

**UNITED STATES DISTRICT COURT
District of Connecticut**

**ELECTRONIC FILING
POLICIES AND PROCEDURES**

September 29, 2003 (8:01am)

TABLE OF CONTENTS

INTRODUCTION	<u>1</u>
I. THE ELECTRONIC FILING SYSTEM	<u>1</u>
A. Authorization for Electronic Filing	<u>1</u>
B. Definitions and Instructions	<u>1</u>
C. Application of Rules and Orders	<u>2</u>
D. Selection of Cases	<u>2</u>
E. System Requirements	<u>2</u>
F. General Format of Documents to Be Filed Electronically	<u>3</u>
1. Requirements	<u>3</u>
2. Font	<u>3</u>
3. Form	<u>4</u>
II. CONSEQUENCES OF FILING DOCUMENTS ELECTRONICALLY	<u>5</u>
III. ELECTRONIC DOCKET	<u>5</u>
A. Title of Docket Entries	<u>6</u>
B. Correcting Docket Entries	<u>6</u>
C. Privacy	<u>6</u>
IV. SYSTEM AVAILABILITY	<u>7</u>
V. PUBLIC ACCESS TO THE ELECTRONIC DOCKET	<u>7</u>
A. Internet Access without a Password	<u>7</u>
B. Public Access at the Court	<u>8</u>
C. Copies and Certified Copies	<u>8</u>
D. Technical Failures	<u>9</u>
VI. REGISTRATION	<u>9</u>
A. Completion of Registration Form	<u>9</u>
B. Confirmation of E-Mail Address and Password	<u>9</u>
C. Withdrawal from System	<u>10</u>
D. Passwords	<u>10</u>
VII. ELECTRONIC FILING AND SERVICE OF DOCUMENTS	<u>11</u>
A. Filing - Civil Cases	<u>11</u>
B. Filing - Criminal Cases	<u>12</u>
C. Service of Electronically Filed Documents	<u>13</u>
VIII. MANUAL FILINGS	<u>14</u>
IX. EXCEPTED DOCUMENTS	<u>15</u>
X. OTHER EXCEPTED DOCUMENTS	<u>15</u>
XI. TRANSCRIPTS	<u>15</u>
A. Staff Court Reporters	<u>15</u>
B. Non-Staff Court Reporters	<u>15</u>
XII. SIGNATURES	<u>16</u>
A. General	<u>16</u>
B. Attorney Signature	<u>16</u>
C. Multiple Signatures	<u>16</u>
D. Other Signatures	<u>17</u>
XIII. ORDERS	<u>17</u>
A. Electronic Submission of Proposed Orders	<u>17</u>

B.	Orders entered by the Court	<u>18</u>
XIV.	SEALED DOCUMENTS	<u>18</u>
XV.	TRIAL EXHIBITS	<u>18</u>
XVI.	RETENTION OF ORIGINALS OF DOCUMENTS REQUIRING SCANNING ..	<u>19</u>
XVII.	ADDITIONAL INFORMATION	<u>19</u>
	Appendix A (Declaration of Technical Difficulties)	<u>20</u>
	Appendix B (Registration Form)	<u>21</u>
	Appendix C (Notice of Manual Filing)	<u>22</u>
	Appendix D (Setting up E-Mail Notification)	<u>23</u>
	Appendix E (Sample Dictionary)	<u>24</u>
	Appendix F (Notice of Electronic Availability of Case File Information) .	<u>27</u>

INTRODUCTION

The U.S. District Court for the District of Connecticut permits attorneys in selected civil and criminal cases to file documents with the Court from their own offices over the Internet using the Case Management/Electronic Case Filing System ("CM/ECF" or "System"). The Court strongly encourages parties and their counsel to participate in electronic filing. While parties and pro se litigants may register to receive "read only" electronic filing accounts to access documents in the system and receive electronic notice, only registered attorneys, as Officers of the Court, will be permitted to file electronically at this time.

I. THE ELECTRONIC FILING SYSTEM

A. Authorization for Electronic Filing

The Electronic Filing Administrative Policies and Procedures, Local Rule of Civil Procedure 5 and Local Rule of Criminal Procedure 1(c) authorize electronic filing in conjunction with Federal Rule of Civil Procedure 5(e) and Federal Rule of Criminal Procedure 49. Pursuant to the Electronic Filing Administrative Policies and Procedures, the following policies and procedures govern electronic filing in this District unless, due to extraordinary circumstances in a particular case, a judicial officer determines that these policies and procedures should be modified in the interest of justice.

B. Definitions and Instructions

The following definitions and instructions shall apply to these Policies and Procedures for Electronic Filing:

1. The term "document" shall include pleadings, motions, exhibits, declarations, affidavits, memoranda, papers, orders, notices, and any other filing by or with the Court.
2. The term "party" shall include counsel of record and a pro se litigant.
3. All hours stated shall be Connecticut time.
4. A "filing level account" permits access to electronic cases for viewing and modifying a docket through electronic filing.
5. A "Read only" level account is restricted to view only access of electronic dockets.

6. As used in these administrative procedures, a “conventionally” or “traditionally” filed or submitted document or pleading is one presented to the Court or a party in paper or other non-electronic, tangible format.

C. Application of Rules and Orders

Unless modified by approved stipulation or order of the Court or a judicial officer, all Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, Local Rules, and orders of the Court shall continue to apply to cases selected for electronic filing.

D. Selection of Cases

Electronic filing over the Internet will be permitted, with Court approval, in cases in which all counsel of record have consented to this method of filing. Electronic filing over the Internet by pro se parties will not be permitted at this time. Counsel are encouraged to express their interest in participating in the electronic filing process as early as possible. Counsel may so advise the judicial officer on the Case Information Statement (CIS), in the Report of Parties' Planning Meeting, or by motion at any other time. Counsel may express their interest as early as the filing of the action by joint notification to the judicial officer. The judicial officer may recommend electronic filing at any time. See Local Rule of Civil Procedure 26 and Fed. R. Civ. P. 26(f).

E. System Requirements

While the system requirements may be set forth more completely in a User's Manual or other Court publication, it is expected that the following hardware and software will be needed to electronically file, view and retrieve documents in the System:

1. A computer running a Windows operating system is preferred
2. Adobe Acrobat 3.0 or higher to convert documents from a word processor format to portable document format (PDF)
3. A PDF-compatible word processor like Macintosh or Windows-based versions of Corel WordPerfect and Microsoft Word
4. Netscape browser version 4.6x or 4.7x or Internet Explorer 5.5 (128 bit encryption is strongly recommended)
5. Internet access

6. Access to a scanner if non-computerized documents need to be imaged
7. A Public Access to Court Electronic Records ("PACER") system account to view docket sheets and electronically filed documents [NOTE: PACER facilitates electronic access and is the primary interface with the CM/ECF System, to view docket sheets and other case information. It also allows access to images of Court documents, if the document has been electronically filed and is in the category of documents viewable by the public. All electronic public access to case file dockets and documents occurs through PACER. Upon receipt of a Notice of Electronic Filing (NEF), attorneys are permitted one free view of the document within 30 days of filing. Beyond the 30 day period, there is a \$0.07 per page charge not to exceed \$2.10 per document.]

F. General Format of Documents to Be Filed Electronically

1. Requirements

Electronically filed documents must meet the requirements of Fed. R. Civ. P. 10 (Form of Pleadings), Local Rule of Civil Procedure 5 (Service and Filing of Pleadings and Other Papers), Local Rule of Civil Procedure 10 (Preparation of Pleadings), and Local Rule of Civil Procedure 40 (Assignments), as if they had been submitted on paper. Documents filed electronically are also subject to any page limitations set forth by Court order or by Local Rule of Civil Procedure 7 (Motion Practice).

2. Font

As part of the National Archives and Records Administration's (NARA) electronic government (E-Gov) initiative and to facilitate preservation processing and future access to electronic records, electronic records that have been converted to PDF from other electronic word processing software must include embedded fonts to guarantee the visual reproduction of all text as created. All fonts embedded in PDF records must be publicly identified as legally embeddable (i.e., font license permits embedding) in a file for unlimited, universal viewing and printing. PDF records that reference fonts other than the "base 14 fonts" must have those fonts referenced in the record (i.e., as a minimum, subsets of all referenced fonts) embedded within the PDF file.

The base 14 fonts are: Courier (Regular, Bold, Italic, and Bold Italic), Arial MT (Regular, Bold, Oblique, and Bold Oblique), Times New Roman PS MT (Roman, Bold, Italic, and Bold Italic), Symbol, and ZapfDingbats.

3. Form

A key objective of the System is to ensure that as much of the case as possible is filed electronically. To facilitate electronic filing and retrieval, documents to be filed electronically are to be reasonably broken into their separate component parts. By way of example, most filings include a foundation document (e.g., motion) and other supporting items (e.g., memorandum and exhibits). The foundation document as well as the supporting items will each be deemed a separate component of the filing, and each component shall be uploaded separately in the filing process. Any component having an electronic file size that exceeds 1.5 megabytes shall not be filed electronically. Where an individual component is not included in the electronic filing, the filer shall electronically file the prescribed Notice of Manual Filing in place of that component. A model form is provided as Appendix C.

The following example illustrates the application of this section.

Counsel seeks to file a motion, a supporting memoranda, and four exhibits (A, B, C and D). The motion is a text document that after conversion to Adobe PDF has a size of 5kb. The supporting memoranda is a text document that after conversion to PDF has a size of 45kb. Attachment A is a scanned image of a one page document that after conversion to PDF has a size of 200kb. Attachment B is a scanned image of a 20 page document that after conversion to PDF has a size of 2mb. Attachment C is a scanned image of a 10 page document that after conversion to PDF has a size of 1.2mb. Attachment D represents an object that cannot be converted to digital format.

Each document should be kept as separate component (PDF file), rather than being merged together, to facilitate easy retrieval of any individual component. Each of the components, except for Attachments B and D, should be filed electronically in one submission by filing the motion and attaching the memorandum and exhibits through the System. Attachment B, at 2mb, exceeds the 1.5mb file size standard for conveniently creating, filing and retrieving documents. Attachment D cannot be scanned. In the electronic submission, Attachments B and D should each be replaced by a Notice of Manual Filing form. Attachment B should then be manually filed with the Court on paper, along with a copy of the attachment on disk, and served upon the parties in the traditional, non-electronic manner. Attachment D should be treated as it would if a traditional filing system were being used.

II. CONSEQUENCES OF FILING DOCUMENTS ELECTRONICALLY

Electronic transmission of a document consistent with the procedures adopted by the Court shall, upon the receipt of the same by the Clerk of Court, constitute filing of the document for all purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of this Court, and shall constitute entry of that document onto the docket maintained by the Clerk pursuant to Fed. R. Civ. P. 58 and 79, and Fed. R. Crim. P. 49 and 55.

When a document has been filed electronically, the official record is the electronic recording of the document as stored by the Court, and the filing party is bound by the document as filed. Except in the case of documents first filed in paper form and subsequently submitted electronically under Section VII, a document filed electronically is deemed filed at the date and time stated on the Notice of Electronic Filing generated from the Court.

A receipt acknowledging that the document has been filed will immediately appear on the filer's screen. Counsel can also verify the filing of documents by inspecting the Court's electronic docket sheet. The Court may, upon the motion of counsel or upon its own motion, strike any inappropriately filed document.

Documents filed electronically must be submitted in the Adobe Acrobat PDF format, except as provided in Section XIII pertaining to proposed orders.

Filing documents electronically does not alter any filing deadlines. All electronic transmissions of documents must be completed (*i.e.*, received by the Clerk's Office as evidenced by a Notice of Electronic Filing) prior to midnight in order to be considered timely filed that day. Although documents can be filed electronically 24 hours a day, counsel are strongly encouraged to file all documents during normal working hours of the Clerk's Office (9:00 a.m. to 4:00 p.m.) when assistance is available.

III. ELECTRONIC DOCKET

Upon the filing of a document, a docket entry will be created using the information provided by the filing counsel. The Clerk of Court will, where necessary and appropriate, modify the docket entry description to comply with quality control standards.

A. Title of Docket Entries

The party electronically filing a pleading or other document shall be responsible for designating a docket entry title for the document by using one of the docket event categories prescribed by the Court.¹

B. Correcting Docket Entries

1. Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office. The System will not permit the filing party to make changes to the documents or docket entry filed in error once the transaction has been accepted.
2. A document incorrectly filed in a case may be the result of posting the wrong PDF file to a docket entry, or selecting the wrong document type from the menu, or entering the wrong case number and not catching the error before the transaction is completed. The filing party should not attempt to refile the document.
3. As soon as possible after an error is discovered, the filing party should contact the Clerk's Office with the case number and document number for which the correction is being requested. If appropriate, the Court will make an entry indicating that the document was filed in error. The filing party will be advised *if* the document needs to be refiled.

C. Privacy

To address the privacy concerns created by Internet access to court documents, litigants should not include sensitive information in any document filed with the Court unless such inclusion is necessary and relevant to the case. If sensitive information must be included, the following personal data identifiers must be partially redacted from the pleading whether it is filed traditionally or electronically:

¹Readers may view the "CM/ECF Menu for Attorneys" on the Court's web site, <http://www.ctd.uscourts.gov/cmecf/index.html>.

1. Names of minor children;
2. Financial account numbers;
3. Social Security numbers;
4. Dates of birth;
5. Other data as permitted by order of the Court.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file an unredacted document under seal. This document shall be retained by the Court as part of the record. The Court may, however, still require the party to file a redacted copy for the public file.

IV. SYSTEM AVAILABILITY

The Court's system is designed to provide service 24 hours a day. Counsel, however, are encouraged to file documents in advance of filing deadlines and during normal business hours.

The Clerk's Office staff has been trained to respond to questions regarding the System and the registration process. Assistance can be provided from 9:00 a.m. to 4:00 p.m. during any day on which the Court is open for business. After-hours voice mail messages may be left at Bridgeport (203-579-5585), New Haven (203-773-2415) or Hartford (860-240-3311).

V. PUBLIC ACCESS TO THE ELECTRONIC DOCKET

A. Internet Access without a Password

Any person or organization with a PACER login and password may access the system at the Court's internet site at <http://www.ctd.uscourts.gov>. Such access to the system through the internet site will allow retrieval of the docket sheet and documents on a real-time basis. Unless a user has a CM/ECF filing level account, access to the system will be on a "read only" basis.

1. Public remote electronic access to the System for viewing purposes is limited to subscribers to the Public Access to Court Electronic Records ("PACER") system. The Judicial Conference of the United States has ruled that a user fee will be charged for remotely accessing certain detailed case information, such as docket sheets

and filed documents in civil case, but excluding review of calendars and similar general information.²

2. Until further order of the Court, no one but an attorney of record may remotely view records in criminal cases. Public remote access will be limited to viewing docket sheets only.
3. An exception to the prohibition on public remote access to criminal case filings is possible in a high-profile criminal case where the demand for documents will impose extraordinary demands on the Court's resources. The Court is authorized to provide Internet access to the documents filed in that case if all parties consent and the trial judge finds that such access is warranted.

B. Public Access at the Court

The public will have electronic access to documents filed in the System which have not been sealed, and to the System docket in the Office of the Clerk, for viewing during regular business hours, Monday through Friday.

C. Copies and Certified Copies

Traditional copies in paper and certified copies of electronically filed documents may be purchased at the Office of the Clerk, during business hours Monday through Friday. The fee for copying and certification will be in accordance with 28 U.S.C. § 1914(b).

²According to a memorandum from the Administrative Office of the United States Courts dated April 9, 2002, non-judiciary CM/ECF users will be charged a fee of seven cents per page starting on July 1, 2002, to access electronic data such as docket sheets and case documents obtained remotely through the PACER system. A cap of thirty pages per document has been approved.

The access fee does not apply to official recipients of electronic documents, i.e., parties legally required to receive service or to whom service is directed by the filer in the context of service under Federal Rules of Civil Procedure. Official recipients will receive the initial electronic copy of a document free to download as they see fit, but if they remotely access the document again, they will be charged seven cents a page.

D. Technical Failures

If counsel is unable to file electronically and, as a result, may miss a filing deadline, counsel must immediately contact the appropriate Help Desk to inform the Clerk of Court of the difficulty. If the problem occurs after hours, a voice message must be left on the appropriate help desk line. If counsel misses a filing deadline due to an inability to file electronically, counsel may electronically submit the untimely filed document, accompanied by a declaration stating the reason(s) for missing the deadline. The document and declaration must be electronically filed no later than 12:00 noon of the first day on which the Court is open for business following the original filing deadline. A model form is provided in Appendix A.

VI. REGISTRATION

A. Completion of Registration Form

Counsel seeking to file documents electronically must submit a completed Electronic Filing System Registration form (Appendix B) prior to being assigned a user identification name and password that will serve as that counsel's signature for Fed. R. Civ. P. 11 purposes. The form is available in hard copy at the Clerk's Office and is also available on the Court's website at www.ctd.uscourts.gov. The completed Registration Form must be signed by the registrant and addressed to:

Kevin F. Rowe, Clerk
United States District Court
Attention: Electronic Filing System Registration
141 Church Street
New Haven, Connecticut 06510

B. Confirmation of E-Mail Address and Password

To ensure that the Clerk's Office has correctly entered a registering attorney's Internet e-mail address in the System, the Clerk's Office will send the attorney an Internet e-mail message after assigning the attorney a password. The Clerk's Office will then either mail password information to the attorney by regular, first-class mail, or the attorney may arrange to pick up his/her password at the Clerk's Office.

C. Withdrawal from System

Once registered, an attorney may withdraw from participating in the System by providing the Clerk's Office with notice of withdrawal. Such notice must be in writing, and mailed or delivered to the Clerk's Office in New Haven. Upon receipt, the Clerk's Office will immediately cancel the attorney's password and delete the attorney's name from any applicable electronic service list.

D. Passwords

Each attorney admitted to practice in the District of Connecticut shall be entitled to one System password from the District Court. The password permits the attorney to participate in the electronic retrieval and filing of pleadings and other papers.

1. The Court will issue passwords only to attorneys in good standing. To be in good standing, an attorney must meet the requirements in Local Rule of Civil Procedure 83.1.
2. After registering, attorneys may change their passwords. However, if an attorney comes to believe that the security of an existing password has been compromised and that a threat to the System exists, the attorney must change his or her password immediately. In addition, the attorney shall immediately notify the Clerk's Office, by telephone. Counsel may be subject to sanctions for failure to comply with this provision.
3. No attorney shall knowingly permit or cause to permit his or her password to be utilized by anyone other than an authorized employee of his or her office.
4. Once registered, the attorney shall be responsible for all documents filed with his or her password.
5. Registration for a password is governed by Paragraph A.
6. An attorney admitted pro hac vice may register for a password in accordance with these Administrative Procedures.

VII. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. Filing - Civil Cases

1. Complaints shall be filed, fees paid, and summonses issued and served in the traditional manner on paper rather than electronically.
2. Within ten days after an action becomes subject to the Court's electronic filing procedures, counsel shall refile electronically, pursuant to Section I. F., every paper previously filed in the action.
3. All subsequent documents in a civil case shall be electronically filed except as otherwise provided by these procedures.
4. An attorney may apply to the assigned judge for permission to file documents conventionally. Even if the assigned judge initially grants an attorney permission to file documents conventionally, the assigned judge may withdraw that permission at any time during the pendency of a case and require the attorney to re-file documents electronically using the System.
5. The Clerk's Office or any judge of this Court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of matters pending before the Court. The Court may also amend these procedures at any time without prior notice.
6. E-mailing a document to the Clerk's Office or to the assigned judge shall not constitute "filing" of the document. A document shall not be considered filed for purposes of the Federal Rules of Civil Procedure until the filing party receives a system-generated "Notice of Electronic Filing" described in Section VII. C. of these procedures.
7. A document will be deemed timely filed if filed prior to midnight. However, if the assigned judge so orders, the document shall be filed by a time certain.
8. The official court record shall be the electronic file maintained on the Court's servers. The official record shall include, however, any conventional documents or exhibits filed in accordance with these procedures.

B. Filing - Criminal Cases

1. All charging documents including the complaint, information, indictment and superseding indictment, shall be filed either in the traditional manner in paper or as a scanned document that contains an image of any legally required signature.
2. In a case assigned to the System after it has been opened, parties must promptly refile electronic copies of all documents previously filed in paper form.
3. All subsequent documents in a criminal case shall be electronically filed except as otherwise provided by these procedures.
4. Juvenile criminal matters shall not be filed electronically, unless after hearing, the Court rules that the juvenile shall be tried as an adult.
5. A case filed under seal will be maintained in paper form and will not be placed on the System unless the assigned judge orders the case unsealed.
6. While registered attorneys of record will have remote access to documents in criminal cases, no public remote access will be available until further order of the Court.³ Public access to docket sheets in criminal cases, however, will be available. Also, members of the public may view electronic criminal files at the public terminals in the Clerk's Office.
7. An attorney may apply to the assigned judge for permission to file documents conventionally. Even if the assigned judge initially grants an attorney permission to file documents conventionally, the assigned judge may withdraw that permission at any time during the pendency of a case and require the attorney to re-file documents electronically using the System.

³On March 13, 2002, the Judicial Conference of the United States approved an exception to the prohibition on public access to criminal case records. In a high-profile criminal case where the demand for documents will "impose extraordinary demands on a court's resources," that Court is authorized to provide Internet access to criminal case files "if all parties consent and the trial judge or presiding judge of an appellate panel finds that such access would be warranted."

On September 19, 2001, the Judicial Conference determined that the policy restricting remote public access to criminal records would be "re-examined within the next two years."

8. The Clerk's Office or any judge of this Court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of matters pending before the Court. The Court may also amend these procedures at any time without prior notice.
9. E-mailing a document to the Clerk's Office or to the assigned judge shall not constitute "filing" of the document. A document shall not be considered filed for purposes of the Federal Rules of Criminal Procedure until the filing party receives a system-generated "Notice of Electronic Filing" described in Section VII. C. of these procedures.
10. A document will be deemed timely filed if filed prior to midnight. However, if the assigned judge so orders, the document shall be filed by a time certain.
11. The official court record shall be the electronic file maintained on the Court's servers. The official record shall include, however, any conventional documents or exhibits filed in accordance with these procedures.

C. Service of Electronically Filed Documents

By participating in the electronic filing process, attorneys consent to the electronic notice and service of all documents, and shall make available electronic mail addresses for service. (See instructions in Appendix D.) Upon the electronic filing of a document by counsel, the CM/ECF System will automatically generate a Notice of Electronic Filing at the time the document is filed with the System. The NEF is sent to all parties registered to receive filings electronically and contains an electronic link (hyperlink) to the filed document, allowing anyone receiving the NEF to retrieve the document. The NEF must be served on any party not registered to receive electronic notice and service by e-mail, hand, facsimile, or by first-class mail postage prepaid. In addition to receiving e-mail notifications of filing activity, counsel are strongly encouraged to sign on to the System at regular intervals to check the docket in their case.

To meet the current requirements of Fed. R. Civ. P. 5, a certificate of service must be included with all documents filed electronically. Such certificate shall indicate that counsel has complied with the electronic filing requirements of the Court and has served, in the conventional manner, any counsel not registered to receive electronic notice and service. Electronic service of the Notice of Electronic Filing constitutes service of the filed document pursuant to Fed. R. Civ. P. 5(b)(2)(d) and Fed. R. Crim. P. 45(c) and entitles counsel being served to the additional 3 days provided by Fed. R. Civ. P. 6(e).

The following is a suggested certificate of service for electronic filing:

Certificate of service

I hereby certify that on [date], a copy of foregoing [name of document] was filed electronically [and served by mail on anyone unable to accept electronic filing]. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system [or by mail to anyone unable to accept electronic filing]. Parties may access this filing through the Court's system.

/s/ [Name of Password Registrant]
Name of Password Registrant [federal bar number]
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx

VIII. MANUAL FILINGS

Counsel otherwise participating in the System may be excused from filing a particular component electronically under certain limited circumstances, such as when the component cannot be reduced to an electronic format or exceeds the file size limit described in Section I. F. Such component shall not be filed electronically, but instead shall be manually filed with the Clerk of Court and served upon the parties in accordance with the applicable Federal Rules of Civil Procedure and the Local Rules for filing and service of non-electronic documents. Counsel making a manual filing of a component shall file electronically a Notice of Manual Filing setting forth the reason(s) why the component cannot be filed electronically. Counsel may seek to have a component excluded from electronic filing pursuant to Fed. R. Civ. P. 26 (c). A model form is provided as Appendix C.

IX. EXCEPTED DOCUMENTS

The Court has directed that the following types of documents not be filed electronically but that they be filed and served pursuant to Fed. R. Civ. P. 5(a) in the traditional manner:

- A. Social Security Administrative Records
- B. Medical Records
- C. Sealed and *in-camera* Documents
- D. *Ex parte* Submissions

X. OTHER EXCEPTED DOCUMENTS

The following documents are to be filed and served in the traditional manner in paper with any applicable filing fee, unless otherwise directed by the Court:

- A. Initial Complaint, Petition, Notice of Removal, initial charging documents in criminal cases
- B. Application for Admission *Pro Hac Vice* (if granted, submit electronically)
- C. Notice of Appeal
- D. Documents or exhibits that cannot reasonably be converted to the required PDF format
- E. Documents which exceed 1.5 megabytes
- F. Individual Party Consents to Proceed Before a U.S. Magistrate Judge

XI. TRANSCRIPTS

A. Staff Court Reporters

Whenever a transcript is filed by a court reporter who is a court staff member, a docket entry will be made to provide electronic notice that a transcript has been filed. When the docket entry is viewed, the System will display a message referring the party to the court reporter who produced the transcript. The PDF file containing the transcript will be docketed under seal and will not be publicly available except under conditions to be determined by the Court.

B. Non-Staff Court Reporters

Transcripts prepared by non-staff court reporters shall be filed electronically but will not be sealed.

XII. SIGNATURES

A. General

Documents that must contain original signatures, or that require either verification or an unsworn declaration under any rule or statute, shall be filed electronically with originally executed copies maintained by the filer. The pleading or other document electronically filed shall indicate a signature, e.g., "/s/Jane Doe."

B. Attorney Signature

Counsel's identification name and password shall constitute counsel's signature for purposes of Fed. R. Civ. P. 11, the Federal Rules of Criminal Procedure and any other purpose for which a signature is required on a document in connection with proceedings before the Court. All documents filed electronically shall include a signature block in compliance with Local Rule of Civil Procedure 10 and the attorney's typewritten name, address, telephone number, federal bar number and e-mail address.

In addition, the name of the password registrant under whose password the document is submitted should be preceded by a "/s/" and typed in the space where the signature would otherwise appear.

/s/ [Name of Password Registrant]
Name of Password Registrant
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx
[federal bar number]

C. Multiple Signatures

Documents requiring signatures of more than one attorney shall be filed either by submitting a scanned document containing all necessary signatures; by representing the consent of the other attorneys on the document; by filing the document identifying the attorneys whose signatures are required and by the submission of a notice of endorsement by the other attorneys no later than three business days after filing, or in any other manner approved by the Court. In the case of a stipulation or other document to be signed by two or more persons, the filing party or attorney shall retain the hard copy of the document

containing the original signature for period of time provided for in Section XVI of this administrative order.

D. Other Signatures

Several documents may require the signature of non-attorneys, such as documents signed by a grand jury foreperson, a defendant, a third-party custodian, a United States Marshal, an officer from Probation, or some other federal officer or agent. In general, the Clerk's Office will scan these documents and upload the electronic version, including signatures, to the System.

A document containing the signature of a defendant in a criminal case may at the Court's option be filed either in paper form or in a scanned format that contains an image of the defendant's signature.

XIII. ORDERS

All orders, decrees, judgments and proceedings of the Court will be filed in accordance with these rules, which will constitute entry on the docket kept by the Clerk. Any order signed electronically by a judge or by the clerk or the clerk's designee has the same force and effect as if the judge or clerk had affixed the judge's or clerk's signature to a paper copy of the order and it had been entered on the docket in a conventional manner.

A. Electronic Submission of Proposed Orders

1. Electronically submitted proposed orders may not be combined with the motion into one document. The motion must be docketed prior to submitting the proposed order to the Clerk, and the proposed order must refer to the resulting docket entry number for the motion.
2. A filing party moving for issuance of a writ, warrant, or order to show cause should advise the judge that a prompt ruling is required, and attach the writ, warrant, or order to show cause in PDF format to the proposed order (if one is needed). A motion to file documents under seal shall be made in the manner specified in Section XIV of these procedures.
3. After filing a motion, a moving party shall submit a proposed order to the Clerk setting forth the requested relief.

4. All proposed orders must be submitted in a format compatible with WordPerfect 8, 9 or 10, which is a "Save As" option in most word processing software. The Clerk will not accept proposed orders in PDF format.
5. A proposed order should be attached to an Internet e-mail sent to the e-mail address of the Clerk, unless otherwise directed by the assigned judge.

B. Orders entered by the Court

If a judge during a hearing enters an order in paper, notice of the order will be distributed electronically after the hearing. If an oral order is entered, an entry will be placed on the docket and distributed electronically.

When mailing paper copies of an electronically filed order to a party who is not a registered participant of the System, the Clerk's Office will include the Notice of Electronic Filing to provide the non-participant with proof of the filing.

The assigned judge or the Clerk's Office, if appropriate, may grant routine orders by a text-only entry upon the docket. In such cases, no PDF document will issue; the text-only entry shall constitute the Court's only order on the matter. The System will generate a "Notice of Electronic Filing" as described in Section II of these procedures.

XIV. SEALED DOCUMENTS

The filing of documents under seal is governed by Local Rule of Civil Procedure 5(d) and Local Rule of Criminal Procedure 57(b) which permits such filings only with prior leave of the judicial officer. Sealed documents will not be filed electronically, but rather manually. Counsel filing a sealed document shall file electronically a Notice of Manual Filing, unless otherwise directed by the Court.

XV. TRIAL EXHIBITS

Exhibits filed with the Clerk's Office pursuant to Local Rule of Civil Procedure 83.6 will not be filed electronically. Counsel submitting the exhibits may be required to resubmit the documents in electronic format once they are admitted into the public record.

XVI. RETENTION OF ORIGINALS OF DOCUMENTS REQUIRING SCANNING

Originals of documents requiring scanning to be filed electronically must be retained by the filing party and made available, upon request, to the Court and other parties for a period of five years following the expiration of all time periods for appeals or statutes of limitation. If and when a record on appeal is requested, until such time as the Second Circuit accepts electronic filings, counsel will be required to produce the record on appeal in paper.

XVII. ADDITIONAL INFORMATION

Additional information regarding electronic filing can be obtained by calling the Help Desks at 203-579-5585 (Bridgeport), 203-773-2415 (New Haven), or 860-240-3311 (Hartford), or by writing to:

Kevin F. Rowe, Clerk
United States District Court
Attention: Electronic Filing System Registration
141 Church Street
New Haven, Connecticut 06510

Appendix A

)	
)	
Plaintiff)	Case No.
)	
v.)	Judge
)	
Defendant)	Declaration that Party was Unable to
)	File in a Timely Manner
)	Due to Technical Difficulties
)	

Please take notice that [Plaintiff/Defendant, Name of Party] was unable to file the attached [Title of Document] in a timely manner due to technical difficulties. The deadline for filing the [Title of Document] was [Filing Deadline Date]. The reason(s) that I was unable to file the [Title of Document] in a timely manner and the good faith efforts I made prior to the filing deadline to both file in a timely manner and to inform the Court and the other parties that I could not do so are set forth below.

[Statement of reasons and good faith efforts to file and to inform (including dates and times)]

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

/s/ [Name of Password Registrant]
Name of Password Registrant
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx
[federal bar number]

Appendix B
UNITED STATES DISTRICT COURT
District of Connecticut
ELECTRONIC FILING ATTORNEY REGISTRATION FORM

This form is used to register for an account on the District of Connecticut Electronic Filing System (the system). Registered attorneys will have privileges to electronically submit documents and, **in conjunction with a PACER access account**, to view the electronic docket sheets and documents. By registering, attorneys consent to receiving electronic notice of filings through the system. The following information is required for registration:

PLEASE TYPE

Mr. / Mrs. / Ms. (circle one)

First Name: _____ Middle Name: _____

Last Name: _____ If appropriate circle one: Senior / Junior / II / III

Primary state of practice: _____ Federal Bar Number: _____

Are you currently in good standing? Yes _____ No _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Have you relocated to this address within the past year? Yes _____ No _____

Voice Telephone Number: (_____) _____ Fax Number: (_____) _____

Internet Mail Address: _____

Attorneys seeking to file documents electronically must be admitted to practice in the United States District Court for the District of Connecticut pursuant to Local Rule of Civil Procedure 83.1.

Date admitted to practice in this Court: _____

If admitted pro hac vice: Date motion for pro hac vice granted: _____ in case number: _____

If Attorney of Record in MDL action indicate case number: _____

Do you currently have a password issued by a federal court for the purpose of electronic filing? Yes _____ No _____

If yes, and if you would prefer to use that password in this District, please provide it here: _____

By submitting this registration form, the undersigned agrees to abide by all Court rules, orders and policies and procedures governing the use of the System. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) via the Court's electronic filing system. The combination of user id and password will serve as the signature of the attorney filing the documents. Attorneys must protect the security of their passwords and immediately notify the Court if they learn that their password has been compromised. Electronic filing is only permissible in cases approved by the Court.

Signature of Registrant Date

Submit completed Registration Form to: Kevin F. Rowe, Clerk
United States District Court
Attention: Electronic Filing System Registration
141 Church Street
New Haven, CT 06510

Once your registration is complete, you will receive an email confirmation of your internet address. Your user id and password will be provided either in person or by U.S. Mail. Procedures for using the system will be available for downloading when you access the system via the Internet. If you have any questions concerning the registration process or the use of the System, please contact the Clerk's Office.

Appendix C

)	
)	
Plaintiff)	Case No.
)	
v.)	Judge
)	
Defendant)	Notice of Manual Filing
)	
)	

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

[Title of Document or Thing]

This document has not been filed electronically because

- [] the document or thing cannot be converted to an electronic format
- [] the electronic file size of the document exceeds 1.5 megabytes
- [] the document or thing is filed under seal pursuant to Local Rule of Civil Procedure 5(d) or Local Rule of Criminal Procedure 57(b)
- [] Plaintiff/Defendant is excused from filing this document or thing by Court order.

The document or thing has been manually served on all parties.

Respectfully submitted,

/s/ [Name of Password Registrant]

Name of Password Registrant

Address

City, State, Zip Code

Phone: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

E-mail: xxx@xxx.xxx

[federal bar number]

Appendix D

Setting Up E-Mail Notification

Users can receive e-mail notification of all electronic filings in cases they are interested in by setting the automatic e-mail notification in their user accounts.

- Access the "Live" system. (Please note that the "Live" System and the "Training Area" are different systems. Setting your e-mail notification in one system does not set it in the other.)
- Select "*Utilities*"
- Select "*Maintain Your Account*"
- Select "*Email Information*"
- Enter your correct email address in the "*Primary e-mail address*" box. You may include more than one e-mail address (i.e., work, home).
- Under "*Send the notices specified below*", there will be a next to "*to my primary e-mail address.*" Click on the box "*to these additional addresses*" to identify any additional email addresses of others you would like to receive electronic notice (i.e., an associate, para-legal, secretary).
- You will find a next to "*Send notices in cases in which I am involved*". Click on the box "*Send notices in these additional cases*" to receive notification of activity for other cases. In the box to the right, enter the case numbers each on a separate line. Please use the format YY-#### (ex. 97-1234). You do not have to be counsel in the cases entered.
- Select the type of notice you would like to receive. "*Please send a notice for each filing*" is automatically selected. This selection sends notices to you immediately upon filing. Select "*Send a Daily Summary Report*" to have a summary of the notices sent to you at the end of the day (usually at midnight). If you seek electronic notice in only a handful of cases, this selection is the preferred method.
- Under Format notices, select the format of the notice most appropriate to your e-mail system. Select "*html format for Netscape or ISP e-mail service*" or "*text format for cc:Mail, GroupWise, other e-mail service.*" Some experimentation may be required.
- Click on "*Return to Account Screen.*" From the Account Screen, select "*Submit.*" You will receive a confirmation screen listing the cases and e-mail options you have selected.

Appendix E

[NOTE: this is a *partial dictionary for attorneys*, not the complete version]

<p>CIVIL CASES</p> <p>Initial Pleadings and Service</p> <ul style="list-style-type: none"> • Complaints and Other Initiating Documents Amended Complaint Application for Writ of Garnishment Counterclaim Crossclaim Intervenor Complaint Third Party Complaint • Service of Process Acknowledgment of Service Affidavit of Service Certificate of Service Request for Waiver of Service Service by Publication Summons Returned Executed Summons Returned Executed as to USA Summons Returned Unexecuted Waiver of Service Executed Waiver of Service Unexecuted Writ of Habeas Corpus ad Prosequendum Executed Writ of Habeas Corpus ad Prosequendum Unexecuted Writ of Habeas Corpus ad Testificandum Executed Writ of Habeas Corpus ad Testificandum Unexecuted • Answers to Complaints • Other Answers Affidavit in Opposition Affidavit in Support Amended Answer to Complaint Answer to Complaint (Notice of Removal) Answer to Writ of Garnishment Claim Withdrawal of Claim <p>Motions and Related Filings</p> <ul style="list-style-type: none"> • Motions Affirm the Decision of the Commissioner Alter Judgment Amend / Correct Appeal in Forma Pauperis Appear Appoint Counsel Appoint Custodian Appoint Expert Appoint Guardian / Attorney ad Litem Appoint Receiver Approve Consent Judgment Attorney Fees Bifurcate Bill of Costs Bond Certificate of Appealability Certify Class Change Venue Clarification 	<ul style="list-style-type: none"> Compel Conference Consolidate Cases Contempt Continue Cost and Fees Declaration of Mistrial Declaratory Judgment Default Judgment Deposit Funds Directed Verdict Disbursement of Funds Disclosure Dismiss Dismiss / Lack of Jurisdiction Dismiss / Lack of Prosecution Disqualify Counsel Disqualify Judge Disqualify Juror Enforce Judgment Entry of Default Expedite Extension of Time Extension of Time to File Response/Reply File Excess Pages Forfeiture of Property Hearing In Limine Intervene Issuance of Warrant in rem Joinder Judgment Debtor Exam Judgment NOV Judgment as a Matter of Law Judgment of Forfeiture Judgment on Partial Findings Judgment on the Pleadings Judgment under Rule 54(b) Leave to Appeal Leave to File Document Letters Rogatory Miscellaneous Relief More Definite Statement New Trial Order Order of Discipline Order of Sale Partial Summary of Judgment Permanent Injunction Preclude Prejudgment Remedy Preliminary Injunction Proceed in Forma Pauperis Proceed in Fictitious Name Protective Order Quash Reassign Case Reconsideration Recusal Release of Bond Obligation Release of Funds Remand Reopen Case Return Property Reverse the Decision of the Commissioner
---	--

Motions and Related Filings (continued)

- **Motions (continued)**

- Sanctions
- Seal
- Seal the Case
- Seal Document
- Sealed Motion
- Security for Costs
- Service by Publication
- Set Aside
- Set Aside Default
- Set Aside Forfeiture
- Set Aside Judgment
- Set Aside Verdict
- Settlement
- Sever
- Show Cause
- Stay
- Strike
- Substitute Attorney
- Substitute Party
- Summary Judgment
- Take Deposition
- Taxation of Costs
- Temporary Restraining Order
- Unseal Case
- Unseal Document
- Vacate
- Withdraw
- Withdraw Reference
- Withdraw as Attorney
- Writ
- Writ of Garnishment
- Writ of Habeas Corpus ad prosequendum
- Writ of Habeas Corpus ad testificandum
- Writ of Mandamus

- **Responses, Replies and Supporting Documents**

- Affidavit
- Memorandum in Opposition to Motion
- Memorandum in Support of Motion
- Objection to Report and Recommendations
- Reply to Response to Motion
- Response
- Statement of Material Facts

Other Filings

- **Notices**

- Notice (other)
- Notice of Appearance
- Notice of Lis Pendens
- Notice of Settlement
- Notice of Voluntary Dismissal

- **Trial Documents**

- Exhibit List
- Proposed Findings of Fact and Conclusion of Law
- Proposed Jury Instructions
- Proposed Voir Dire
- Trial Brief
- Witness List

- **Appeal Documents**

- Appellants Brief
- Appellants Reply to Brief
- Appellees Brief
- Index to Record on Appeal

- **Other Documents**

- Amended Document (NOT Motion)
- Amicus Curiae Appearance
- Application for Writ
- Bill of Costs
- Financial Affidavit
- Jury Demand
- Pretrial Memorandum
- Proposed Pretrial Order
- Report of Rule 26(f) Planning Meeting
- Responses to Order to Show Cause
- Satisfaction of Judgment
- Settlement Agreement
- Status Report
- Stipulation
- Stipulation of Dismissal
- Suggestion of Bankruptcy
- Suggestion of Death
- Transcript Request

CRIMINAL CASES

Charging Instruments & Pleas

- **Plea-Related Document**
 - Plea Agreement

CRIMINAL Motions & Related Filings

- **Motions**

- Acquittal
- Adopt
- Amend/Correct
- Appeal in Forma Pauperis
- Appear
- Appoint Counsel
- Bill of Particulars
- Bond
- Brady Materials
- Certificate of Appealability
- Compel
- Continue
- Declaration of Mistrial
- Departure
- Directed Verdict
- Disclosure
- Discovery
- Dismiss
- Dismiss/Lack of Jurisdiction
- Disqualify Counsel
- Disqualify/Recuse Judge
- Early Termination of Probation
- Expedite
- Extension of Time to File Document
- Extension of Time to File Response/Reply
- Extension of Time to Waive
- File Amicus Brief
- File Excess Pages
- Forfeiture of Property

CRIMINAL Motions and Related Filings (continued)

- **Motions (continued)**

- Giglio Material
- Handwriting Exemplars
- Hearing
- In Limine
- Inspect
- Interim Payment
- Joinder
- Leave to Appeal
- Leave to File
- Medical Exam
- Miscellaneous Relief
- Modify Conditions of Release
- New Trial
- Pretrial Detention
- Produce
- Psychiatric Exam
- Quash
- Reconsideration
- Recusal
- Release from Custody
- Return of Property
- Revocation of Probation/Supervised Release
- Seal
- Seal Case
- Seal Document
- Sealed Motion
- Set Aside Forfeiture
- Sever Defendant
- Show Cause
- Speedy Trial
- Strike
- Substitute Attorney
- Suppress
- Travel
- Unseal Case
- Unseal Document
- Vacate
- Vacate (2255)
- Warrant
- Warrant for Arrest of Property
- Withdraw Document
- Withdraw Plea of Guilty
- Withdraw as Attorney

- **Responses, Replies and Supporting Documents**

- Affidavit
- Memorandum in Opposition to Motion
- Memorandum in Support of Motion
- Objection to Presentence Investigation Report
- Reply to Response
- Reply/Response Misc.

Other Filings

- **Waivers**

- Waiver of Indictment
- Waiver of Preliminary Examination or Hearing
- Waiver of Rule 40 Hearings
- Waiver of Speedy Trial

- **Service of Process**

- Search Warrant Returned Executed
- Search Warrant Returned Unexecuted

- **Notices**

- Attorney Appearance - Defendant
- Attorney Appearance - USA
- Deferral of Prosecution
- Notice (other)

- **Trial Documents**

- Exhibit List
- Proposed Jury Instructions
- Proposed Voir Dire
- Witness List

- **Appeal Documents**

- Designation of Record on Appeal
- Notice of Appeal - Conditions of Release
- Notice of Appeal - Final Judgment
- Notice of Appeal - Interlocutory
- Transcript Request - Appeal

- **Other Documents**

- Affidavit
- Consent to Trial Before Magistrate Judge
- Financial Affidavit - CJA23
- Information to Establish Prior Conviction
- Letter
- Presentence Investigation Report
- Pretrial Memorandum
- Sealed Document
- Sentencing Memorandum

Appendix F

Notice of Electronic Availability of Case File Information

The United States District Court for the District of Connecticut is an electronic case management court (CM/ECF) that is now accepting electronically filed pleadings and making the content of those pleadings available on the Court's Internet website via WebPACER. Any subscriber to WebPACER will be able to read, download, store and print the full content of electronically filed documents. The clerk's office will not make available electronically filed documents that have been sealed or otherwise restricted by Court order. Attorneys of record in a case are given one free access. For additional access opportunities and for other interested viewers there are minimal charges associated with case access and the requirement of a WebPACER password.

You should not include sensitive information in any document filed with the Court unless such inclusion is necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the Internet via WebPACER. If sensitive information must be included, the following personal data identifiers must be **partially redacted** from the pleading, whether it is filed traditionally or electronically: Social Security numbers, financial account numbers, dates of birth and the names of minor children.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file an unredacted document under seal. This document shall be retained by the Court as part of the record. The Court may, however, still require the party to file a redacted copy for the public file. In addition, exercise caution when filing documents that contain the following:

- A. Personal identifying number, such as driver's licence number;
- B. Medical records, treatment and diagnosis;
- C. Employment history;
- D. Individual financial information; and
- E. Proprietary or trade secret information.

Counsel are strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain materials may be made. If a redacted document is filed, it is the **sole responsibility of counsel and the parties** to be sure that all pleadings comply with the rules of this Court requiring redaction of personal data identifiers. The clerk **will not** review each pleading for redaction.

SPECIAL NOTICE TO SOCIAL SECURITY ATTORNEYS

It is your responsibility to provide the U.S. Attorney's Office with the social security number of the plaintiff upon the filing of a new social security case. You may e-mail (NAME TO BE INSERTED) at (EMAIL ADDRESS TO BE INSERTED) OR you may call (Him/her) at (telephone number) with this information.