Name of Attorney]

Name of Attorney

TN BPR #

Address

Phone number