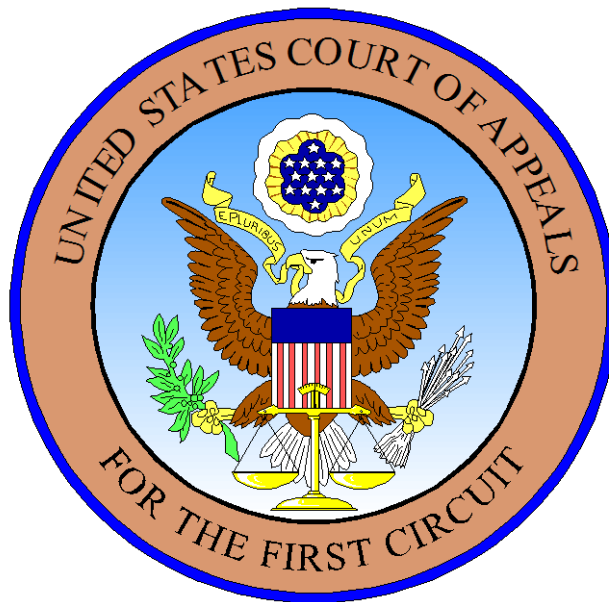


# UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

## CM/ECF USER'S GUIDE



Revised: July 23, 2014

Maine



Massachusetts



New Hampshire

Puerto Rico



Rhode Island

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# 1 GETTING STARTED

## Introduction

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Case Management/Electronic Case Files (CM/ECF) is an automated case management system that allows the public to file documents over the Internet and provides courts with the ability to make electronic documents available to the public through the Public Access to Court Electronic Records (PACER) program. Except as otherwise prescribed by local rule or order, all cases will be assigned to the court's electronic filing system. Effective January 1, 2010, use of the electronic filing system is mandatory for all attorneys filing in this court, unless they are granted an exemption, and is voluntary for non-incarcerated pro se litigants.

The CM/ECF system is easy to use; a filer creates a document using conventional word processing software and converts it to Portable Document Format (PDF). After logging in to CM/ECF, the filer enters basic information relating to the document, attaches the PDF file and submits it to the court. A notice verifying receipt of the document is automatically emailed to the other case participants who have an Appellate ECF account.

There are no additional fees for filing documents using CM/ECF. Litigants receive one free copy of documents that are electronically filed in their cases, which they can save or print. Additional copies are available through PACER at a cost of \$0.08 per page, with a maximum charge of \$2.40 per document. Copies of court opinions are available at no charge.

All filers must redact social security or tax identification numbers; dates of birth; names of minor children; financial account numbers; and, in criminal cases, home addresses, in compliance with [Fed. R. App. P. 25\(a\)\(5\)](#), [Fed. R. Civ. P. 5.2](#), [Fed. R. Crim. P. 49.1](#) or [Fed. R. Bankr. P. 9037](#). This requirement applies to all documents, including attachments.

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# 1 GETTING STARTED

## Hardware and Software Requirements

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### Browser/Operating System

A Windows-based Personal Computer with Internet Explorer 6.0 (or higher) or Mozilla Firefox 3.0 (or higher); or a 64-bit, Intel-based Macintosh with OS X Snow Leopard 10.6 (or higher) is required.

### Cookies

To operate CM/ECF, your browser must be set to accept all cookies. The instructions for enabling cookies will vary, depending on the browser you are using. Select the **Help** option on your browser's tool bar to find the appropriate instructions for your system.

### Email Account

The size of your email account must be sufficient to receive NDAs. This may exceed the size allocated for free email accounts. In general, an account with storage space of at least 100 megabytes is sufficient. You must insure that the spam filter operation on the network and computer receiving the email are set to allow notices from [CA01NoticeDocketActivity@ca1.uscourts.gov](mailto:CA01NoticeDocketActivity@ca1.uscourts.gov).

### Internet Connection

A cable modem or digital subscriber line (DSL) is recommended. A dial up connection is technically feasible, but it will be too slow for most users.

### Java

Java Version 6 Update 1 (or higher) is required to operate CM/ECF. To verify you have Java Version 6 Update 1 (or higher), go to [www.java.com](http://www.java.com) and select the **Do I have Java?** link. If you need to download or update Java, click the **Free Java Download** button and follow the instructions on the screen.

### PDF Conversion Software

WordPerfect versions 9 and higher include the capability to convert text documents to PDF by selecting **File > Publish to PDF** from the toolbar. Microsoft Word does not include PDF conversion software, but you can use Adobe Acrobat Writer, or download PDF conversion software from another source. A computer based training course on converting documents to PDF is available on the PACER website. To view the training module, go to the PACER website

and select **Help > Training > Computer-Based Training Modules** (under District Courts) > **Converting Documents to PDF**, or [click here](#).

### **Pop-Up Blocker**

To operate CM/ECF, your pop-up blocker must either be turned off, or set to allow pop-ups from \*.ca1.uscourts.gov.

### **Scanner**

Paper documents should be scanned into PDF at 300 - 600 pixels per inch (PPI), with a “black and white” setting.

### **Screen Resolution**

The minimum recommended screen resolution is 1024 x 768 pixels. If the screen resolution is lower, relevant information may not readily display.

### **Word Processing Software**

You can use WordPerfect, Microsoft Word or any other word processing software that will allow you to convert text documents to PDF.

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# 1 GETTING STARTED

## Registering for Appellate ECF

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### Who Must Register

Effective January 1, 2010, use of the electronic filing system is mandatory for all attorneys filing in this court, unless they are granted an exemption, and is voluntary for pro se litigants. To qualify for filing privileges, attorneys must be a member of the bar of the First Circuit Court of Appeals; pro se litigants must have a case pending in the First Circuit and cannot be incarcerated. Individuals who do not qualify for filing privileges will have their accounts activated with limited functionality. They will be able to receive notices in cases of interest, and submit a bar application through the CM/ECF **Utilities** menu, but they will not have access to case related document filing.

### How to Register

1. Register with PACER for a PACER account if you or your law firm have not previously done so. You must have a PACER account to view documents. To register for a PACER account, go to the PACER website and select **Register > PACER - Case Search Only Registration > Register for a PACER Account Now**, or [click here](#).
2. Register with PACER for an Appellate ECF account. You must have an individual Appellate ECF account to file documents. To register for Appellate ECF, go to the PACER website and select **Register > Appellate Court E-File Registration > Register for an Appellate Filer Account Now**, or [click here](#).
3. Complete the Electronic Learning Modules (ELMs) listed as mandatory on the court's website.
4. Your Appellate ECF registration must be approved by the court before you can begin using the electronic filing system. The length of time required to process your request will depend on the number of pending registrations. You will receive email notification from the court once your registration has been approved.

### Associating or Dissociating Your Appellate ECF and PACER Accounts

You have the option of associating your Appellate ECF account with your PACER account. If you associate the two accounts, you will be able to access PACER from the **Reports** menu in CM/ECF without entering your PACER login and password. However, if you have more than one PACER account, you may not want to link your Appellate ECF account to a specific PACER account.

To associate your PACER and Appellate ECF accounts:

1. Log on to CM/ECF
2. Select **Reports > PACER Report.**
3. The PACER login screen will display. Enter your PACER login and password and check **Make this my default PACER login.**
4. Click **Login.**

To dissociate your PACER and Appellate ECF accounts:

1. Log on to CM/ECF.
2. Select **Utilities > Update My Account.**
3. Select the checkbox next to **Remove the default PACER login.**
4. Click **Apply.**



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# 1 GETTING STARTED

## Logging In

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1. Go to the website for the United States Court of Appeals for the First Circuit, select **Electronic Filing (CM/ECF)** and click on the **ECF Login** link, or [click here](#).
2. The **Appellate CM/ECF Login** screen will display. After reading the **IMPORTANT NOTICE OF REDACTION RESPONSIBILITY**, select the checkbox indicating you understand you must comply with the redaction rules.
3. Enter your Appellate ECF login and password at the prompt (*not* your PACER login and password) and click the **Login** button. These fields are case sensitive. The **Client Code** is optional.
4. The **Startup Page** window will open, along with a second window containing a large **CM/ECF** button. Do not close the window containing the large **CM/ECF** button. If the **Startup Page** opens in the background, click the large **CM/ECF** button to bring it to the forefront. If you accidentally close the **Startup Page**, click the large **CM/ECF** button to open it again.

**Figure 1.** CM/ECF Button



5. The first time you login, you may get a security warning. Check the box labeled **“Always trust content from this publisher”** before clicking **Yes** (or **Run**). The problems that result when this box is not checked will vary. The most common problem is the inability to upload a document. If you neglect to check this box, it is unlikely you will be unable to complete a transaction.

Figure 2. Security Warning



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## 2 FILING

### Overview of Filing a Document

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1. Prepare the document you want to file and convert it to PDF.
2. Select **Filing > File a Document** from the menu bar on the *Startup Page*. The *File a Document* window will open.
3. Enter the case number in the **Case** field and press the Tab key.
4. Select a document category from the scroll box on the left side of the screen. The category you select will determine which document options are available on the right side of the screen. Some document options are listed under multiple categories. For a complete list of the document options available under each category, refer to **Appendix C: Index of Document Categories and Available Document Options**.
5. From the right side of the screen, select the option that best describes the document you are filing.
6. If other cases are associated with the target case (the case number entered in the **Case** field), they will be listed in the **Case Selection** box near the bottom of the screen
  - a. If the target case is the only case listed in the caption of the document, click **Continue** without selecting any additional cases.
  - b. If the caption includes multiple case numbers, the document must be filed in all captioned cases. Select the appropriate additional cases from the **Case Selection** box and click **Continue**. You should only select the cases that are listed in the caption of the document. If the caption includes case numbers that are not listed in the **Case Selection** box, you will have to file the same document in those cases separately, after you have finished this transaction.
7. A dialog box containing one or more warning messages may open after you click **Continue**. If this happens, please read the message(s) carefully. They are designed to help you avoid some of the more common errors associated with the type of document you are filing. If you realize an error was made, cancel the transaction and make the necessary corrections before proceeding.

8. The configuration of the screens that display after you click **Continue** on the **File a Document** screen will vary based on the document option you selected. Each screen is made up of individual sections. The sections are identified by a blue header and surrounded by a thin gray line that begins and ends on either side of the header. Many of the sections are relevant only for specific types of filings, and will not be part of every docketing transaction. Enter the requested information in each section and click **Continue** to proceed to the next screen until the **Docket Text** dialog box opens. For further information on navigating the individual sections that comprise the various docketing screens, refer to **Navigating Specific Screens**.
9. If the **Docket Text** dialog box contains a free text field or drop down menu, enter or select the appropriate information.
10. Click **Continue** to open the **Event Review** dialog box. Please review the information in this dialog box carefully before completing the transaction. Verify the docket text is complete and you are filing the document in the correct case(s). The case number(s) the document is being filed in will be indicated in brackets at the end of the docket entry. You will not be able to edit the text on this screen, but errors can be corrected by using the **Back** button to modify previously entered information. If you want to cancel the transaction, click **Back**, followed by **Cancel**.
11. Once you have verified the docket entry is correct, click **Submit**. This is the point of no return. If you realize an error was made after clicking the **Submit** button, contact the case manager for assistance.
12. The **Event Docketed** dialog box will open. Click **OK**.
13. A browser window will open displaying the NDA for your filing, which you can save or print. This is your proof that the transaction was received by the court.

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## 2 FILING

### Navigating Specific Screens

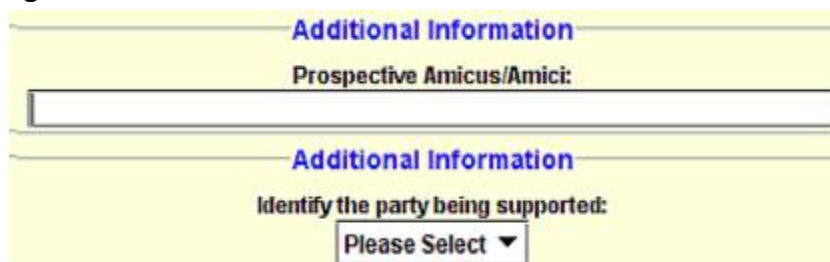
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The configuration of the screens that display after you click **Continue** on the ***File a Document*** screen will vary based on the document option you selected. Each screen is made up of individual sections. The sections are identified by a blue header and surrounded by a thin gray line that begins and ends on either side of the header. The **Note**, **PDF Document** and **Service** sections appear in every docketing transaction. The **Additional Information**, **Attorney Filer**, **Court Reporter Filer**, **Party Filer**, **Related Previous Entries** and **Relief** sections are relevant only for specific types of filings, and will not be part of every docketing transaction.

#### Additional Information

The **Additional Information** section uses either a free text field or drop down menu to collect additional information from the filer. The information collected in these fields will appear in the docket text.

**Figure 3.** Additional Information Section



The image shows two examples of the 'Additional Information' section. The top example has a blue header 'Additional Information' and a label 'Prospective Amicus/Amici:' followed by a text input field. The bottom example has a blue header 'Additional Information' and a label 'Identify the party being supported:' followed by a dropdown menu with 'Please Select' as the first option.

1. If the field is in the form of a drop down menu, and **Please Select** is the first option, selection is mandatory.
2. If the field is in the form of a drop down menu, and **Please Select** is not an option, selection is optional and bypassing the field will not adversely affect the docket text.
3. Free text fields are mandatory, unless otherwise indicated, and information should be entered in a format consistent with the standard rules of grammar, punctuation and capitalization.

## Attorney Filer

The **Attorney Filer** section is used to indicate the attorney or pro se litigant filing the document. It lists the attorneys and pro se litigants associated with the selected case(s); the party type they represent; the case number; and the short title.

**Figure 4.** Attorney Filer Section

Select the appropriate filer(s) for this document from the list below. If you elected to file this document in multiple cases on the previous screen, use the "All Cases" button to apply your filer selection to the additional cases.

	Filer	Type	Case Number	Short Title
<input type="checkbox"/>	Row, Richard	Appellant	52-5000	ABC Insurance Co ...
<input type="checkbox"/>	Doe, Jane	Appellee	52-5000	ABC Insurance Co ...

Display All Attorneys   All Cases   Select All   Clear All

1. Select the checkbox to the left of the appropriate filer(s).
2. If additional cases were selected in the **Case Selection** box on the **File a Document** screen, you must select a filer for each case. If the filers are the same, select the appropriate filer(s) for the target case and click the **All Cases** button. CM/ECF will automatically select the same filer(s) in the additional cases. If the filers are different, scroll through the filer list and manually select the appropriate filer(s) for each case listed in the **Case Number** column.
3. The **Select All** and **Clear All** buttons can be used to select or clear all checkboxes in the list.

## Court Reporter Filer

The **Court Reporter Filer** section is used to indicate the court reporter filing the document. It lists the court reporters associated with the selected case(s); their filer type (court reporter); the case number; and the short title.

**Figure 5.** Court Reporter Filer Section

Select the appropriate filer(s) for this document from the list below. If you elected to file this document in multiple cases on the previous screen, use the "All Cases" button to apply your filer selection to the additional cases.

	Filer	Type	Case Number	Short Title	
<input type="checkbox"/>	Doe, Cheryl	Court Reporter	52-5000	ABC Insurance Co ...	▲
<input type="checkbox"/>	Doe, James	Court Reporter	52-5000	ABC Insurance Co ...	

Display All Court Reporter   All Cases   Select All   Clear All

1. Select the checkbox to the left of the appropriate filer.
2. If additional cases were selected in the **Case Selection** box on the **File a Document** screen, you must select a filer for each case. To select the same filer for the additional cases, select the appropriate filer for the target case and click the **All Cases** button. CM/ECF will automatically select the same filer in the additional cases.
3. The **Select All** and **Clear All** buttons can be used to select or clear all checkboxes in the list.

## Note

The **Note** section is used to display a message to the filer. The messages are designed to help the filer navigate and avoid common errors. Messages that display in green font are relevant for every docketing transaction. Messages that display in red or blue font are customized for a specific type of filing and should be read carefully.

**Figure 6.** Note Section

**NOTE**

WHEN YOU CLICK CONTINUE, THE CASE NUMBER(S) THIS DOCUMENT IS BEING FILED IN WILL BE INDICATED IN BRACKETS AT THE END OF THE DOCKET ENTRY. PLEASE VERIFY YOU ARE FILING IN THE CORRECT CASE(S) BEFORE SUBMITTING THE DOCKET ENTRY.

## Party Filer

The **Party Filer** section is used to indicate the party filing the document. It lists the parties associated with the selected case(s); their party type; the case number; and the short title.

**Figure 7.** Party Filer Section

Select the appropriate filer(s) for this document from the list below. If you elected to file this document in multiple cases on the previous screen, use the "All Cases" button to apply your filer selection to the additional cases.

	Filer	Type	Case Number	Short Title
<input type="checkbox"/>	ABC Insurance Co	Appellant-Plaintiff	52-5000	ABC Insurance Co ...
<input type="checkbox"/>	XYZ Insurance Co	Appellee-Defendant	52-5000	ABC Insurance Co ...

Display All Parties   All Cases   Select All   Clear All

1. Select the checkbox to the left of the appropriate filer(s).
2. If additional cases were selected in the **Case Selection** box on the **File a Document** screen, you must select a filer for each case. If the filers are the same, select the appropriate filer(s) for the target case and click the **All Cases** button. CM/ECF will automatically select the same filer(s) in the additional cases. If the filers are different, scroll through the filer list and manually select the appropriate filer(s) for each case listed in the **Case Number** column.
3. The **Select All** and **Clear All** buttons can be used to select or clear all checkboxes in the list.

## PDF Document

The **PDF Document** section is used to attach the document to the docket entry.

**Figure 8.** PDF Document Section

**PDF Document**

Document:    Description:



1. Attaching the Main Document:

- a. Click **Browse** to open the *Select PDF document* dialog box.
- b. Navigate to the PDF file you want to attach and click on the file name to select it.
- c. Click **Open**. The *Select PDF document* dialog box will close and the full path of the selected file will be entered in the **Document** field.
- d. Click **View** to ensure the correct document was selected.
- e. The default **Description** for the file will be `Main Document`. The information in the **Description** field is used to differentiate between attachments when multiple PDF files are attached to the same docket entry. You may change the description if you wish.

2. Attaching Additional Documents:

- a. When to attach multiple PDF files to the same docket entry:
  - i. Individual documents that exceed the maximum allowable file size of 6.5 megabytes must be divided into smaller files and uploaded as separate attachments.
  - ii. When a proposed document is filed contemporaneously with the motion for leave to file it, the proposed document should be attached to the same docket entry as the motion, as a separate PDF file. If the motion is granted, the court will enter the underlying document on the docket, as of the date of the order allowing it to be filed.
  - iii. Affidavits, memoranda, exhibits and certificates of service can be included as part of the main document, or uploaded as an additional attachment.
  - iv. The Transcript Order Form that accompanies CJA Form 24 can be included as part of the main document, or uploaded as an additional attachment.
- b. How to attach multiple PDF files to the same docket entry:
  - i. Click **Add Another** to add a new **Document** field, **Browse** button and **Description** field.

- ii. Click the new **Browse** button to open the *Select PDF document* dialog box.
- iii. Navigate to the PDF file you want to attach click on the file name to select it.
- iv. Click **Open**. The *Select PDF document* dialog box will close and the full path of the selected file will be entered in the **Document** field.
- v. Click **View** to ensure the correct document was selected.
- vi. The **Description** field will be blank. The information in the **Description** field is used to differentiate between attachments when multiple PDF files are attached to the same docket entry. Enter a description for the additional document in the **Description** field.

## Related Previous Entries

The **Related Previous Entries** section is used to link the current document to a previous docket entry.

**Figure 9.** Related Previous Entries Section

**Related Previous Entries**

Select the docket entry you wish to reference, then click "Add." Repeat as necessary to select multiple docket entries. If the full docket entry is not displayed, place the cursor over the row to display the mouseover image.

Doc	Date Filed	Entry
<input type="checkbox"/>	06/25/2009	ASSENTED TO MOTION to extend time to file brief and appendix filed by Appellant ABC Insurance Co. Certificate of service dated 04/23/2009. [52-6000]
<input type="checkbox"/>	06/25/2009	NOTICE of appearance on behalf of Appellant ABC Insurance Co filed by Attorney Richard Row. Certificate of service dated 04/23/2009. [52-5000]
<input type="checkbox"/>	06/19/2009	RESPONSE filed by Appellant ABC Insurance Co to motion to dismiss case 15346705-71. Certificate of service dated 05/10/2009. [52-5000]

**Selected Entries**

Date Filed	Entry	Cases

Up  
Down  
Remove  
Clear All  
Total: 0

1. Select the docket entry you want to reference and click **Add**. Your selection will be added to the **Selected Entries** list. If the full docket entry is not displayed, place the cursor over the row to display the mouse over image. You can also click on the icon in the **Doc** column to view the attachment, but standard PACER access fees will apply.
2. Repeat as necessary to reference multiple docket entries.
3. To change the order of the selected entries, use the **Up** and **Down** buttons. To remove one selected entry from the list, use the **Remove** button. To clear all selections from the list, use the **Clear All** button.

## Relief

The **Relief** section is used to indicate the type of relief being sought in a motion.

**Figure 10.** Relief Section

**Relief**

Select the appropriate motion from the Description drop down menu and click "Apply."  
Repeat as necessary to select multiple reliefs for the same document. The Category menu can be used to limit the available choices to a specific type of relief.

Category: (all reliefs) Description: Apply

**Selected Reliefs**

Entry	Cases

Up  
Down  
Remove  
Clear All  
Total: 0

1. Select a motion category from the **Category** drop down menu to filter the available options in the **Description** drop down menu. For a complete list of the options available under each category, refer to **Appendix C: Index of Document Categories and Available Document Options**.
2. From the **Description** drop down menu, select the option that best describes the type of relief you are seeking and click **Apply**. Your selection will be added to the **Selected Reliefs** list.
3. Repeat as necessary if multiple or alternative reliefs are requested in the same motion.

4. The selected reliefs will appear in the docket text in the order in which they are listed. To change the order of the selected reliefs, use the **Up** and **Down** buttons. To remove one selected relief from the list, use the **Remove** button. To clear all selections from the list, use the **Clear All** button.

## Service

The **Service** section is used to collect the date the document was served on the other parties to the appeal or review in accordance with Fed. R. App. P. 25.

**Figure 11.** Service Section



1. To manually enter the date, use one of the following formats:
  - a. mm/dd/yy or mm/dd/yyyy                      Example: 9/1/09
  - b. mm-dd-yy or mm-dd-yyyy                      Example: 9-1-09
  - c. mm.dd.yy or mm.dd.yyyy                      Example: 9.1.09
2. To select the date from a pop-up calendar:
  - a. Right click in the date field.
  - b. Click on the **Select Date from Calendar** pop-up button.
  - c. Click on a date in the pop-up calendar. Use the << button to go to the previous year without changing the month; use the >> button to go to the next year without changing the month; use the < button to go to the previous month; use the > button to go to the next month.

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## 2 FILING

### Filing an Appearance Form

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1. Prepare the appearance form and save it as a PDF file.
2. Select **Filing > File a Document** from the menu bar on the *Startup Page*. The *File a Document* window will open.
3. Enter the case number in the **Case** field and press the **Tab** key.
4. Select the appropriate document category from the list box on the left side of the screen. Some document options are listed under multiple categories. For a complete list of the document options available under each category, refer to **Appendix C: Index of Document Categories and Available Document Options**. To file an appearance form, select either the **Case Opening Forms** or **Notices** category. Note: If the person or entity you represent is not listed as a party to the case, select the **Prospective Amicus/Intervenor Filings** category. The procedures outlined below will be the same, except you will have to enter the party or parties you represent in a text field, as opposed to selecting them from a list.
5. Select the option that best describes the document you are filing. To file an appearance form, select **Notice of Appearance** (or **Notice of Appearance on Behalf of Prospective Amicus or Intervenor** if the person or entity you represent is not listed as a party to the case).
6. If other cases are associated with the target case (the case number entered in the **Case** field), they will be listed in the **Case Selection** box near the bottom of the screen.
  - a. If the target case is the only case listed in the caption of the appearance form, click **Continue** without selecting any additional cases.
  - b. If the caption of the appearance form includes multiple case numbers, it must be filed in all captioned cases. Select the appropriate additional cases from the **Case Selection** box and click **Continue**. You should only select the cases that are listed in the caption of the appearance form. If the caption includes case numbers that are not listed in the **Case Selection** box, you will have to file the same document in those cases separately, after you have finished this transaction.

7. Select the checkbox to the left of the party or parties on whose behalf the appearance form is being filed.
  - a. If additional cases were selected in the **Case Selection** box on the previous screen, select the appropriate parties for the target case and click **All Cases**. CM/ECF will automatically select the same parties in the additional cases. Note: If you do not represent the same parties in each case, scroll through the **Filer** list and manually select the parties you represent for each case listed in the **Case Number** column.
8. Enter the name of the attorney filing the appearance form in the **Name of Attorney** field.
9. Enter the date the appearance form was served on the other parties to the appeal or review in accordance with Fed. R. App. P. 25 in the **Service Date** field.
10. Click the **Browse** button to open the **Select PDF document** dialog box.
  - a. Navigate to the PDF file you want to attach and click on the file name to select it.
  - b. Click **Open**. The **Select PDF document** dialog box will close and the full path of the selected file will be entered in the **Document** field. Click **View** to ensure the correct document was selected. The default **Description** for the file will be `Main Document`. You may change the description if you wish.
11. Click **Continue** to open the **Docket Text** dialog box.
12. Click **Continue** to open the **Event Review** dialog box. Please review the information in this dialog box carefully before completing the transaction. Verify the docket text is complete and you are filing the appearance form in the correct case(s). The case number(s) the appearance form is being filed in will be indicated in brackets at the end of the docket entry. You will not be able to edit the text in this dialog box, but errors can be corrected by using the **Back** button to modify previously entered information. If you want to cancel the transaction, click **Back**, followed by **Cancel**.
13. Once you have verified the docket entry is correct, click **Submit**. This is the point of no return. If you realize an error was made after clicking the **Submit** button, contact the case manager for assistance.
14. The **Event Docketed** dialog box will open. Click **OK**.

15. A browser window will open displaying the NDA for your filing, which you can save or print. This is your proof that the transaction was received by the court.

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## 2 FILING

### Filing a Motion

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1. Prepare the motion and save it as a PDF file.
2. Select **Filing > File a Document** from the menu bar on the *Startup Page*. The *File a Document* window will open.
3. Enter the case number in the **Case** field and press the **Tab** key.
4. Select the appropriate document category from the list box on the left side of the screen. Some document options are listed under multiple categories. For a complete list of the document options available under each category, refer to **Appendix C: Index of Document Categories and Available Document Options**. To file a motion, select the **Motions/Memoranda/Affidavits** category (or the **Court Reporter Filings** category if you are a court reporter). Note: If you are filing a motion to intervene or a motion to file an amicus curiae brief, select the **Prospective Amicus/Intervenor Filings** category. The procedure for filing either a motion to intervene or a motion to file an amicus curiae brief will be similar, but not identical, to the procedures outlined below.
5. Select the option that best describes the document you are filing. To file a motion, select **Motion**.
6. If other cases are associated with the target case (the case number entered in the **Case** field), they will be listed in the **Case Selection** box near the bottom of the screen.
  - a. If the target case is the only case listed in the caption of the motion, click **Continue** without selecting any additional cases.
  - b. If the caption of the motion includes multiple case numbers, it must be filed in all captioned cases. Select the appropriate additional cases from the **Case Selection** box and click **Continue**. You should only select the cases that are listed in the caption of the motion. If the caption includes case numbers that are not listed in the **Case Selection** box, you will have to file the same document in those cases separately, after you have finished this transaction.
7. Select the checkbox to the left of the party or parties filing the motion.



- a. If additional cases were selected in the **Case Selection** box on the previous screen, select the appropriate filer(s) for the target case and click **All Cases**. CM/ECF will automatically select the same filers in the additional cases. Note: If the filers are not the same in each case, scroll through the **Filer** list and manually select the appropriate filers for each case listed in the **Case Number** column.
8. Select a motion category from the **Category** drop down menu to filter the available options in the **Description** drop down menu. For a complete list of the options available under each category, refer to **Appendix C: Index of Document Categories and Available Document Options**.
9. From the **Description** drop down menu, select the option that best describes the type of relief you are seeking and click **Apply**. Your selection will be added to the **Selected Reliefs** list.
  - a. Repeat as necessary if multiple or alternative reliefs are requested in the same motion.
  - b. The selected reliefs will appear in the docket text in the order in which they are listed. To change the order of the selected reliefs, use the **Up** and **Down** buttons. To remove one selected relief from the list, use the **Remove** button. To clear all selections from the list, use the **Clear All** button.
10. Click **Continue** to proceed to the next screen.
11. A dialog box containing one or more warning messages may open after you click **Continue**. If this happens, please read the message(s) carefully. They are designed to help you avoid some of the more common errors associated with the type of motion you are filing. If you realize an error was made, cancel the transaction and make the necessary corrections before proceeding.
12. If you want to add a modifier to your motion, make the appropriate selection from the drop down menu in the **Additional Information** section. The selected modifier will be added to the docket text.
13. Enter the date the motion was served on the other parties to the appeal or review in accordance with Fed. R. App. P. 25 in the **Service Date** field.
14. Click the **Browse** button to open the **Select PDF document** dialog box.
  - a. Navigate to the PDF file you want to attach and click on the file name to select it.

- b. Click **Open**. The **Select PDF document** dialog box will close and the full path of the selected file will be entered in the **Document** field. Click **View** to ensure the correct document was selected. The default **Description** for the file will be **Main Document**. You may change the description if you wish.
  - c. Affidavits, memoranda, exhibits and certificates of service can be included as part of the main document, or uploaded as an additional attachment. To attach an additional PDF file:
    - i. Click the **Add Another** button.
    - ii. Click the new **Browse** button to open the **Select PDF document** dialog box.
    - iii. Navigate to the PDF file you want to attach and click on the file name to select it.
    - iv. Click **Open**. The **Description** field will be blank. The information in the **Description** field is used to differentiate between attachments when multiple PDF files are attached to the same docket entry. Enter a description for the additional document in the **Description** field.
15. Click **Continue** to open the **Docket Text** dialog box.
- a. If the **Docket Text** dialog box contains a free text field or drop down menu, enter or select the appropriate information.
16. Click **Continue** to open the **Event Review** dialog box. Please review the information in this dialog box carefully before completing the transaction. Verify the docket text is complete and you are filing the motion in the correct case(s). The case number(s) the motion is being filed in will be indicated in brackets at the end of the docket entry. You will not be able to edit the text in this dialog box, but errors can be corrected by using the **Back** button to modify previously entered information. If you want to cancel the transaction, click **Back**, followed by **Cancel**.
17. Once you have verified the docket entry is correct, click **Submit**. This is the point of no return. If you realize an error was made after clicking the **Submit** button, contact the case manager for assistance.
18. The **Event Docketed** dialog box will open. Click **OK**.

19. A browser window will open displaying the NDA for your filing, which you can save or print. This is your proof that the transaction was received by the court.

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## 2 FILING

### Filing a Response to a Motion

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1. Prepare the motion and save it as a PDF file.
2. Select **Filing > File a Document** from the menu bar on the *Startup Page*. The *File a Document* window will open.
3. Enter the case number in the **Case** field and press the **Tab** key.
4. Select the appropriate document category from the list box on the left side of the screen. Some document options are listed under multiple categories. For a complete list of the document options available under each category, refer to **Appendix C: Index of Document Categories and Available Document Options**. To file a response, select the **Responses/Replies/Answers** category (or the **Court Reporter Filings** category if you are a court reporter).
5. Select the option that best describes the document you are filing. To file a response, select **Response**. Note: If you are filing a combined response and motion in one document or a response to a citation of supplemental authorities pursuant to Fed. R. App. P. 28(j), select **Response and Motion** or **Response to Citation of Supplemental Authorities FRAP 28(j)**. The procedure for filing either a combined response and motion or a response to a citation of supplemental authorities pursuant to Fed. R. App. P. 28(j) will be similar, but not identical, to the procedures outlined below.
6. If other cases are associated with the target case (the case number entered in the **Case** field), they will be listed in the **Case Selection** box near the bottom of the screen.
  - a. If the target case is the only case listed in the caption of the response, click **Continue** without selecting any additional cases.
  - b. If the caption of the response includes multiple case numbers, it must be filed in all captioned cases. Select the appropriate additional cases from the **Case Selection** box and click **Continue**. You should only select the cases that are listed in the caption of the response. If the caption includes case numbers that are not listed in the **Case Selection** box, you will have to file the same document in those cases separately, after you have finished this transaction.

7. Select the checkbox to the left of the party or parties filing the response.
  - a. If additional cases were selected in the **Case Selection** box on the previous screen, select the appropriate filer(s) for the target case and click **All Cases**. CM/ECF will automatically select the same filers in the additional cases. Note: If the filers are not the same in each case, scroll through the **Filer** list and manually select the appropriate filers for each case listed in the **Case Number** column.
8. Select the docket entry you want to reference and click **Add**. Your selection will be added to the **Selected Entries** list. If the full docket entry is not displayed, place the cursor over the row to display the mouse over image. You can also click on the icon in the **Doc** column to view the attachment, but standard PACER access fees will apply.
  - a. Repeat as necessary to reference multiple docket entries.
  - b. To change the order of the selected entries, use the **Up** and **Down** buttons. To remove one selected entry from the list, use the **Remove** button. To clear all selections from the list, use the **Clear All** button.
9. Click **Continue** to proceed to the next screen.
10. Enter the date the response was served on the other parties to the appeal or review in accordance with Fed. R. App. P. 25 in the **Service Date** field.
11. Click the **Browse** button to open the **Select PDF document** dialog box.
  - a. Navigate to the PDF file you want to attach and click on the file name to select it.
  - b. Click **Open**. The **Select PDF document** dialog box will close and the full path of the selected file will be entered in the **Document** field. Click **View** to ensure the correct document was selected. The default **Description** for the file will be `Main Document`. You may change the description if you wish.
12. Click **Continue** to open the **Docket Text** dialog box. Indicate which document you are responding to in the free text field.
13. Click **Continue** to open the **Event Review** dialog box. Please review the information in this dialog box carefully before completing the transaction. Verify the docket text is complete and you are filing the response in the correct case(s). The case number(s) the response is being filed in will be indicated in brackets at the end of the docket entry. You will not be able to edit the text in this dialog box, but errors can be corrected by using

the **Back** button to modify previously entered information. If you want to cancel the transaction, click **Back**, followed by **Cancel**.

14. Once you have verified the docket entry is correct, click **Submit**. This is the point of no return. If you realize an error was made after clicking the **Submit** button, contact the case manager for assistance.
15. The ***Event Docketed*** dialog box will open. Click **OK**.
16. A browser window will open displaying the NDA for your filing, which you can save or print. This is your proof that the transaction was received by the court.

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## 2 FILING

### Submitting a Brief

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1. Prepare the brief and save it as a PDF file.
2. Select **Filing > File a Document** from the menu bar on the *Startup Page*. The *File a Document* window will open.
3. Enter the case number in the **Case** field and press the **Tab** key.
4. Select the appropriate document category from the list box on the left side of the screen. Some document options are listed under multiple categories. For a complete list of the document options available under each category, refer to **Appendix C: Index of Document Categories and Available Document Options**. To submit a brief, select the **Briefing** category. Note: If you are submitting an amicus curiae brief, select the **Prospective Amicus/Intervenor Filings** category.
5. Select the option that best describes the document you are filing. To submit a brief, select **Brief**. Note: If you are submitting an amicus curiae brief contemporaneously with a motion for leave to file it, select **Motion for Leave to File Amicus Brief** to file the motion, and attach the proposed brief as an additional document. If you are submitting an amicus curiae brief without a motion for leave to file it, select **Amicus Curiae Brief**; the procedures outlined below will be the same, except you will have to enter the party or parties you represent in a text field, as opposed to selecting them from a list.
6. If other cases are associated with the target case (the case number entered in the **Case** field), they will be listed in the **Case Selection** box near the bottom of the screen.
  - a. If the target case is the only case listed in the caption of the brief, click **Continue** without selecting any additional cases.
  - b. If the caption of the brief includes multiple case numbers, it must be submitted in all captioned cases. Select the appropriate additional cases from the **Case Selection** box and click **Continue**. You should only select the cases that are listed in the caption of the brief. If the caption includes case numbers that are not listed in the **Case Selection** box, you will have to submit the same brief in those cases separately, after you have finished this transaction.

7. A dialog box containing one or more warning messages may open after you click **Continue**. If this happens, please read the message(s) carefully. They are designed to help you avoid some of the more common errors associated with the type of brief you are submitting. If you realize an error was made, cancel the transaction and make the necessary corrections before proceeding.
8. Select the checkbox to the left of the party or parties submitting the brief.
  - a. If additional cases were selected in the **Case Selection** box on the previous screen, select the appropriate filer(s) for the target case and click **All Cases**. CM/ECF will automatically select the same filers in the additional cases. Note: If the filers are not the same in each case, scroll through the **Filer** list and manually select the appropriate filers for each case listed in the **Case Number** column.
9. Enter the date the brief was served on the other parties to the appeal or review in accordance with Fed. R. App. P. 25 in the **Service Date** field.
10. Click the **Browse** button to open the **Select PDF document** dialog box.
  - a. Navigate to the PDF file you want to attach and click on the file name to select it.
  - b. Click **Open**. The **Select PDF document** dialog box will close and the full path of the selected file will be entered in the **Document** field. Click **View** to ensure the correct document was selected. The default **Description** for the file will be `Main Document`. You may change the description if you wish.
11. Click **Continue** to open the **Docket Text** dialog box.
12. Click **Continue** to open the **Event Review** dialog box. Please review the information in this dialog box carefully before completing the transaction. Verify the docket text is complete and you are submitting the brief in the correct case(s). The case number(s) the brief is being submitted in will be indicated in brackets at the end of the docket entry. You will not be able to edit the text in this dialog box, but errors can be corrected by using the **Back** button to modify previously entered information. If you want to cancel the transaction, click **Back**, followed by **Cancel**.
13. Once you have verified the docket entry is correct, click **Submit**. This is the point of no return. If you realize an error was made after clicking the **Submit** button, contact the case manager for assistance.
14. The **Event Docketed** dialog box will open. Click **OK**.



15. A browser window will open displaying the NDA for your filing, which you can save or print. This is your proof that the transaction was received by the court.

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## 3 REPORTS

### PACER Report

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Select **Reports** > **PACER Report** from the menu bar on the **Startup Page**. The PACER **Case Search Page** will open in a new window. If nothing happens when you select **PACER Report**, it may be because you have your pop-up blocker on. To operate CM/ECF, your pop-up blocker must either be turned off, or set to allow pop-ups from [\\*.ca1.uscourts.gov](https://*.ca1.uscourts.gov).

If you previously associated your Appellate ECF account with your PACER account, you will be able to view a PACER report without entering your PACER login and password. Refer to **Associating or Dissociating your Appellate ECF and PACER Accounts** for more information on linking the two accounts.

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## 3 REPORTS

### Payment History Report

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To view a list of the electronic payments you have made, select **Reports > Payments Made Report** from the menu bar on the **Startup Page**. If a document is associated with the fee payment, the fee description will be a hyperlink to the document.

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## 3 REPORTS

### Service List Report

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All documents must include a certificate of service in compliance with Fed. R. App. P. 25. Before filing a document, you should review the service list for the case to determine if there are any attorneys or pro se litigants who require service via U.S. Mail. To view the service list and noticing requirements for a case, select **Reports > Service List** from the menu bar on the **Startup Page**. If nothing happens when you select **Service List**, it may be because you have your pop-up blocker on. To operate CM/ECF, your pop-up blocker must either be turned off, or set to allow pop-ups from [\\*.ca1.uscourts.gov](https://*.ca1.uscourts.gov).

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## 4 UTILITIES

### Bar Admission

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Absent a waiver, all attorneys, with the exception of current federal law clerks, are required to submit their bar application electronically, regardless of whether the admission fee is due or waived. Current federal law clerks should contact the clerk's office for further information.

1. Select **Utilities > Bar Admission** from the menu bar on the *Startup Page*.
2. Select a **Fee Waiver Reason**, if applicable. Only attorneys appearing before the court as (1) counsel for the United States or an officer or agency thereof, or (2) counsel appointed under the Criminal Justice Act, are eligible for a fee waiver.
3. Click the **Browse** button to open the *Select PDF document* dialog box.
  - a. Navigate to the PDF file you want to attach and click on the file name to select it.
  - b. Click **Open**. The *Select PDF document* dialog box will close and the full path of the selected file will be entered in the **Document** field. The default **Description** for the file will be `Main Document`. You may change the description if you wish.
4. The court would prefer that you save your bar application and all supporting documents in a single PDF file, if possible. Otherwise, use the **Add Another Document** button to upload any supporting documents saved as separate PDF files.
5. Click **Pay Now and Submit Application** to launch Pay.gov. Note: if you selected a **Fee Waiver Reason**, the button will be labeled **Submit Application** and Pay.gov will not launch.
6. Select a payment method:
  - a. To pay the fee directly from your bank account, complete the required fields under **Option 1: Pay Via Bank Account (ACH)** and click **Continue with ACH Payment**.

- b. To pay the fee using a credit card, or a debit card branded with the Visa or MasterCard logo, complete the required fields under **Option 2: Pay Via Plastic Card (PC)** and click **Continue with Plastic Card Payment**.
- 7. Provide an email address if you wish to have a confirmation receipt sent to you upon completion of the transaction.
- 8. Check the box indicating you have read the authorization and disclosure statement and click **Submit Payment**.

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## 4 UTILITIES

### Notice for Cases of Interest

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Interested persons with a valid Appellate ECF account can sign up to receive NDAs in cases they are not associated with. Such interested persons will not have filing privileges and the “one free look” policy does not apply. Standard PACER access fees will be assessed to view the document.

1. Select **Utilities > Notice for Cases of Interest** from the menu bar on the **Startup Page**.
2. Specify the email address you want to use. You are limited to one email address and the email you select will only apply to notices in cases of interest.
  - a. Select **Choose E-mail Address on File** to use an email addresses associated with your Appellate ECF account.
  - b. Select **Enter E-mail Address** to use a different email address.
3. Indicate whether you want to receive an individual email for each docketing transaction or a daily summary. The noticing frequency you select will only apply to notices in cases of interest.
4. Enter the case number in the **Enter Case Number** field and click **Search & Add**. Repeat as necessary to add additional cases.
5. Click **Done**.

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## 4 UTILITIES

### Pay Other Fees

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The only fees that can be paid electronically at this time are the bar admission fee and the fee to request a Certificate of Admission or Certificate of Good Standing.

To request a Certificate of Admission or Certificate of Good Standing:

1. Select **Utilities > Pay Other Fees** from the menu bar on the *Startup Page*.
2. Select ***Certificate of Admission*** or ***Certificate of Good Standing*** from the **Fee Type** menu.
3. Click **Pay Now and Submit**. Uploading a document is not necessary.
4. Select a payment method:
  - a. To pay the fee directly from your bank account, complete the required fields under **Option 1: Pay Via Bank Account (ACH)** and click **Continue with ACH Payment**.
  - b. To pay the fee using a credit card, or a debit card branded with the Visa or MasterCard logo, complete the required fields under **Option 2: Pay Via Plastic Card (PC)** and click **Continue with Plastic Card Payment**.
5. Provide an email address if you wish to have a confirmation receipt sent to you upon completion of the transaction.
6. Check the box indicating you have read the authorization and disclosure statement and click **Submit Payment**.



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## 4 UTILITIES

### Update My Account

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All CM/ECF users are required to submit changes to their name, address, email, phone number, fax number and generation through the PACER Service Center. To access the PACER website from CM/ECF, select **Utilities > Update My Account** from the CM/ECF menu bar and click **Edit My Information**, or [click here](#). Enter your Appellate ECF login and password at the login prompt and click **Login**. Select **Personal Info/Address Updates > Update Address Info** and click the **Update** button next to the address you want to modify. Make the desired changes and click **Submit**. The updated information will be submitted to the court for processing. The length of time required to modify your account will depend on the number of pending requests. You will receive email notification from the court once your account has been updated.

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## 5 LOGOUT

### Logout CM/ECF

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To ensure the application closes correctly, you should always log out to terminate the session.

1. From the menu bar, select **Logout > Logout CM/ECF**.
2. A **Confirmation Logout** dialog box will open. Click **Yes** to log out of the system and close all windows.

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## 6 NOTICE OF DOCKET ACTIVITY

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A notice of docket activity (NDA) is an email notice that is generated when a party or attorney files a document with the clerk's office, or when the court enters an order or takes other public action in a case. The notice includes the case name and number; date and time of filing; docket text; email and U.S. mail recipients; and hyperlinks to the docket report and any attached documents.

The top of the notice contains a disclaimer stating attorneys of record and pro se litigants may view the attached document(s) once free of charge ("one free look"). After that, a fee will be assessed. To avoid being charged a fee for subsequent views, the document should be saved or printed when it is first opened from the NDA.

The court may occasionally resend an NDA. NDAs are typically resent either because the original email was undeliverable, or because the original docket entry was subsequently modified by the court. NDAs that are resent due to an invalid email address are only sent to the recipient(s) whose email was updated. NDAs that are resent because the docket entry was subsequently modified by the court are sent to all original recipients and will indicate **Amended: Notice of Docket Activity** below the header. Note: If you receive an amended NDA for a document you filed, it is most likely because the document was filed incorrectly. The amended NDA will specify the type of error and indicate whether any further action is required. It should be reviewed as soon as possible to ensure progress of the case is not delayed and the error is not repeated in future filings.

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## 7 ELECTRONIC ACCESS TO RESTRICTED DOCUMENTS AND SEALED DOCKET REPORTS

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### **Sealed Documents**

Documents in sealed cases, as well as sealed documents in public cases, are not available electronically.

### **Restricted Documents in Social Security and Immigration Cases**

All public documents in social security and immigration cases, with the exception of orders, judgments and opinions, are restricted, and remote electronic access is limited to case participants with an Appellate ECF account. Restricted documents are available to other interested persons in paper form, or on the public terminal located in the clerk's office.

To view a restricted document from the docket report, you must access PACER from your Appellate ECF account so the application can verify you are a case participant. To access PACER from your Appellate ECF account, select **Reports > PACER Report** from the CM/ECF **Startup Page**. The PACER Report will open in a new window.

To view a restricted document from an NDA, you must be a case participant. If the login and password entered at the login prompt do not correspond to the login and password for a case participant, you will not be able to view the attached document.

### **Docket Reports in Sealed Cases**

Electronic access to docket reports in sealed cases is limited to case participants with an Appellate ECF account. To view a docket report in a sealed case, you must access PACER from your Appellate ECF account so the application can verify you are a case participant. To access PACER from your Appellate ECF account, select **Reports > PACER Report** from the CM/ECF **Startup Page**. The PACER Report will open in a new window.

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## 8 CREATING HYPERLINKS BETWEEN DOCUMENTS

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You can create a hyperlink to any electronic document filed in any federal appellate, district or bankruptcy court case.

1. Access PACER for the appropriate court and generate a docket report for the case in which the document was filed.
2. Copy the URL of the desired document:
  - a. Right click on the document link.
  - b. From the pop-up menu, choose **Copy Shortcut** or **Copy Link Location** (the option you see will depend on your browser). Note: Do not copy the URL from the browser's address bar when the document is open.
3. Open the word processing document you are filing.
4. Highlight the text you want to use as the hyperlink.
5. If you are using WordPerfect:
  - a. From the **Tools** menu, choose **Hyperlink** to open the **Hyperlink Properties** dialog box.
  - b. Press **Ctrl-V** to paste the URL into the **Document/Macro** field.
  - c. Click **OK**. The hyperlink text is now underlined and blue, indicating a hyperlink has been created.
  - d. Save the word processing document.
  - e. Convert the document to PDF by selecting **Publish to PDF** or **Publish to** from the **File** menu. Note: Do not use the **Print** option to convert the document to PDF. If you are using an earlier version of WordPerfect that does not have one of the **Publish** options, you must upgrade to Version 9 or higher.

6. If you are using Word:

- a. From the **Insert** menu, choose **Hyperlink** to open the *Insert Hyperlink* dialog box.
- b. Press **Ctrl-V** to paste the URL into the **Address** field.
- c. Click **OK**. The hyperlink text is now underlined and blue, indicating a hyperlink has been created.
- d. Save the word processing document.
- e. Convert the document to PDF.
  - i. If you are using a version of Word that has an **Adobe PDF** menu, choose the **Convert to Adobe PDF** option.
  - ii. If you are using a version of Word that does not have an **Adobe PDF** menu:
    1. Open Adobe Acrobat.
    2. From the **File** menu, choose **Create PDF > From File** to open a navigation dialog box.
    3. Navigate to the document you want to convert to PDF and click **Open**. A series of dialog boxes will open while the document is converting to PDF. When the conversion is complete, the document will be displayed in an Adobe Acrobat window with active hyperlinks.

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## 9 FREQUENTLY ASKED QUESTIONS

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### **Is CM/ECF mandatory in the First Circuit?**

Effective January 1, 2010, use of the electronic filing system is mandatory for all attorneys filing in this court, unless they are granted an exemption, and is voluntary for non-incarcerated pro se litigants.

### **How do I get an exemption?**

Upon motion and a showing of good cause, the court may exempt counsel from the provisions of electronic filing.

### **Do I have to register for an Appellate ECF account in the First Circuit if I have a CM/ECF account with another court?**

Yes, you must register for a CM/ECF account in every court in which you intend to be a filer.

### **Do I have to register for an Appellate ECF account if I have a PACER account?**

Yes. An Appellate ECF account is an authorization to file in a specific court, and is different from your nationwide PACER account.

### **Can I use another filer's Appellate ECF login and password to file a document?**

No. The filer under whose login and password the document is filed must correspond to the name that appears on the signature line. The login and password serve as the filer's signature for purposes of the Federal Rules of Appellate Procedure, the local rules of this court and any other purpose for which a signature is required in connection with proceedings before the court.

### **Can a firm use the same Appellate ECF account for all of its attorneys?**

No. Each attorney must have a separate Appellate ECF account under his or her own name.

### **What are the requirements for registering for an Appellate ECF account?**

There are no registration requirements. However, to qualify for filing privileges, attorneys must be a member of the bar of the First Circuit Court of Appeals; pro se litigants must have a case pending in the First Circuit and cannot be incarcerated. Individuals who do not qualify for filing privileges will have their accounts activated with limited functionality. They will be able to receive notices in cases of interest, and submit a bar application through the CM/ECF **Utilities** menu, but they will not have access to case related document filing.

### **Are there any training requirements that must be met before I can use CM/ECF?**

Individuals with filing privileges must complete the computer-based training modules listed as mandatory on the court's website before using CM/ECF to file a document. There are no training requirements for individuals who do not require filing privileges.

### **If I already file electronically in the district court, do I still have to complete the training modules?**

Yes, the appellate court interface is significantly different from what is used in the district courts.

### **What is the cost for using CM/ECF?**

There are no additional fees for using CM/ECF. Litigants receive one free copy of documents that are electronically filed in their cases, which they can save or print. Additional copies are available through PACER at a cost of \$0.08 per page, with a maximum charge of \$2.40 per document.

### **How do I register for an Appellate ECF account?**

CM/ECF registration is handled by the PACER Service Center. To register for an Appellate ECF account, go to the PACER website and select **Register > Appellate Court E-File Registration > Register for an Appellate Filer Account Now**, or [click here](#).

### **Will I be able to use CM/ECF immediately after I register with PACER for an Appellate ECF account?**

No. Your registration must be approved by the court before you can begin using CM/ECF. Registrations are generally processed within three business days. You will receive email notification from the court once your registration has been approved.

### **Should I choose ~~HTML~~ or ~~Text~~ as my noticing preference when I register for Appellate ECF?**

Choose ~~HTML~~. The hyperlinks included in NDAs will not work if you select ~~Text~~.

### **Can I get a daily summary of all my notices instead of an individual NDA for each docketing transaction?**

Yes. PACER gives you the option of receiving a daily summary or individual notices when you register for Appellate ECF. The default value in the **Frequency** field is `Each Transaction`. To receive a daily summary, change it to `Daily Summary`.

To change the noticing frequency for an existing account, select **Utilities > Update My Account** from the CM/ECF menu bar and click **Edit My Information**, or [click here](#). Enter your Appellate ECF login and password at the login prompt and click **Login**. Select **Personal Info/Address Updates > Update Noticing Preferences**. Change the **Frequency** to `Daily`



Summary and click **Submit**. You will receive email notification from the court once your account has been updated.

### Can I add an additional email to my account so someone else will also receive notification of docket activity in my cases?

Yes. Additional emails can be added at the time of registration by entering them in the **Additional Emails** box on the Appellate ECF registration page. Multiple emails should be separated by a comma.

To add an additional email to an existing account, select **Utilities > Update My Account** from the CM/ECF menu bar and click **Edit My Information**, or [click here](#). Enter your Appellate ECF login and password at the login prompt and click **Login**. Select **Personal Info/Address Updates > Update Noticing Preferences**. Enter the additional emails in the **Additional Emails** box and click **Submit**. You will receive email notification from the court once your account has been updated.

### Why can't I login?

Your registration request must be approved by the court before you can begin using CM/ECF. You will receive email notification from the court once your registration has been approved. If you are getting a message that says "incorrect password and/or username" verify your **Caps Lock** key is not on and you are not attempting to login to appellate CM/ECF with your district court or PACER login and password. If you have forgotten your login or password, go to the PACER website and select **Help > Forgot Your Login/Password? > Appellate Filer**, or [click here](#). If the "incorrect password and/or username" message persists, you may need to clear your browser's cache. The instructions for clearing your cache will vary, depending on the type of browser you are using. Select the **Help** option on your browser's tool bar to find the appropriate instructions for your system.

If you are getting a message that says "you *must* enable cookies in order to use this system," the privacy setting on your browser is too high. To operate CM/ECF, your browser must be set to accept all cookies. The instructions for enabling cookies will vary, depending on the browser you are using. Select the **Help** option on your browser's tool bar to find the appropriate instructions for your system.

### What should I do if I get a message saying my account is locked?

The system will lock a user's account after three failed login attempts. If you close your internet browser and wait five minutes, your account will automatically reset.

### How do I retrieve my Appellate ECF login or password?

Go to the PACER website and select **Help > Forgot Your Login/Password? > Appellate Filer**, or [click here](#). DO NOT CONTACT THE COURT.

## How do I change my address?

All CM/ECF users are required to submit changes to their name, address, email, phone number, fax number and generation through the PACER Service Center. To access the PACER website from CM/ECF and select **Utilities > Update My Account** from the CM/ECF menu bar and click **Edit My Information**, or [click here](#). Enter your Appellate ECF login and password at the login prompt and click **Login**. Select **Personal Info/Address Updates > Update Address Info** and click the **Update** button next to the address you want to modify. Make the desired changes and click **Submit**. You will receive email notification from the court once your account has been updated.

## When I select “PACER Report” or “Service List” from the “Reports” menu on the CM/ECF Startup Page, nothing happens. Why aren’t these options working?

If nothing happens when you select **PACER Report** or **Service List** from the **Reports** menu on the CM/ECF **Startup Page**, it may be because you have your pop-up blocker on. To operate CM/ECF, your pop-up blocker must either be turned off, or set to allow pop-ups from [\\*.ca1.uscourts.gov](http://*.ca1.uscourts.gov).

## What type of documents cannot be filed using CM/ECF?

The following types of documents cannot be filed using CM/ECF:

- Documents filed in the court of appeals which initiate cases, including for example, petitions for review, petitions for permission to appeal, applications to enforce an agency order, petitions for a writ of mandamus or prohibition, and applications for leave to file a second or successive petition for relief pursuant to 28 U.S.C. §2254 or §2255.
- Any document filed before a case is docketed by the court.
- Motions to seal.
- Sealed, ex parte, or otherwise non-public documents, including for example, pre-sentence reports and statements of reasons in a judgment of criminal conviction.
- Appendices to briefs.
- Vouchers filed in accordance with the Criminal Justice Act, 18 U.S.C. §3006A, and other documents relating to compensation and reimbursement for representation and for ancillary services and expenses.

Although motions to seal are filed in paper, filers should be very careful to comply with 1st Cir. R. 11.0. Motions to seal are public documents and may be scanned and attached to the docket. If discussion of confidential material is necessary to support the motion to seal, that discussion should be confined to an affidavit or declaration, which may be provisionally filed under seal. If the motion is denied, any materials tendered under provisional seal will be returned to the movant.

## How do I format my document for electronic filing?

Documents must be formatted for electronic filing by converting the original word processing document into Portable Document Format (“PDF”) (resulting in what is referred to as a “native PDF” or “text PDF”). PDF images created by scanning paper documents do not meet this requirement. However, exhibits which are submitted as attachments to an electronically filed pleading may be scanned and attached if the original word processing document is unavailable.

### **Do I need to send the clerk paper copies of electronically filed documents?**

Paper copies of electronically filed documents should not be submitted unless specifically requested by the clerk. Paper copies of briefs are still required, but the clerk’s office will review the electronically filed brief for compliance with federal and local rules before requesting paper copies.

### **Am I required to retain paper copies of electronically filed documents?**

Documents which require original signatures other than that of the filer must be maintained in paper form until final disposition of the case.

### **How do I submit a document that requires multiple signatures?**

To submit a document that requires multiple signatures, list the names of the other signatories by means of an "s/ [name]" block or submit a scanned copy of the document containing all necessary signatures.

### **How can I tell who I need to serve by U.S. Mail, and who will be served electronically by CM/ECF?**

To view the service list and noticing requirements for a case, select **Reports > Service List** from the menu bar on the **Startup Page**. If nothing happens when you select **Service List**, it may be because you have your pop-up blocker on. To operate CM/ECF, your pop-up blocker must either be turned off, or set to allow pop-ups from [\\*.ca1.uscourts.gov](https://*.ca1.uscourts.gov).

### **Does my document need a certificate of service if all recipients were served electronically by CM/ECF?**

Yes. A certificate of service in compliance with Fed. R. App. P. 25 is required for all documents.

### **What should I do if I realize I made a mistake after completing a docketing transaction?**

You cannot delete or modify a docket entry or document once the transaction has been submitted. If you realize you made a mistake, contact the case manager for assistance.

## How will I be notified if the court determines my document was filed incorrectly?

If you file a document incorrectly, the court will add a clerk's note to the docket text and resend the NDA to all original recipients. The clerk's note will specify the type of error and indicate whether any further action is required. The resent NDA will indicate **Amended: Notice of Docket Activity** below the header. This is the only notification you will receive, so it is important that you review all NDAs promptly to ensure progress of the case is not delayed and the error is not repeated in future filings. If you receive an amended NDA for a document you filed, it is most likely because the document was filed incorrectly.

## Why am I unable to access certain documents in social security or immigration cases through my PACER account?

All public documents in social security and immigration cases, with the exception of orders, judgments and opinions, are restricted, and remote electronic access is limited to case participants with an Appellate ECF account. To view a restricted document, you must access PACER from your Appellate ECF account so the application can verify you are a case participant. To access PACER from your Appellate ECF account, select **Reports > PACER Report** from the CM/ECF **Startup Page**. Restricted documents are available to other interested persons in paper form, or on the public terminal located in the clerk's office.

## How do I file a stipulation?

File your stipulation as a motion and select **Stipulated** as the optional modifier for the motion.

## Can I select the option "motion for miscellaneous relief" for any type of motion?

No. This option should only be used if none of the other reliefs are applicable. More appropriate reliefs are available for most routine motions. If you select "motion for miscellaneous relief" when a better relief exists, a correction will be required.

## How should I file a document that requires leave of court?

If leave of court is required to file a document, and the document is one which may be filed electronically, it should be attached to the same docket entry as the motion, as a separate PDF file. If the motion is granted, the court will enter the underlying document on the docket, as of the date of the order allowing it to be filed.

## How do I determine if I should file my document in multiple cases?

It is the responsibility of the filer to determine which case(s) a document should be filed in and to caption the pleading accordingly. The caption of the document should correspond to the case(s) it is filed in. If a document is captioned with multiple case numbers, it should be filed in all captioned cases. If it is only captioned with one case number, it should only be filed in that case.

## How do I file my document in multiple cases?

Documents can be filed in multiple cases with one docketing transaction, provided the cases have been associated by the court. If the cases have not been associated, you will have to complete a separate docketing transaction for each case. You can determine if your cases are associated by entering the lowest case number in the **Case** field and pressing the **Tab** key. Associated cases will display in the **Case Selection** box near the bottom of the screen. If some, or all, of the additional cases you want to file your document in are listed in the **Case Selection** box, select the corresponding checkbox(es). Your document will be filed in the case entered in the **Case** field at the top of the screen (the target case), as well as any additional cases you selected in the **Case Selection** box.

When you file a document in multiple cases with one docketing transaction, you must select a filer for each case. If the filers are the same, select the appropriate filer(s) for the target case and click the **All Cases** button. CM/ECF will automatically select the same filer(s) for the additional cases. If the filers are different, scroll through the filer list and manually select the appropriate filer(s) for each case listed in the **Case Number** column.

Review the information in the **Event Review** dialog box carefully before you submit the transaction. Your document will be filed in the cases indicated in brackets at the end of the docket entry. Verify you are filing the document in all captioned cases. If the caption includes cases that were not associated by the court, you will have to file the same document in those cases separately.

## If I don't see my question here, or need additional assistance, where can I go for help?

<ul style="list-style-type: none"><li>• Additional PACER FAQ</li></ul>	<b>PACER Service Center</b> <a href="http://pacer.psc.uscourts.gov/faq.html">http://pacer.psc.uscourts.gov/faq.html</a>
<ul style="list-style-type: none"><li>• Additional CM/ECF FAQ</li></ul>	<b>PACER Service Center</b> <a href="http://pacer.psc.uscourts.gov/cmecf/ecffaq.html">http://pacer.psc.uscourts.gov/cmecf/ecffaq.html</a>
<ul style="list-style-type: none"><li>• All PACER Questions</li><li>• Technical CM/ECF Questions</li></ul>	<b>PACER Service Center</b> <a href="http://pacer.psc.uscourts.gov/">http://pacer.psc.uscourts.gov/</a> Email: <a href="mailto:pacer@psc.uscourts.gov">pacer@psc.uscourts.gov</a> 800-676-6856 (M-F, 8:00 am - 6:00 pm CST)
<ul style="list-style-type: none"><li>• General CM/ECF Questions</li></ul>	<b>First Circuit CM/ECF Help Desk</b> Email: <a href="mailto:CA01ECFHelpDesk@ca1.uscourts.gov">CA01ECFHelpDesk@ca1.uscourts.gov</a> 617-748-9200 (M-F, 8:30 am - 5:00 pm EST)
<ul style="list-style-type: none"><li>• Case Related Questions</li><li>• Error Correction</li><li>• Emergency Filings</li></ul>	<b>First Circuit Case Manager</b> 617-748-9057 (M-F, 8:30 am - 5:00 pm EST)

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# APPENDIX A

## Rules Governing Electronic Filing

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### **Rule 1 – Scope of Electronic Filing**

Except as otherwise prescribed by local rule or order, all cases will be assigned to the court's electronic filing system. Upon motion and a showing of good cause, the court may exempt an attorney from the provisions of this Rule and authorize filing by means other than use of the electronic filing system. After January 1, 2010, all documents filed by counsel must be filed electronically using the electronic filing system unless counsel obtains an exemption, except for the following types of documents, which must be filed only in paper form:

- a. documents filed in the court of appeals which initiate cases, including for example, petitions for review, petitions for permission to appeal, applications to enforce an agency order, petitions for a writ of mandamus or prohibition, and applications for leave to file a second or successive petition for relief pursuant to 28 U.S.C. §2254 or §2255;
- b. any document filed before a case is docketed by the court;
- c. motions to seal;
- d. sealed, ex parte, or otherwise non-public documents, including for example, pre-sentence reports and statements of reasons in a judgment of criminal conviction;
- e. appendices to briefs; and
- f. vouchers filed in accordance with the Criminal Justice Act, 18 U.S.C. §3006A, and other documents relating to compensation and reimbursement for representation and for ancillary services and expenses.

Notices of appeal, although they initiate appeals, are filed in the district court and, thus, are subject to the relevant district court's procedures governing electronic filing.

Although a brief (including the addendum, required by 1st Cir. R. 28.0) must be filed electronically after January 1, 2010, paper copies of briefs are still required to be filed. The clerk's office will review the electronically filed brief and, if the brief is compliant with federal and local rules, will send a notification requiring the attorney or party filing electronically ("ECF Filer") to file nine identical paper copies so that they are received by the court within seven

days of the notification. The court may shorten the period for filing paper copies of a brief if it becomes necessary in a particular case. At the time a brief is filed electronically, it must be served on all other parties, as required by Federal Rules of Appellate Procedure 25(b) and 31(b). See Rule 4 of this Order. Parties do not need to serve the brief again when identical paper copies are filed with the court. Appendices must be filed and served in paper form at the time the electronic version of the brief is filed.

Paper copies of other electronically filed documents (including petitions for rehearing or rehearing en banc) are not required and should not be filed unless specifically requested by the clerk. The clerk may direct the ECF Filer to provide the court with paper copies of electronically filed documents, or with an identical electronic version of any paper document previously filed in the same case by that filer, in a format designated by the court.

Documents must be formatted for electronic filing by converting the original word processing document into Portable Document Format (“PDF”) (resulting in what is referred to as a “native PDF” or “text PDF”). PDF images created by scanning paper documents do not comply with this order. However, exhibits which are submitted as attachments to an electronically filed pleading may be scanned and attached if the filer does not possess a word-processing file version of the document.

## **Rule 2 – Eligibility, Registration, Passwords**

Attorneys who practice in this court must register as ECF Filers. Registration is required to obtain a login and password for use of the electronic case filing system. Attorneys and non-incarcerated pro se litigants may register at [www.ca1.uscourts.gov](http://www.ca1.uscourts.gov). Before filing an electronic document using the court’s electronic filing system, ECF Filers must complete the computer-based training modules listed as mandatory on the court’s website. ECF Filers should also familiarize themselves with the CM/ECF User’s Guide. The computer-based training modules and the CM/ECF User’s Guide, together with other training materials concerning electronic filing in the First Circuit, including Frequently Asked Questions, are available on the court’s website at [www.ca1.uscourts.gov](http://www.ca1.uscourts.gov).

A non-incarcerated party to a pending case who is not represented by an attorney may, but is not required to, register as an ECF Filer for purposes of that case. If a pro se party retains an attorney, the attorney must advise the clerk by filing an appearance form and, after January 1, 2010, must also register as an ECF Filer if he or she has not already done so.

Registration as an ECF Filer constitutes consent to electronic service of all documents as provided in these rules and in the Federal Rules of Appellate Procedure. All ECF Filers have an affirmative duty to inform the clerk immediately of any change in their e-mail address. Any changes to an ECF Filer’s contact information, including physical address, telephone, fax number or e-mail address, should be made through the PACER system, which can be accessed at <http://pacer.psc.uscourts.gov>.

ECF Filers agree to protect the security of their logins and passwords and immediately notify the PACER Service Center and the clerk if they learn, or have reason to suspect, that their login or password has been compromised. ECF Filers may be sanctioned for failure to comply with this provision. In addition to other sanctions imposed by the court, the clerk may terminate without notice the electronic filing privileges of any ECF Filer who uses the electronic filing system inappropriately.

### **Rule 3 – Consequences of Electronic Filing**

Electronic transmission of a document to the electronic filing system in compliance with these rules, together with the transmission of a Notice of Docket Activity from the court, constitutes filing of the document under the Federal Rules of Appellate Procedure and the local rules of this court, and constitutes entry of the document on the docket kept by the clerk under Fed. R. App. P. 36 and 45(b). If leave of court is required to file a document and the document may be filed electronically under Rule 1 of this Order, both the motion and document at issue should be submitted electronically. If leave is granted, the docket will so reflect.

Before filing a document with the court, an ECF Filer must verify its legibility and completeness. When a document has been filed electronically, the official record is the electronic document stored by the court. Except in the case of documents first filed in paper form and subsequently submitted electronically, an electronically filed document is deemed filed at the date and time stated on the Notice of Docket Activity from the court. Unless otherwise required by statute, rule, or court order, filing must be completed by midnight in the time zone of the circuit clerk's office in Boston to be considered timely filed that day.

ECF Filers are advised that they should contact the clerk's office if they transmit a document to the electronic filing system but do not receive a Notice of Docket Activity. If a Notice of Docket Activity was not transmitted by the court, the ECF Filer's filing attempt failed and the document was not filed.

### **Rule 4 – Service of Documents by Electronic Means**

The Notice of Docket Activity that is generated by the court's electronic filing system constitutes service of the filed document on all ECF Filers. The system identifies which parties in a particular case are ECF filers. Parties who are not registered as ECF Filers must be served with a copy of any electronically filed document in some other way authorized by Fed. R. App. P. 25(c)(1). Similarly, a document filed in paper form pursuant to Rule 1 of this Order must be served using an alternate method of service prescribed by Fed. R. App. P. 25(c)(1). However, paper copies of briefs filed electronically and already served on all parties do not need to be served.

The Notice of Docket Activity does not replace the certificate of service required by Fed. R. App. P. 25(d). ECF Filers must include certificates of service with any electronically filed document



which state whether the parties being served are ECF Filers being served electronically by the Notice of Docket Activity or whether they are being served using an alternate method of service permitted by Fed. R. App. P. 25(c)(1), and, if so, which method. The certificate must also provide the other information required by Fed. R. App. P. 25(d)(1).

### **Rule 5 – Entry of Court-Issued Documents**

Except as otherwise provided by local rule or court order, all public orders, opinions, judgments, and proceedings of the court in cases assigned to the electronic filing system will be filed in accordance with these rules, which will constitute entry on the docket kept by the clerk under Fed. R. App. P. 36 and 45(b). Any order or document electronically issued by the court without the original signature of a judge or authorized court personnel has the same force and effect as if the judge or clerk had signed a paper copy of the order.

Orders also may be issued as “text-only” entries on the docket, without an attached document. Such orders are official and binding.

### **Rule 6 – Attachments and Exhibits to Electronically Filed Documents**

All documents referenced as exhibits or attachments to an electronically filed document must also be filed electronically, unless the court permits or requires traditional paper filing. An ECF Filer must submit as exhibits or attachments only those excerpts of the referenced documents that are directly germane to the matter under consideration by the court. Excerpted material must be clearly and prominently identified as such. The court may require parties to file additional excerpts or the complete document. This Rule does not apply to appendices to briefs. See Rule 1.e of this Order.

### **Rule 7 – Sealed Documents**

As required by Rule 1 of this Order, sealed documents and motions for permission to file a document under seal should be filed only in paper form. Sealed documents must be filed in compliance with 1<sup>st</sup> Cir. R. 11.0(c) and 1<sup>st</sup> Cir. R. 30.0(g). If an entire case is sealed, all documents in the case are considered sealed unless the court orders otherwise or, in the case of a court order, opinion, or judgment, the court releases the order, opinion or judgment for public dissemination.

### **Rule 8 – Retention Requirements**

Electronically filed documents which require original signatures other than that of the ECF Filer must be maintained in paper form by the ECF Filer until final disposition of the case. For purposes of this rule, a disposition is not final until the time for filing a petition for a writ of certiorari has expired, or, if a petition for a writ of certiorari is filed, until the Supreme Court disposes of the matter, and, if a remand is ordered, the case is finally resolved. Upon request by the court, ECF Filers must provide original documents for review.

## **Rule 9 – Signatures**

The user login and password required to submit documents to the electronic filing system serve as the ECF Filer's signature on all electronic documents filed with the court. They also serve as a signature for purposes of the Federal Rules of Appellate Procedure, the local rules of court, and any other purpose for which a signature is required in connection with proceedings before the court. The name of the ECF Filer under whose login and password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear. No ECF Filer or other person may knowingly permit or cause to permit an ECF Filer's login and password to be used by anyone other than an authorized agent of the ECF Filer. ECF Filers are reminded that pursuant to Rule 2 of this Order they must immediately notify the PACER Service Center and the clerk if they learn, or have reason to know, that their login or password has been compromised.

The filer of any electronically filed document requiring multiple signatures (for example, stipulations) must list thereon all the names of other signatories by means of an "s/ [name]" block for each. By submitting such a document, the ECF Filer certifies that each of the other signatories has expressly agreed to the form and substance of the document, and that the ECF Filer has their authority to submit the document electronically. In the alternative, the ECF Filer may submit a scanned document containing all necessary signatures. If any person objects to the representation of his or her signature on an electronic document as described above, he or she must, within 14 days of the electronic filing, file a notice setting forth the basis of the objection.

## **Rule 10 – Notice of Court Orders and Judgments**

Immediately upon the entry of a public order, opinion or judgment in a case assigned to the electronic filing system, the clerk will electronically transmit a Notice of Docket Activity to ECF Filers in the case. Electronic transmission of the Notice of Docket Activity constitutes the notice and service of the order, opinion, or judgment required by Fed. R. App. P. 36(b) and 45(c). The clerk must give notice in paper form to a person who has not consented to electronic service in accordance with the Federal Rules of Appellate Procedure.

## **Rule 11 – Technical Failures**

An ECF Filer whose filing is made untimely as the result of a technical failure may seek appropriate relief from the court.

## **Rule 12 – Privacy Protections and Public Access**

Filers, whether filing electronically or in paper form, must refrain from including or must redact certain personal data identifiers from all documents filed with the court whenever such redaction is required by Fed. R. App. P. 25(a)(5). The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The clerk will not review any document for compliance with this rule. Filers are advised that it is the experience of this court that failure to

comply with redaction requirements is most apt to occur in attachments, addenda, or appendices, and, thus, special attention should be given to them.

### **Rule 13 – Hyperlinks**

Electronically filed documents may contain hyperlinks except as stated herein. Hyperlinks may not be used to link to sealed or restricted documents. Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the document. A hyperlink, or any site to which it refers, will not be considered part of the record. Hyperlinks are simply convenient mechanisms for accessing material in a document. The court accepts no responsibility for the availability or functionality of any hyperlink, and does not endorse any product, organization, or content at any hyperlinked site, or at any site to which that site might be linked.

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# APPENDIX B

## Glossary of Terms

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### **Browser**

A software application used to access, display and interact with Web pages. The two most popular browsers are Microsoft Internet Explorer and Firefox.

### **Case Management/Electronic Case Files (CM/ECF)**

An automated case management system that allows the public to file documents over the Internet and provides courts with the ability to make electronic documents available to the public through the Public Access to Court Electronic Records (PACER) program.

### **Docket Entry**

An entry on the docket describing a document in the case or action taken by the court.

### **Docket Report**

The formal record of a case, kept by the Clerk of Court, listing the case number, case type, case caption, nature of suit, fee status and date docketed; parties and other case participants; attorneys; originating case information; associated appellate cases; and all public docket entries in the case.

### **Docket Text**

The text of a docket entry.

### **Document**

An order, opinion, judgment, petition, application, notice, transcript, motion, brief or other pleading filed with the court.

### **Electronic Filing (E-Filing)**

The process of using CM/ECF to upload a document from the filer's computer and submit it to the court via the Internet.

### **Electronic Learning Modules (ELMs)**

Interactive online training sessions designed to cover specific CM/ECF topics. System requirements for viewing ELMs include Internet Explorer 6.0 (or higher) or Mozilla Firefox 3.0

(or higher); Flash Player 8.0 (or higher); screen resolution of 1024 x 768 (or higher); and a sound card with speakers or headphones.

### **Notice of Docket Activity (NDA)**

An email notice that is generated when a party or attorney files a document with the clerk's office, or when the court enters an order or takes other public action in a case. The notice includes the case name and number; date and time of filing; docket text; email and U.S. mail recipients; and hyperlinks to the docket report and any attached documents.

### **Operating System**

An interface that translates user input into instructions for the hardware components of a computer.

### **Portable Document Format (PDF)**

A file format created for document exchange. CM/ECF only accepts documents in Portable Document Format (PDF). PDF documents up to 6.5 megabytes can be uploaded as one file. Larger documents should be split into separate files with appropriate identification. There are two types of PDF files, native PDF files and scanned PDF files. All pleadings must be submitted as native PDF files. Attachments to pleadings may be submitted as scanned PDF files if the original word processing document is unavailable.

- **Native PDF Files:** A native PDF file is created by electronically converting a word processing document to PDF using Adobe Acrobat or similar software. Native PDF documents are text searchable and their file size is small.
- **Scanned PDF Files:** A scanned PDF file is created by putting a paper document through an optical scanner. Scanned PDF documents are not text searchable and have a large file size.

### **Public Access to Court Electronic Records (PACER)**

An automated, fee based system that allows subscribers to access electronic documents and obtain case information from the federal courts via the Internet.

### **Restricted Document**

A public document characterized by limited electronic access. All public documents in social security and immigration cases, with the exception of orders, judgments and opinions, are restricted, and remote electronic access is limited to case participants with an Appellate ECF account. Restricted documents are available to other interested persons in paper form, or on the public terminal located in the clerk's office.

## **Target Case**

The case number entered in the **Case** field on the ***File a Document*** screen. The court electronically links cases that are associated with one another. If other cases have been associated with the target case, they will display in the **Case Selection** box near the bottom of the same screen. To file a document in multiple associated cases, use the lowest case number as the target case.

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# APPENDIX C

## List of Document Options Available in Each Document Category

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♥ Document categories listed in the scroll box on the left side of the *File a Document* screen. Selection is mandatory.

◆ Document options listed on the right side of the *File a Document* screen. Available options are determined by the document category. Selection is mandatory.

♣ Motion categories listed in the Category drop down menu when one of the following document options is selected: Motion; Response and Motion; and Motion filed by Court Reporter. Selection is not mandatory.

♠ Motion options listed in the Description drop down menu when one of the following document options is selected: Motion; Response and Motion; and Motion filed by Court Reporter. Available options are determined by the motion category. If a category was not selected, all motion options will be listed alphabetically. Selection is mandatory.

### ♥ Briefing

- ◆ Amicus Curiae Brief (FRAP 29)
- ◆ Brief (FRAP 28)
- ◆ Citation of Supplemental Authorities Pursuant to FRAP 28(j)
- ◆ Response to Citation of Supplemental Authorities FRAP 28(j)
- ◆ Translation

### ♥ Case Opening Forms

- ◆ CJA Form 24 and Transcript Order Form
- ◆ Docketing Statement
- ◆ Form for Selection of Counsel on Appeal
- ◆ Notice of Appearance
- ◆ Transcript Report/Order Form (all transcripts have been filed)
- ◆ Transcript Report/Order Form (transcripts are being ordered)
- ◆ Transcript Report/Order Form (transcripts are not necessary)

### ♥ Court Reporter Filings

- ◆ Motion filed by Court Reporter (*see “Motion” for relief options*)

- ◆ Notice of Non-Payment
- ◆ Response filed by Court Reporter
- ◆ Transcript Order Acknowledgment
- ♥ **Letters/Correspondence**
  - ◆ Citation of Supplemental Authorities Pursuant to FRAP 28(j)
  - ◆ Letter (general)
  - ◆ Proof of Service Indicating Case Record was Forwarded to New Counsel
  - ◆ Response to Citation of Supplemental Authorities FRAP 28(j)
- ♥ **Miscellaneous Filings**
  - ◆ Bill of Costs
  - ◆ Certificate of Service
  - ◆ Corporate Disclosure Statement Pursuant to FRAP 26.1
  - ◆ Cross-Application for Enforcement
  - ◆ Designation of Attorney Presenting Oral Argument
  - ◆ Form for Selection of Counsel on Appeal
  - ◆ Pay the Filing Fee
  - ◆ Proof of Service Indicating Case Record was Forwarded to New Counsel
  - ◆ Statement of the Issues
  - ◆ Status Report
  - ◆ Suggestion of Bankruptcy
  - ◆ Suggestion of Death
  - ◆ Translation
- ♥ **Motions/Memoranda/Affidavits**
  - ◆ Affidavit in Support
  - ◆ Memorandum in Support
  - ◆ Motion
    - ♣ **Abeyance/Stay Motions**
      - ♠ Motion to Hold Case in Abeyance
      - ♠ Motion to Stay (general)
      - ♠ Motion to Stay Execution of Sentence
      - ♠ Motion to Stay Removal
    - ♣ **Argument Motions**
      - ♠ Motion for Leave to Appear at Oral Argument
      - ♠ Motion for Oral Argument
      - ♠ Motion to Enlarge Time for Oral Argument



- ♠ Motion to Expedite
- ♠ Motion to Reschedule Oral Argument
- ♠ Motion to Waive Oral Argument and Submit Case on the Briefs

#### ♣ Briefing Motions

- ♠ Motion for Leave to File Addendum to Reply Brief
- ♠ Motion for Leave to File Corrected or Substituted Appendix
- ♠ Motion for Leave to File Corrected or Substituted Brief
- ♠ Motion for Leave to File Deferred Appendix
- ♠ Motion for Leave to File Document
- ♠ Motion for Leave to File Document Instantly
- ♠ Motion for Leave to File Joint or Consolidated Appendix
- ♠ Motion for Leave to File Joint or Consolidated Brief
- ♠ Motion for Leave to File Oversized Document
- ♠ Motion for Leave to File Reduced Number of Copies of Brief and/or Appendix
- ♠ Motion for Leave to File Supplemental Appendix
- ♠ Motion for Leave to File Supplemental Brief
- ♠ Motion for Leave to File Sur Reply Brief
- ♠ Motion to Amend Document
- ♠ Motion to Construe Document as Brief
- ♠ Motion to Expedite
- ♠ Motion to Extend Time to File Brief and/or Appendix
- ♠ Motion to Join in or Adopt Previously Filed Document
- ♠ Motion to Strike Document
- ♠ Motion to Vacate Briefing Schedule
- ♠ Motion to Waive Filing an Appendix
- ♠ Motion to Withdraw Previously Filed Document

#### ♣ Certificate of Appealability Motions

- ♠ Motion for Certificate of Appealability
- ♠ Motion for Expanded Certificate of Appealability
- ♠ Motion to Extend Time to File Status Report
- ♠ Motion to Extend Time to Request Certificate of Appealability
- ♠ Motion to Extend Time to Request Expanded Certificate of Appealability

#### ♣ Consolidation Motions

- ♠ Motion to Consolidate Cases
- ♠ Motion to Sever Cases

### ♣ Court Reporter Motions

- ♠ Motion to Extend Time to File Transcript
- ♠ Motion to Waive Mandatory Fee Reduction

### ♣ Dispositive Motions

- ♠ Motion for Summary Disposition
- ♠ Motion to Dismiss Case
- ♠ Motion to Dismiss or for Summary Disposition
- ♠ Motion to Remand Case
- ♠ Motion to Transfer Case

### ♣ Extension/Instanter Motions

- ♠ Motion for Leave to File Document Instanter
- ♠ Motion to Extend Time to File Agency Record
- ♠ Motion to Extend Time to File Appearance Form, Docketing Statement and/or Transcript Order Form
- ♠ Motion to Extend Time to File Bill of Costs
- ♠ Motion to Extend Time to File Brief and/or Appendix
- ♠ Motion to Extend Time to File Petition for Rehearing
- ♠ Motion to Extend Time to File Response
- ♠ Motion to Extend Time to File Status Report
- ♠ Motion to Extend Time to File Transcript
- ♠ Motion to Extend Time to Pay Filing Fee
- ♠ Motion to Extend Time to Request Certificate of Appealability
- ♠ Motion to Extend Time to Request Expedited Certificate of Appealability

### ♣ Fee/Cost Motions

- ♠ Motion for Interim Payment of Attorney Fees
- ♠ Motion for Leave to Incur Expense of a Service Provider (interpreter, etc.)
- ♠ Motion for Leave to Incur Travel Expenses by Attorney
- ♠ Motion for Production of CJA 20 Voucher
- ♠ Motion to Award Fees and Costs
- ♠ Motion to Extend Time to File Bill of Costs
- ♠ Motion to Extend Time to Pay Filing Fee
- ♠ Motion to Waive Mandatory Fee Reduction

### ♣ Miscellaneous Motions

- ♠ Motion for Bail Pending Appeal
- ♠ Motion for Injunction Pending Appeal
- ♠ Motion for Leave to File Document

- ♠ Motion for Leave to File Oversized Document
- ♠ Motion for Miscellaneous Relief (to be used ONLY if no other relief is appropriate)
- ♠ Motion for Sanctions
- ♠ Motion for Transcript at Government Expense
- ♠ Motion to Amend Document
- ♠ Motion to Certify Question of Law
- ♠ Motion to Clarify
- ♠ Motion to Dismiss Party
- ♠ Motion to Expedite
- ♠ Motion to Join in or Adopt Previously Filed Document
- ♠ Motion to Strike Document
- ♠ Motion to Substitute Parties
- ♠ Motion to Supplement Record on Appeal
- ♠ Motion to Take Judicial Notice
- ♠ Motion to Withdraw Previously Filed Document
- ♣ Rehearing/Reconsideration Motions
  - ♠ Motion to Extend Time to File Petition for Rehearing
  - ♠ Motion to Recall Mandate
  - ♠ Motion to Reconsider
- ♣ Representation Motions
  - ♠ Motion for Appointment of Counsel
  - ♠ Motion for Leave to Incur Expense of a Service Provider (interpreter, etc.)
  - ♠ Motion for Production of CJA 20 Voucher
  - ♠ Motion for Substitution of Counsel
  - ♠ Motion to Withdraw as Counsel
- ♦ Motion for Leave to File Notice of Appearance
- ♦ Motion to Amend Caption
- ♦ Motion to Proceed In Forma Pauperis
- ♦ Response and Motion (*see “Motion” for relief options*)
- ♥ Notices
  - ♦ Notice (general)
  - ♦ Notice of Appearance
  - ♦ Notice of Intent to Remove Petitioner
  - ♦ Notice of Unavailability of Counsel
  - ♦ Notice Requesting Removal from the Service List

- ◆ Notice that a Brief will not be Filed
- ◆ Proof of Service Indicating Case Record was Forwarded to New Counsel
- ◆ Suggestion of Bankruptcy
- ◆ Suggestion of Death

#### ♥ Petitions

- ◆ Cross-Petition for Permission to Appeal
- ◆ Petition (other)
- ◆ Petition for Hearing En Banc
- ◆ Petition for Panel Rehearing
- ◆ Petition for Rehearing and Rehearing En Banc
- ◆ Petition for Rehearing En Banc

#### ♥ Prospective Amicus/Intervenor Filings

- ◆ Amicus Curiae Brief (FRAP 29)
- ◆ Corporate Disclosure Statement Pursuant to Fed. R. App. P. 26.1
- ◆ Motion for Leave to File Amicus Curiae Brief
- ◆ Motion for Leave to Intervene
- ◆ Motion to Extend Time to File Amicus Curiae Brief
- ◆ Notice of Appearance on Behalf of Prospective Amicus or Intervenor

#### ♥ Responses/Replies/Answers

- ◆ Answer to Petition or Application
- ◆ Reply to Response
- ◆ Response
- ◆ Response and Motion (*see “Motion” for relief options*)
- ◆ Response to Citation of Supplemental Authorities FRAP 28(j)