

A Texas Eastern Guide to the Most Common Technical and Docketing Questions Relating to CM/ECF

The local rules of the Eastern District of Texas requires that all documents be filed electronically except as expressly provided or in exceptional circumstances preventing a filing user from filing electronically. See LR CV-5(a)(1)(A)(H) and CV5 (a)(2)(B).

The following is a list of items necessary to begin the electronic filing process.

- Personal Computer
- Internet Browser - Internet Explorer (6.0 or higher) or Mozilla Firefox (version 1.5 or higher)
- Word Processor capable of converting a document to pdf such as Word Perfect, Microsoft Office 2007 or higher or Adobe Professional. Refer to instructions below.
This enables you to publish to PDF. Adobe Reader simply lets you read a document, not create a document.
- Scanner for imaging documents - (Resolution between 200-300 dpi for smaller file size)
This would only be used for documents that cannot be produced electronically.
- E-mail Account
- Court Login/Password
- PACER Login/Password
- Training on ECF Program

Electronic Payment of Filing Fees

An application called pay.gov allows you to make payment with a credit or debit card at the time of filing. The Texas Eastern District currently allows the collection of the following fees using the pay.gov program.

- Civil Action
- Appeal to the Fifth Circuit
- Appeal to the Federal Circuit

Please refer to our website for a schedule of fees along with instructions on how to use the pay.gov program. The payment of other fees not listed above may be made by check, credit or debit card by contacting the division where the case is filed.

Questions regarding reimbursement of duplicate payment should be directed to the court's Financial Administrator @ 903/590-1007.

Obtaining a Login and Password for CM/ECF

A login/password from the district court allows you to file a document electronically. You are not allowed to request the same login/password as your PACER login/password.

To obtain a login/password for CM/ECF, contact the admissions clerk in the Beaumont Division office at 409/654-7000.

Obtaining a Login and Password for PACER

A PACER login/password allows you to query, view, save or print a document from the CM/ECF system. You are not allowed to use the same login/password as your district court login/password.

To obtain a login and password for PACER, refer to the PACER website at <http://pacer.pcs.uscourts.gov>

Training for CM/ECF

It is strongly recommended that participants take advantage of the on-line training program available on our website before attempting to file documents in the live ECF database. It is not necessary to take the on-line training if you have previously trained for ECF in another Federal Court.

Technical Questions Related to CM/ECF

IF...	THEN...
you lose your district court login or password	<p>You may request a new login by contacting the attorney admissions clerk in the Beaumont division @ 409/654 -7000.</p> <p>You may request a new password by clicking on the “clicking here” notation above the ECF login/password screen in CM/ECF. This process works only for CM/ECF accounts, not PACER accounts.</p>
you lose your PACER login/password	contact PACER @ http://pacer.pcs.uscourts.gov
CM/ECF does not accept your login/password	<p>ensure it is typed correctly. Your login/password is case sensitive. Make sure you are using your Eastern District of Texas login/password, not PACER or a login/password from another court.</p> <p>If you have typed your login/password correctly and still cannot access the system, contact the divisional office where your case is filed for further instructions.</p>
another attorney files a document for you using his/her CM/ECF login/password	The name of the person assigned to the login being used to access ECF is the name that will appear on the docket sheet as the filer. Each attorney is assigned his/her own login/password.
you are charged a duplicate filing fee using pay.gov	the back button was probably clicked after entering your card information. After confirming the payment is a duplicate, contact the Tyler Finance Department at 903/590-1007 for a refund. For faster service, please have the case number and receipt number available when contacting the finance clerk.

IF...	THEN...
<p>you would like to:</p> <ul style="list-style-type: none"> • update your primary email address • update a secondary email address • delete a secondary email address • add a secondary email address 	<p>It is the responsibility of the attorney to maintain his/her account information. This includes updating the main email address and all secondary email addresses shown on the account. <i>See LR CV 5(a)(2)(A) and (A)(I) regarding email bounce-backs.</i></p> <p>To Update a Primary E-mail Address or Delete a Secondary E-mail Address:</p> <ol style="list-style-type: none"> (1) Go to <i>Utilities</i> then <i>Maintain Your Account</i>. (2) Click on <i>E-mail Information</i> at the bottom of the screen. (3) Click on the primary or secondary email address. (4) The email address currently in the system will appear under Configuration Options. <p>You may:</p> <ul style="list-style-type: none"> • modify the email address shown in the window or • you may delete a secondary email address by highlighting the address then pressing the backspace key. <p>Do not delete a primary email address.</p> <ol style="list-style-type: none"> (5) Click on <i>Return to Person Information Screen</i>. (6) Click on <i>Submit</i> to save your changes. (7) A list of your cases will appear on the screen. <p>Click on <i>Submit</i> below the list of cases so the update will apply to all of your cases.</p>

IF...	THEN...
	<p data-bbox="743 331 1247 365">Adding a Secondary E-mail Address:</p> <ol data-bbox="743 407 1409 1045" style="list-style-type: none"><li data-bbox="743 407 1349 441">(1) Go to <i>Utilities</i> then <i>Maintain Your Account</i>.<li data-bbox="743 483 1409 550">(2) Click on <i>E-mail Information</i> at the bottom of the screen.<li data-bbox="743 592 1230 625">(3) Click on <i>Add New E-mail Address</i>.<li data-bbox="743 667 1377 735">(4) Enter the e-mail address under <i>Configuration Options</i>.<li data-bbox="743 777 1284 844">(5) Click on <i>Return to Person Information Screen</i>.<li data-bbox="743 886 1273 919">(6) Click on <i>Submit</i> to save your changes.<li data-bbox="743 961 1403 1029">(7) Click <i>Submit</i> again after receiving the following message: <i>Case Specific Fields Were Not Altered</i>.

IF...	THEN...
we have a technical failure	See LR CV-5(a)(10) for further information.
you receive a message “ document not well formed.”	<ul style="list-style-type: none"> • check the file name used to identify your document. Using unnecessary punctuation may cause you to receive this message. Remove punctuation such as periods then resubmit your document. • check the formatting of your document. • try to view your document from another computer. • if you continue to receive the message <i>document is not well formed</i>, check with your IT department for further instructions.
you receive a message “ <i>cannot get case type</i> ” when attempting to file a document	<p>make sure you have entered the correct case type. Case types are as follows:</p> <p>cv - civil cr - criminal mc- miscellaneous mj - magistrate</p> <p>If you are still not successful in filing your document, contact the division your case is filed for further instruction.</p>

IF...	THEN...
you receive a blank screen when attempting to docket your complaint after opening a civil case	(1) You must use Fire Fox or Internet Explorer as your browser. (2) Refresh your screen, delete temporary cookies and internet files.
you receive a message “ Remote access to documents filed in criminal cases prior to 11/1/04 is not available”	Prior to 10/31/2004, only the attorneys of record could access a criminal case.
you receive a message “ <i>already logged in</i> ” when attempting to access CM/ECF	click on “continue” if it is an option on your screen. Otherwise, delete cookies and temporary internet files using the following steps. (1) click on tools (2) internet options (3) delete cookies (4) delete temporary internet files (5) click okay <i>Note: It is important to completely shut down your computer, not just restart, in order to clear the memory cache.</i>
you receive a message “you do not have permission to view this document”	This message usually appears on Immigration and Social Security cases. Access to documents in these type cases are restricted to attorneys of record only. To gain access, follow these steps. (1) Go to internet options, delete cookies. (2) At the login prompt, even for the free look from the NEF, enter your ECF, not PACER, login and password to access the document. (3) If the free look has already been used or expired, the attorney will need to login twice to see the document. Once with the ECF login/password to grant access to the document and once with the PACER login/password in order to be billed.

IF...	THEN...
<p>you are trying to file oversized documents or attachments and you are getting timed out before the transaction is complete.</p>	<p>The document size limit is 10 mg. Photos and large fonts will affect the size. It may be necessary to divide the document into smaller portions. For scanned portions of the document, set the scanner to 300 DPI.</p> <p>Adobe Acrobat Pro may be an option for “reducing the File Size.”</p> <p>When filing voluminous attachments/exhibits use the event “<i>additional attachment to main document</i>” located under “<i>other documents</i>”.</p> <p><i>Note: This event was created to make filing oversized documents easier. Do not use this event for proposed orders.</i></p>
<p>you click on a document link within the notice of electronic filing (NEF) and you are prompted for a login/password</p>	<p>You should enter your PACER login/password to access the document for your free look. For each subsequent viewing, you will be required to use your PACER login/password incurring a fee to access the document.</p>
<p>the judge’s signature does not appear on the order after printing</p>	<p>Go to the print option and bring up the print screen. Go to <i>comments and forms</i>, check <i>Documents and Markups</i>, click <i>okay</i>.</p>
<p>you did not receive a NEF confirmation after filing a document.</p>	<p>The document may have been too large.</p> <p>Confirm your email address is correct under maintain user account.</p> <p>Contact the clerks office in the division where your case is filed and request a regenerated NEF.</p>
<p>you are not sure your pdf document is searchable</p>	<p>click on <i>cntrl f</i>. Enter a word in the box that appears in the upper portion of the screen. Press enter. The word will appear hilited within the text of your document if your document is searchable.</p> <p><i>Note: If you scan a document, it is no longer searchable.</i></p>
<p>your document is not searchable or</p>	<p>refer to instructions for <i>Creating an Editable and</i></p>

IF...	THEN...
editable	<i>Searchable pdf</i> on page 13.
you receive a message “format not recognized”	(1) The document must be submitted in pdf. (2) Provide the full path name when identifying the file during the upload process. (Exa: “I:documents\notice.pdf”)
you did not receive email notification from ECF	(1) Verify your email address is correct in ECF by clicking on <i>maintain account</i> , then <i>email information</i> . (2) Check the SPAM filter, bulk mail or call your internet service provider. (3) You may have unchecked the notice box when making an entry. Contact the clerk’s office to confirm the notice box was not unchecked.
you are unsure of which event to use when filing a document	Refer to the event listing located on the civil or criminal screen under <i>civil events</i> listing. If an appropriate event is not listed, contact the clerk in the office your case is filed for a recommendation on which event to use.
the header on a document does not appear at the top of the page	be sure the “Include headers when displaying PDF documents” box is checked on the docket sheet screen which is located under reports.
your document prints black and is unreadable	Click on the print option and bring up the print screen. Make sure “print color as black” is not checked.

Docketing Questions Related to CM/ECF

IF...	THEN...
you fail to attach a proposed, searchable order	<p>you will receive a deficiency notice from the clerk. Contact the clerk's office where your case is filed for further instruction.</p> <p><i>Note: Do not use the event "additional attachment to main document" for adding an order after your motion has been filed.</i></p>
you fail to include a certificate of conference	<p>you will receive a deficiency notice from the clerk. Contact the clerk's office where your case is filed for further instruction.</p> <p><i>See LR CV-7(I) for a list of motions that do not require a certificate of conference.</i></p>
you fail to include a certificate of authorization on a sealed document unless the court has granted authorization	<p>you will receive a deficiency notice from the clerk. Contact the clerk's office where your case is filed for further instruction.</p> <p><i>See LR CV-5(a)(7) (A) Sealed Documents</i></p>
you would like to withdraw from a case	<p>you must file a motion including a certificate of conference and proposed order.</p> <p><i>See LR CV11 (d) Withdrawal of Counsel</i></p>
the header on a document does not appear at the top of the page	<p>be sure the "Include headers when displaying PDF documents" box is checked on the docket sheet screen which is located under reports.</p>
you would like to terminate electronic notice	<p>You may file a request if you no longer desire to receive electronic notification of filings in a case due to settlement and/or dismissal.</p> <p><i>See LR CV 11(f) Request for Termination of Electronic Notice.</i></p>

General Information Related to Electronic Docketing

Sealed Documents - Civil Cases

Always use sealed events when electronically filing sealed documents in a civil case or other PACER users will be able to view your document.

A certificate of authorization to file under seal should be included on all sealed documents. If you do not have authorization to file under seal, a motion to seal is required. Refer to LR CV-5(a)(7)

Sealed Document Filed Using Non-Sealed Event

If a sealed document is filed using a non-sealed event, other PACER users will be able to view your document. Contact the clerk's office in the division your case is filed as soon as possible.

Signatures

The user login/password serve as the filing user's signature on all electronic documents filed with the court. An image of the filing user's signature or an "/s/" typed in the space where the signature would otherwise appear is required. Refer to LR CV-5 (a)(5)

Documents Filed in Error

Contact the clerk's office in the division your case is filed for further instructions.

Motion to Vacate/Set Aside Sentence (Motion under 28U.S.C.2255)

2255 motions should be filed as a civil action in the same division the criminal case is filed.

Motions for Summary Judgment

See LR CV7(a)(1) Dispositive Motions for details regarding page limitations on summary judgment motions, responses and replies. No certificate of conference is required. A searchable proposed order should be filed as an attachment.

Witness Lists

When filing a witness list use the event *Witness List* located under *Other Filings, Trial Documents*. Refer to Fed. R. Civ. P., 5.2 regarding privacy.

Privacy Issues

All filings with the court, including attachments, must comply with Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1.

Courtesy Copies of Documents

Some judges require courtesy copies of electronically filed documents. Refer to our website under each judges name to see if the judge presiding over your case has opted out of this rule. See Local Rule CV5(a)(9)

Case Number on Pleadings

The first page of all documents filed electronically should contain the case number. An initiating document is the only exception since the case number is assigned by the clerk after the document is filed.

Creating an editable and searchable pdf

To comply with local rule CV-7(a) proposed orders must be in searchable and editable pdf format.

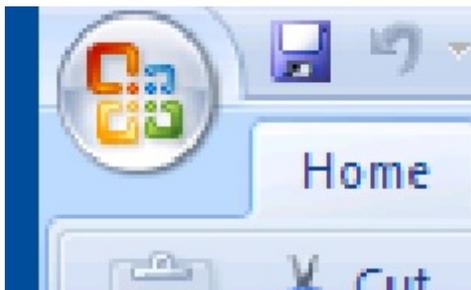
(a) **Generally.** All motions, unless made during a hearing or trial, shall be in writing, filed as a separate document, conform to the requirements of Local Rules CV-5 and CV-10, and shall be accompanied by a proposed order in searchable and editable PDF format for the judge's signature. The proposed order shall be endorsed with the style and number of the cause and shall not include a date or signature block. Motions, responses, replies and proposed orders, if filed electronically, shall be submitted in "searchable PDF" format. All other documents, including attachments and exhibits should be in "searchable PDF" form wherever possible.

DISCLAIMER: the United States District Court Eastern District of Texas in no way promotes any product or service. These are provided as suggestions and help only. For complete instructions please review your products documentation and support options.

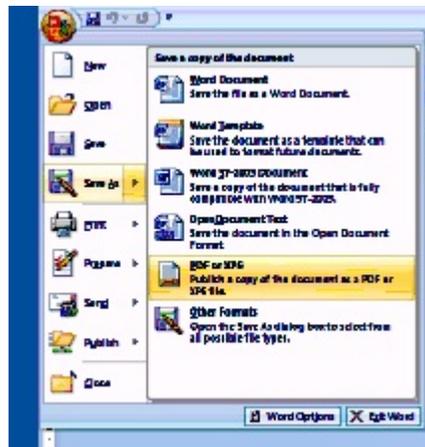
Method 1: Microsoft Word 2007 and Above

To create a editable and searchable using Microsoft Word, use the Publish to PDF option

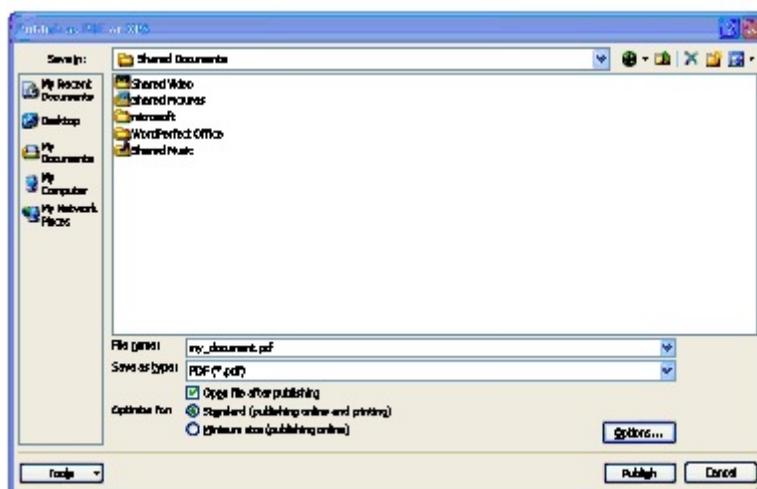
Click on the Office Menu Button located in the top left.



Select the Save As and then Select the PDF or XPS option



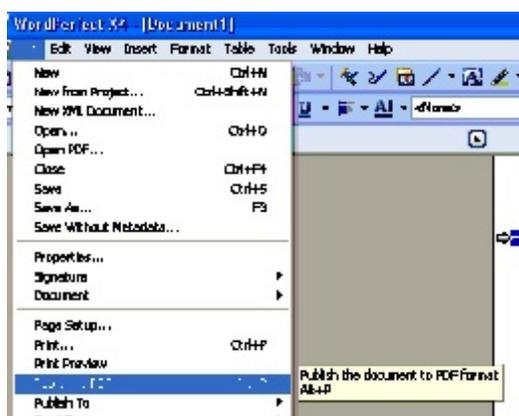
The save file dialog will appear. Click on the Publish button to save the file to pdf.



Method 2: Corel's Word Perfect

To create a editable and searchable PDF using Corel use the Publish to PDF feature.

On the toolbar at the top click on the File then the Publish to PDF Option

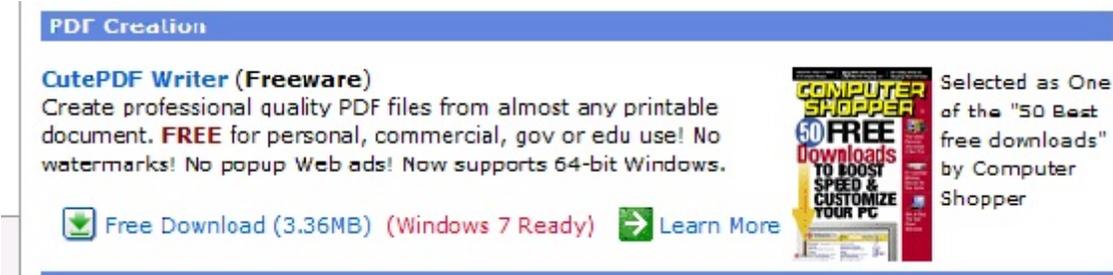


A file dialog will appear, give the document and name and click Save.



Method 3: CutePDF.com

Download the free CutePDF Writer from <http://www.cutepdf.com>



Save and Install the CutePDF Writer, After installation you will have a new Printer install called CutePDF Writer

From the CutePDF Readme (“README.HTM”)

<p>Open your original document and select Print command in File menu of your application to bring up Print dialog box.</p> <p>Then select CutePDF Writer as the Printer to print (DO NOT select "Print to file" option).</p>	<p>You will get a Save As dialog box prompted for saving created PDF file.</p> <p>Select a folder to Save in and enter a File name, then click on Save.</p> <p>Go to that folder to find your PDF file.</p>
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Common Mistakes

1. Documents are not in the native word processor format. To create an Editable and Searchable PDF the document must be in the original word processing program format. Any document that is scanned or displayed as an image cannot be made editable. It can be searchable using Optical Character Recognition (OCR) but the text cannot be changed.
2. Using non-standard fonts. To create a document that is editable, use only standard fonts in your document (Times New Roman, Arial etc.). When the court attempts to edit a document with a nonstandard font an error will be given and even though the document may be editable, without the matching font you may be asked to provide the document with a more standard font.
3. The document is locked. When filing a PDF to the court, ensure the security settings of the document are released so as to allow anonymous editing.