

Problem #1: Attorney cannot log in to the CM/ECF system to complete a filing.

Solution

- Check the <u>CM/ECF Hardware and Software Requirements</u> under Technical and System Information located on the court's CM/ECF Information web page to ensure that all technical requirements are met.
- Make sure the attorney is a registered ECF Filer in the D.C. Circuit.
 - If the attorney does not have an ECF Filer account with any other circuit court, then he or she needs to register for a new filer account by clicking on the <u>Appellate Filer</u> <u>Account Registration</u> link on the CM/ECF Information web page.
 - If the attorney has an ECF Filer account with another circuit court, then he or she needs to request the addition of the D.C. Circuit to the existing filer account by clicking on the <u>Appellate Filer Account Update</u> link on the CM/ECF Information web page and then clicking on the **Register for Additional Court(s)** link under the **Miscellaneous** heading.
 - Make sure the attorney is not trying to log in with his or her PACER or district court filer account information.

Problem #2: Attorney cannot establish a link between CM/ECF and PACER accounts.

Solution

- 1. Log in to CM/ECF using your ECF Filer account login and password;
- 2. Select **PACER Report** from the **Reports** Menu;
- 3. The PACER login screen will appear. Enter your PACER account login and password.
- 4. Check the "Make this my default PACER login" box;
- 5. Click the **Login** button.

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Problem #3: Nothing happens when the attorney selects an option from the menu bar.

Solution

CM/ECF makes extensive use of pop-up windows throughout the application. Therefore, to ensure that the program works correctly, check the pop-up blocker settings for your internet browser: either turn off pop-up blocking or add the domain "*ecf.cadc.uscourts.gov" to the site exceptions list. See the <u>CM/ECF Hardware and Software Requirements</u> under Technical and System Information on the court's CM/ECF Information web page for more details.

Problem #4: Attorney needs to file a document in a consolidated group of cases but is unsure which cases to select during filing.

Solution

As a general rule of thumb, documents should be filed only in the specific cases where the filer appears as a listed party of the correct type. However, if the requested relief is non-party or non-case specific and applies to the entire consolidated group, then all the cases may be selected during filing (for example, a motion to hold in abeyance or to expedite). To select only certain cases, place a checkmark in the box next to the appropriate case number in the **Applied Case Selection** box. A quick way to select all the cases is to click on the **All** button that appears under the box.

Even if the filing is docketed to only a sub-set of cases from the consolidated group, counsel from all the cases will receive electronic notification of the filing and the docket entry will automatically be spread to the lead docket of the consolidated group.

Problem #5: Attorney submits a lodged pleading in the same entry as a motion for leave to file or to extend time.

Solution

When counsel needs to file a motion for leave to file or to extend time and contemporaneously lodges another pleading with the court pending disposition of the motion, the attorney should electronically file each of the documents separately, resulting in two entries appearing on the docket.



The first entry should be the lodged pleading, the second entry is the motion requesting permission to file. Uploading the lodged pleading as an additional document under the motion entry is prohibited.

Upon review of the filings by Clerk's Office staff, the docket entry for the lodged pleading will be edited to indicate that the pleading is now lodged. A subsequent Notice of Docket Activity will be generated to all counsel of record when this occurs.

For assistance with the proper events and reliefs to use when filing, please refer to the <u>Index of</u> <u>Attorney Filing Events & Reliefs</u> under Training and Documentation on the CM/ECF web page.

Problem #6: Attorney fails to include a certificate of service with the filing.

Solution

Pursuant to ECF-7 of the court's <u>Administrative Order Regarding Electronic Case Filing</u>, the Notice of Docket Activity generated upon submission of counsel's electronic filing does not replace the certificate of service required by Fed. R. App. P. 25. If a certificate of service was inadvertently omitted by counsel, the initial filing must be supplemented with the appropriate certificate using the **Certificate of Service Filed** event.

Problem #7: Attorney fails to receive a Notice of Docket Activity (NDA) by email when a pleading is electronically filed in a case.

<u>Solution</u>

Only attorneys who are listed on the court's docket will receive NDAs showing case activity. Therefore, first check the docket of the particular case to verify that the attorney is listed as counsel of record for the represented party.

- If the attorney is not listed, file an Entry of Appearance in the case to have the attorney entered on the docket by the Clerk's Office.
- If the attorney is listed, use the **Update My Account** utility within CM/ECF to verify that the attorney's email address is correct and that his/her noticing preference is set to email. Use the **Edit My Information** button to open the appellate filer account update website. Once logged



in, click on the **Personal Info/Address Updates** link under the **Maintenance** heading to modify the necessary information.

If the attorney is listed and his or her filer account information appears to be correct, check the local email client to ensure the user's mailbox is not full and that any spam filtering software is set to accept email messages from the sender "ecfnoticing@cadc.uscourts.gov" as well as the domain "cadc.uscourts.gov".

Problem #8: Attorney is unable to access an electronically filed document through the document link on the Notice of Docket Activity or the document icon on the docket report.

Solution

On occasion, it may become necessary for court staff to restrict access to certain electronically filed documents in order to comply with privacy policies mandated by the U.S. Judicial Conference or to avoid confusion when documents have been filed in error. Locked documents may be restricted to court staff only, to case participants, or to specific individuals.

For example, if the court modifies a docket entry due to an incorrect PDF being uploaded, the document will be restricted for view by court staff only. Similarly, Form 72, completed by counsel intending to present oral argument, will never be available to public reviewers or case participants because the form is a private notice containing personal information that is submitted in order to assist the court in preparing for oral argument and is not a part of the official record of the case.

Additionally, most documents electronically filed in civil cases arising from social security or immigration related matters are automatically restricted from general PACER users.

Problem #9: Attorney filed a document incorrectly or the document contains an error, and the attorney needs assistance with correcting the erroneous docket entry or removing the PDF document.

<u>Solution</u>

During normal business hours, contact the ECF Help Desk by calling 1-202-216-7259. If the error is made after hours, please re-file the document electronically and then follow up with a detailed message to the ECF Help Desk. Someone will return your call promptly on the next business day.



If you are unable to complete your electronic filing due to a technical or system error, contact the ECF Help Desk for additional instructions. Please do not email your documents to the ECF Help Desk. Submitting your documents by email will not satisfy any timeliness requirements for filing pursuant to ECF-5(C) of the <u>Administrative Order Regarding Electronic Case Filing</u>.

The ECF Help Desk is available Monday through Friday (except federal holidays), between the hours of 8:00 a.m. and 4:00 p.m. ET. Assistance may also be obtained by email addressed to <u>ECFHelp@cadc.uscourts.gov</u>. When submitting your inquiry by email, please include any relevant information such as case numbers, filer's name, error message text, and any other information that may assist us with answering your question.

Problem #10: My electronic filing was rejected because it contained a scanned PDF that was not text searchable.

Solution

- Regenerate the portable document format (PDF) version of your original document by printing or publishing to PDF using your word-processing software. This will make the document text searchable.
- If the original or electronic version of the document is not available, scan the document using a software package that utilizes optical character recognition (OCR) to make the typewritten or printed text machine-editable. Many third-party OCR products are commercially available to render a scanned document text-searchable.