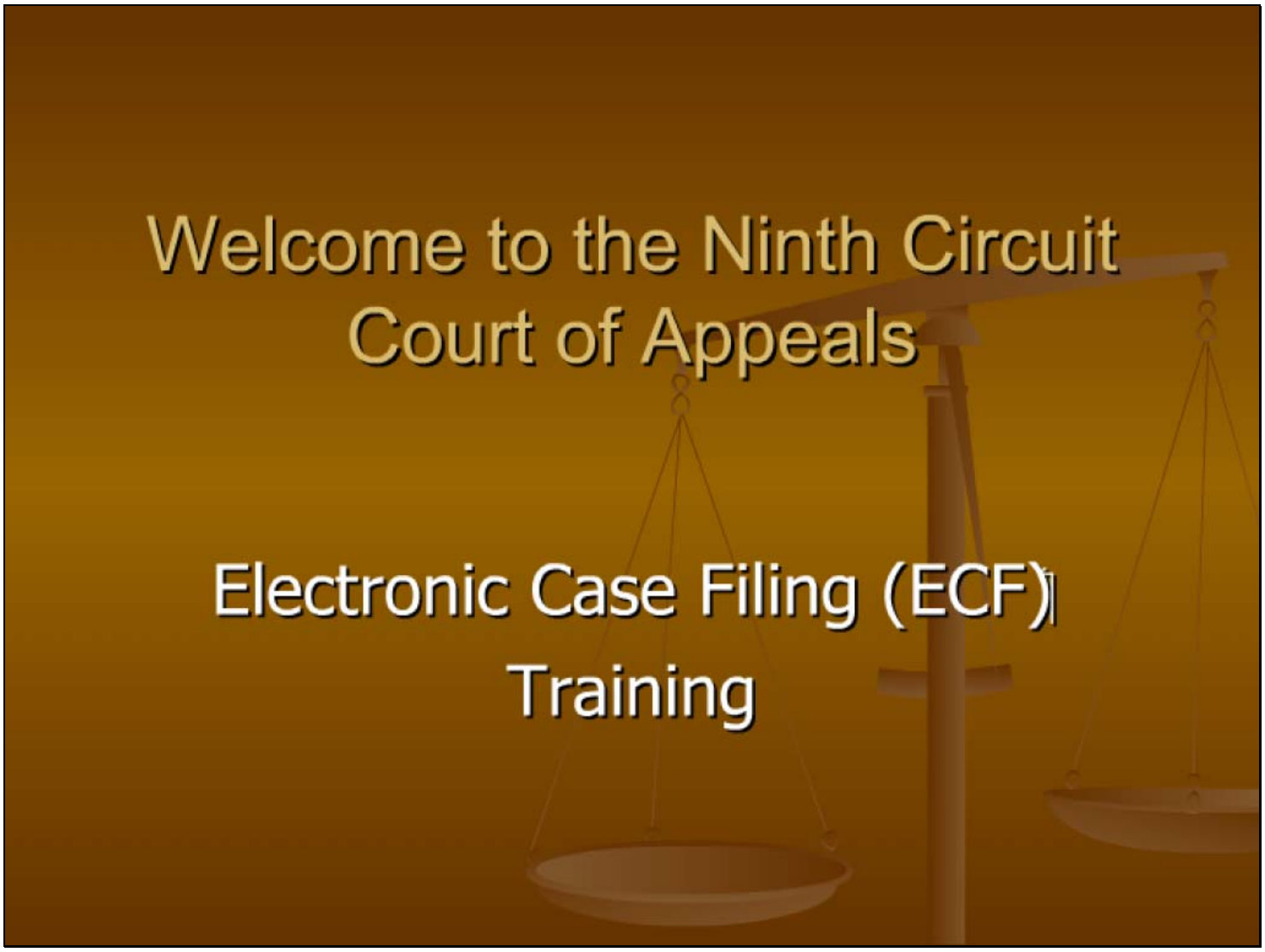
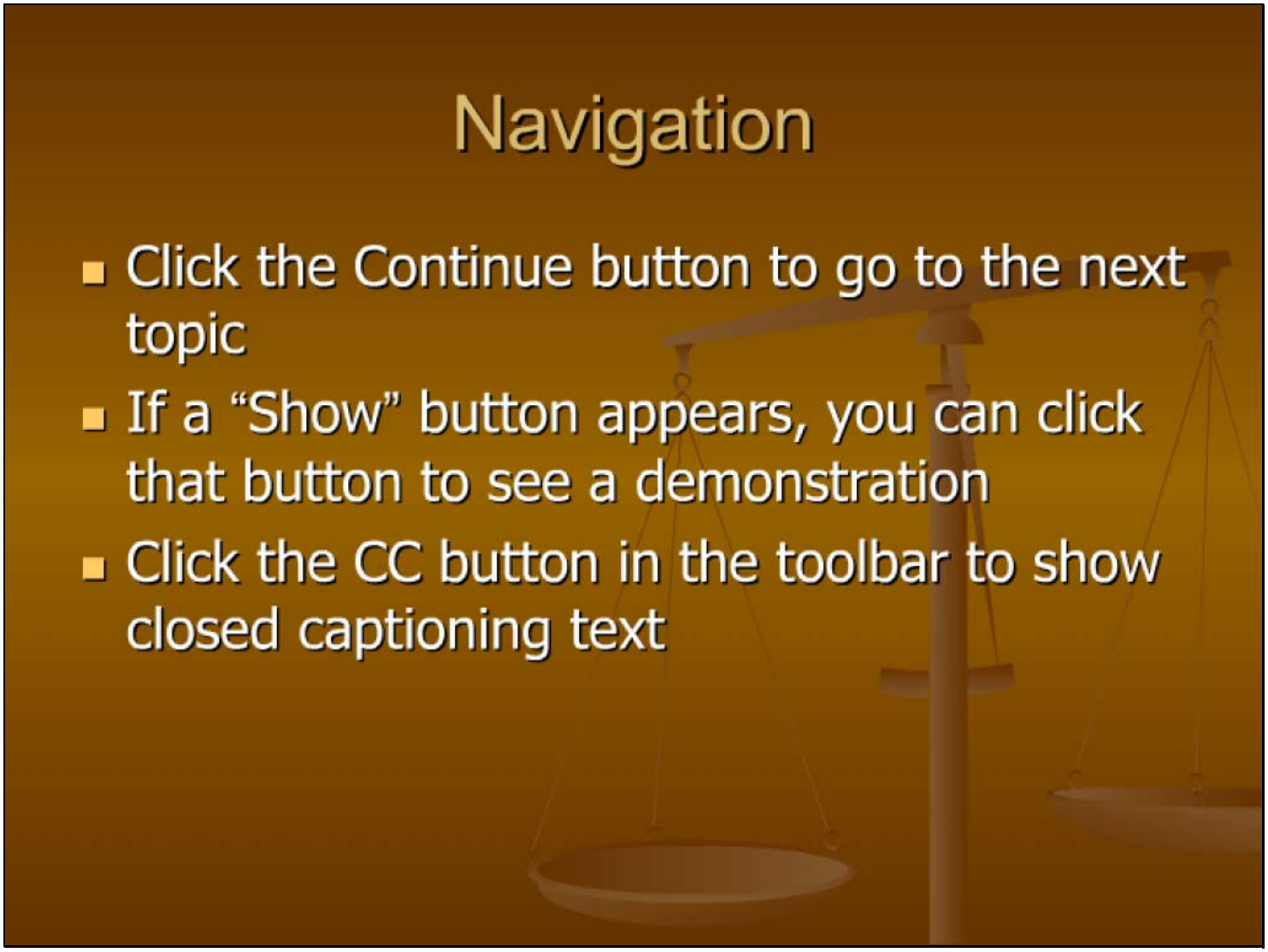
Welcome



Slide notes

Welcome to the training video on Electronic Case Filing in the US Court of Appeals for the 9th Circuit. Click the START button to begin the training session.

Navigation



Slide notes

During this video, you can click the Continue button at any time to go to the next topic. You can also click the Go Back button to return to the previous topic.

If a “Show” button appears, you can click that button to see a demonstration of the topic currently being discussed. You can click the CC button in the toolbar to show closed captioning text instead of listening to the narration.

What's happened so far

Slide notes

What has happened so far with the implementation of CM/ECF in the Court of appeals for the Ninth circuit.

First, the appellate version of CM/ECF was developed and implemented by the Court.

In March 2008, we allowed attorneys to register for electronic noticing, meaning that attorneys could choose to receive all notices from the Court electronically.

In September 2008, voluntary electronic filing started. For electronic filing, an attorney must register through PACER. Electronic filing includes electronic noticing.

In January 2009, electronic filing became mandatory. The bottom line is that at this point, all attorneys and court reporters must use the Appellate ECF system, so make sure you register in advance to avoid filing delays.

What's New for Attorneys

Slide notes

Let's review what's new for Attorneys in this new age of electronic filing ...

Court Website

Slide notes

You can find almost all the information you need at our newly redesigned website, www.ca9.uscourts.gov. As mentioned earlier, the website's address is www.ca9.uscourts.gov.

Electronic Filing – CM/ECF Link

Slide notes

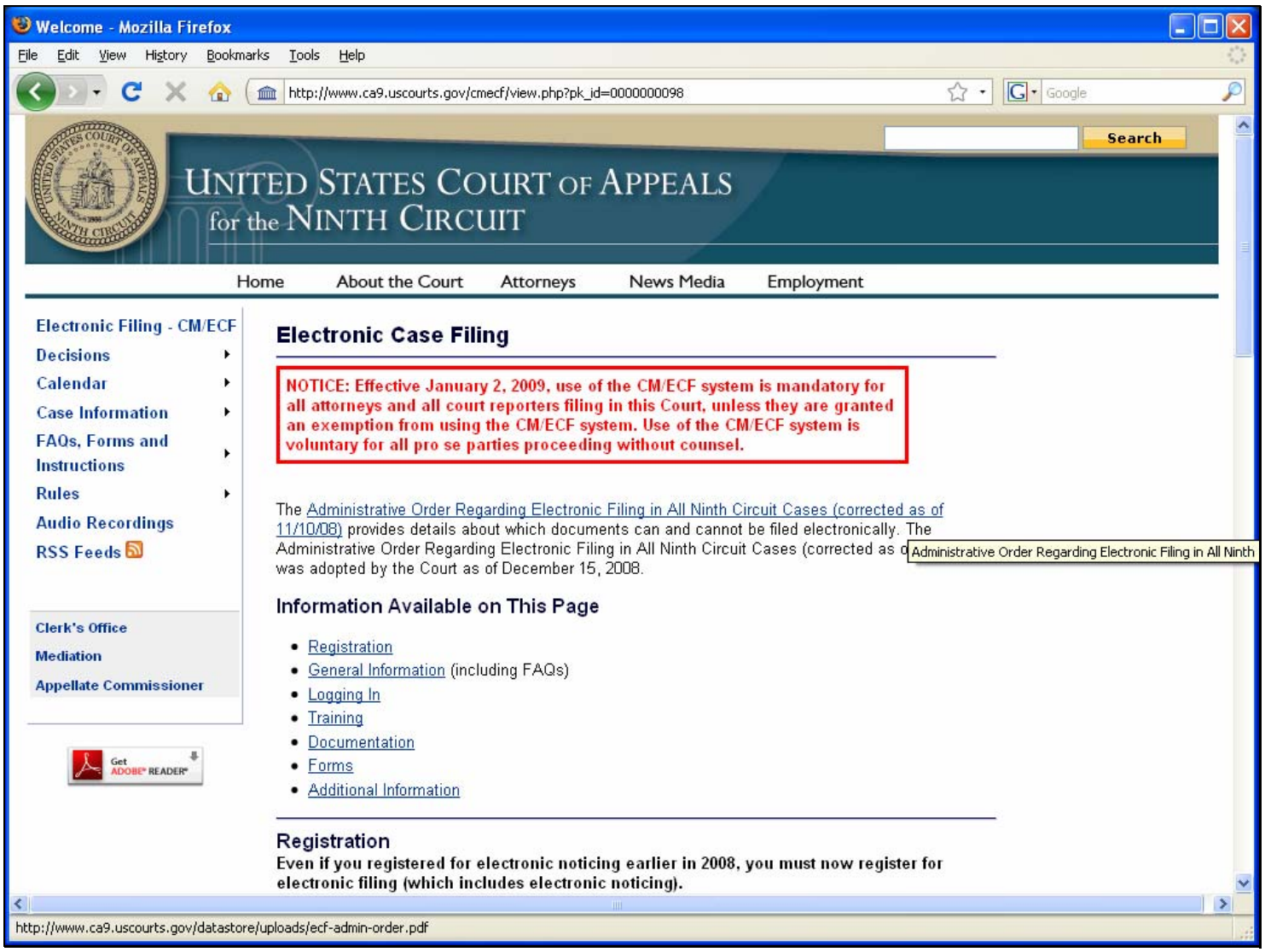
Once you are at that page, click the Electronic Filing - CM/ECF link to access the main electronic filing page.

Electronic Case Filing Page

Slide notes

The Electronic Filing page lets you access the administrative order, frequently asked questions and answers, what you need to run CM/ECF on your system, and other useful information.

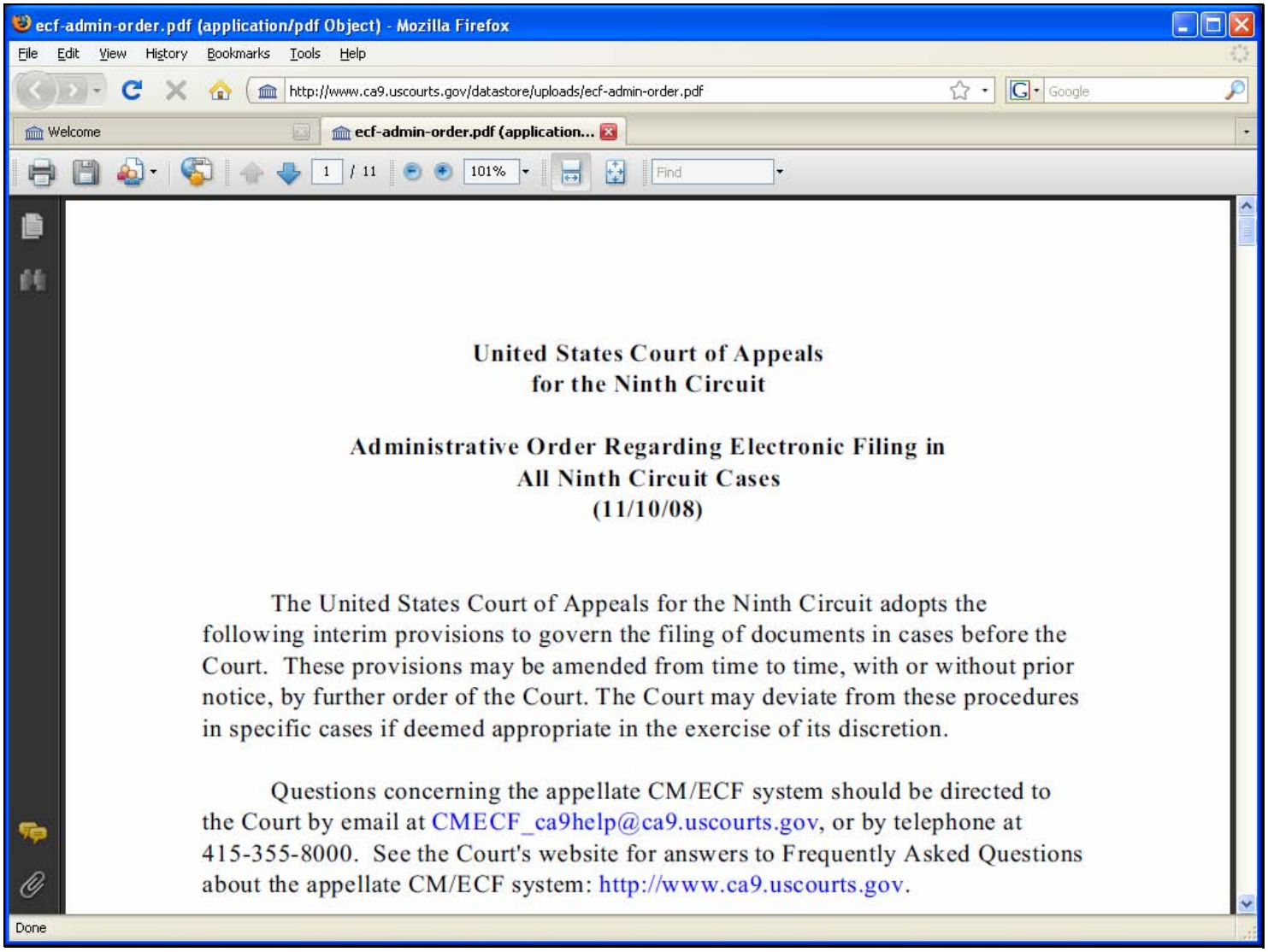
Link to Administrative Order



Slide notes

Let's review the Electronic Case Filing page. First, there's a link to the Administrative Order. Always review this order since it governs the rules and procedures for electronic filing

Administrative Order



United States Court of Appeals
for the Ninth Circuit

Administrative Order Regarding Electronic Filing in
All Ninth Circuit Cases
(11/10/08)

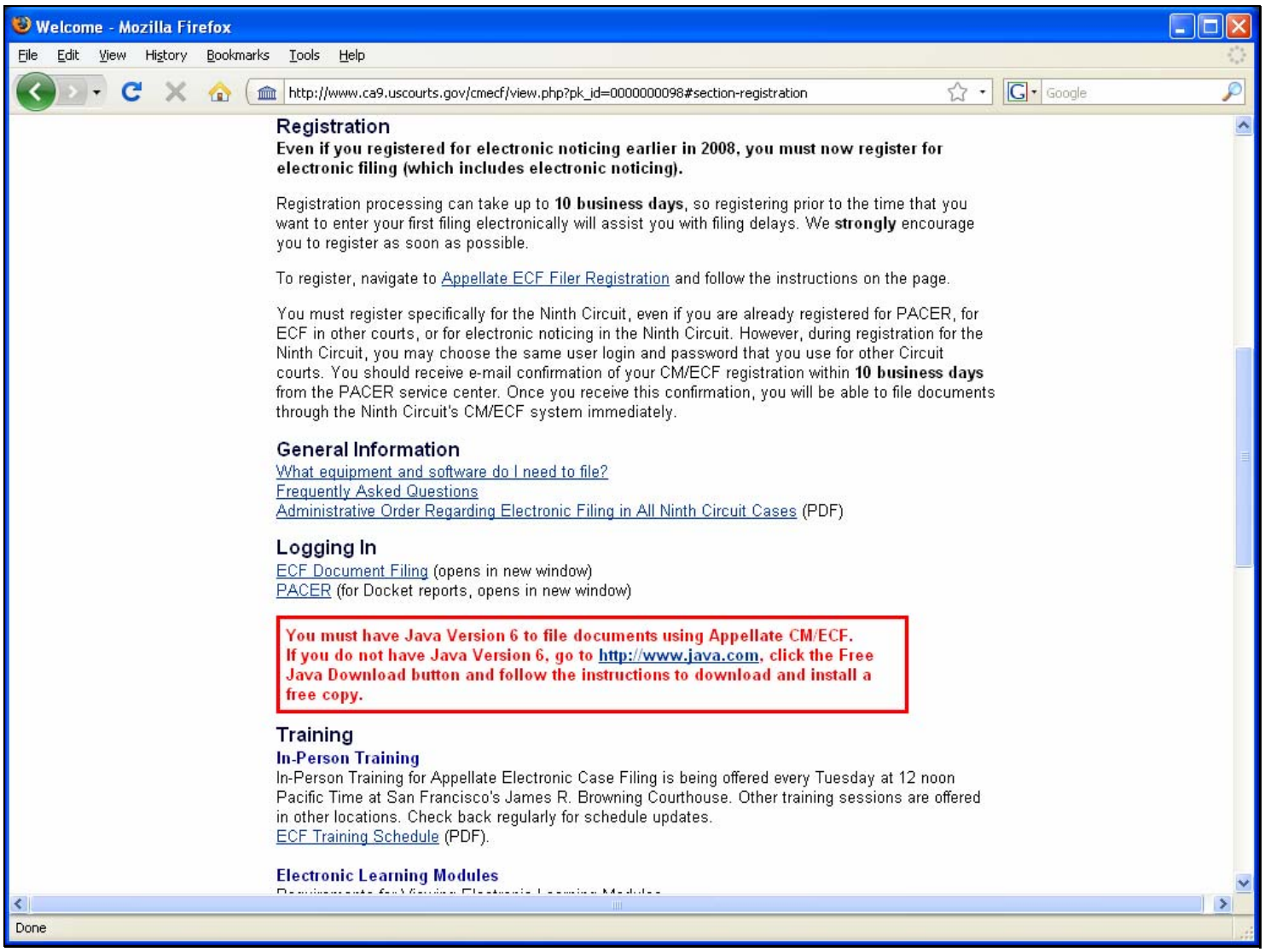
The United States Court of Appeals for the Ninth Circuit adopts the following interim provisions to govern the filing of documents in cases before the Court. These provisions may be amended from time to time, with or without prior notice, by further order of the Court. The Court may deviate from these procedures in specific cases if deemed appropriate in the exercise of its discretion.

Questions concerning the appellate CM/ECF system should be directed to the Court by email at CMECF_ca9help@ca9.uscourts.gov, or by telephone at 415-355-8000. See the Court's website for answers to Frequently Asked Questions about the appellate CM/ECF system: http://www.ca9.uscourts.gov.

Slide notes

You can save or print this order for future reference. Remember to check the Court's website for updates.

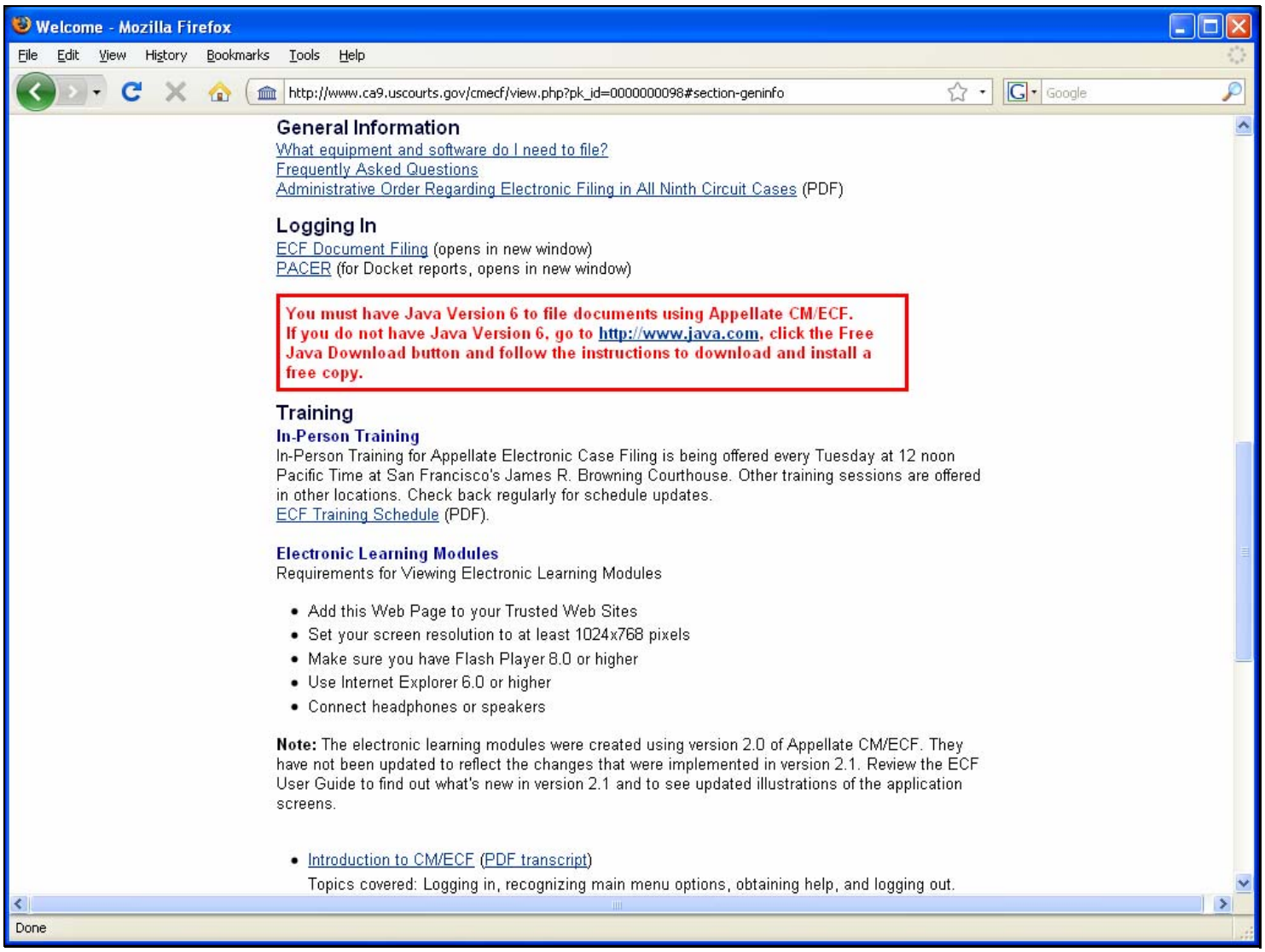
Registration Section



Slide notes

The Registration section provides information about how long it can take to process a registration. The section also has a link to the page where you submit a registration for ECF in the Ninth Circuit Court of Appeals.

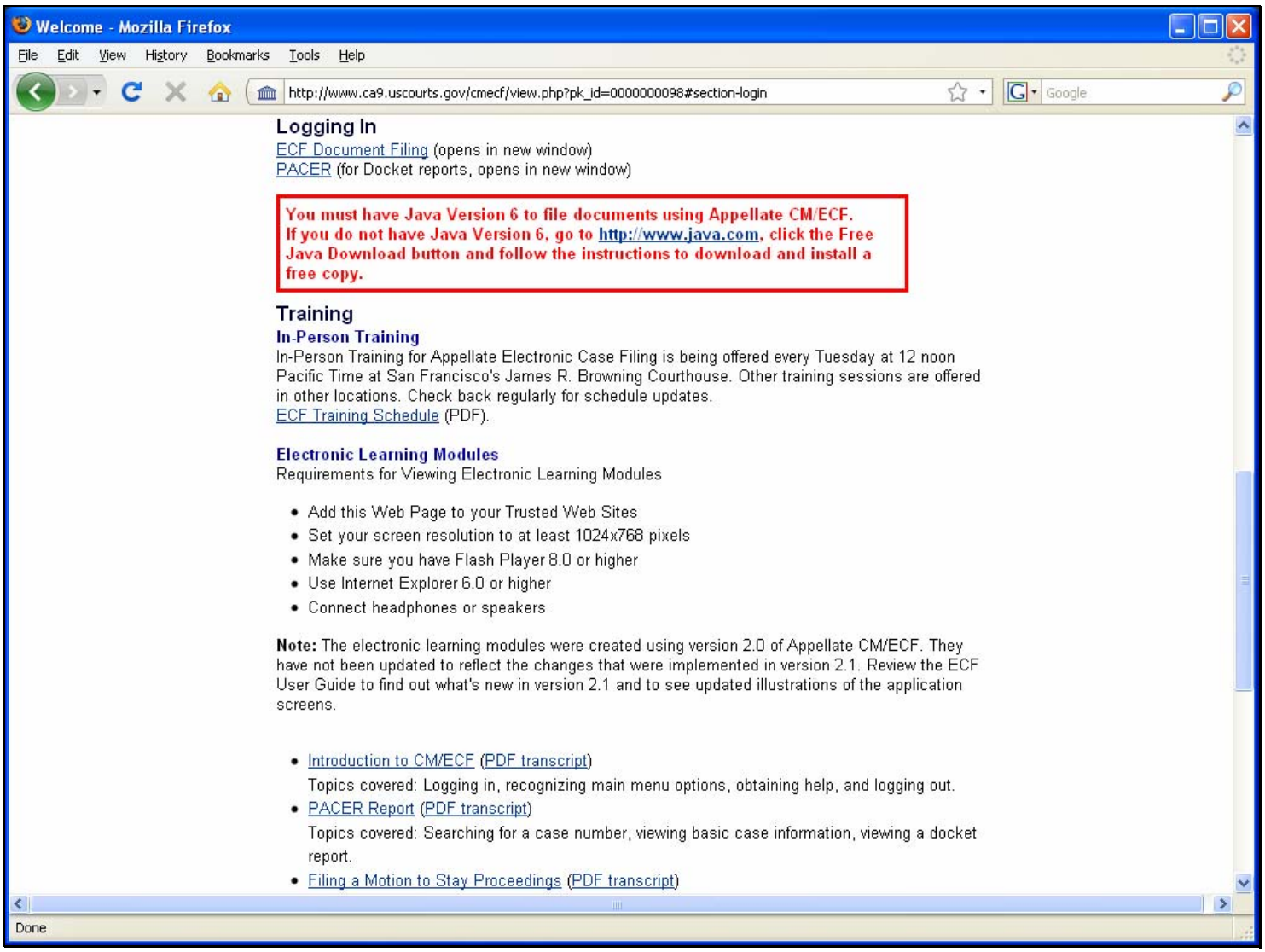
General Information Section



Slide notes

Under General Information you can find out what equipment you need to file electronically, and you can find answers to frequently asked questions. The information in this topic should provide answers to most of your questions. The link to the administrative order is repeated here for your convenience.

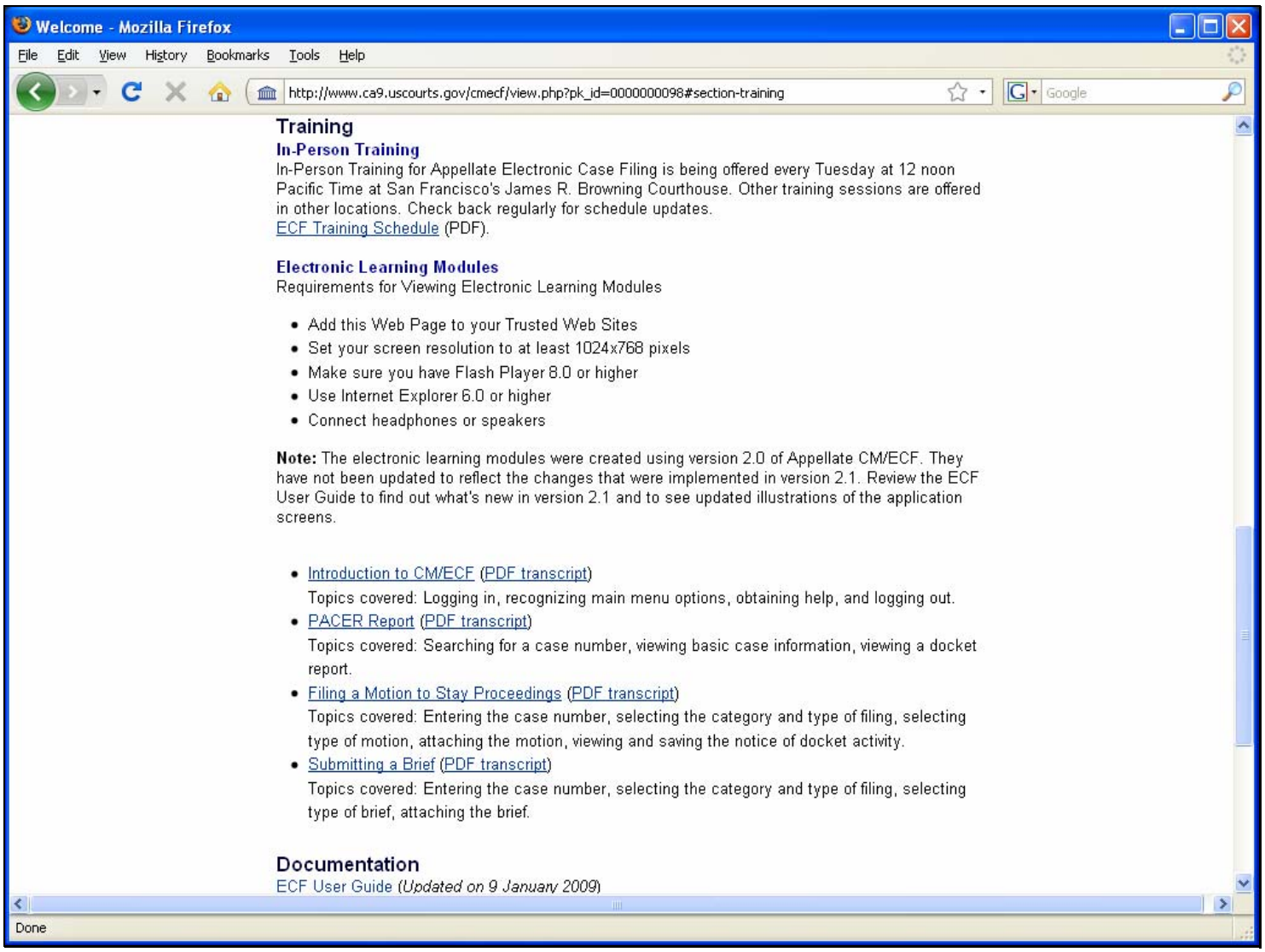
Logging In Section



Slide notes

The Logging in section provides links to the ECF login page (if you want to file electronically) and for PACER (to run docket reports).

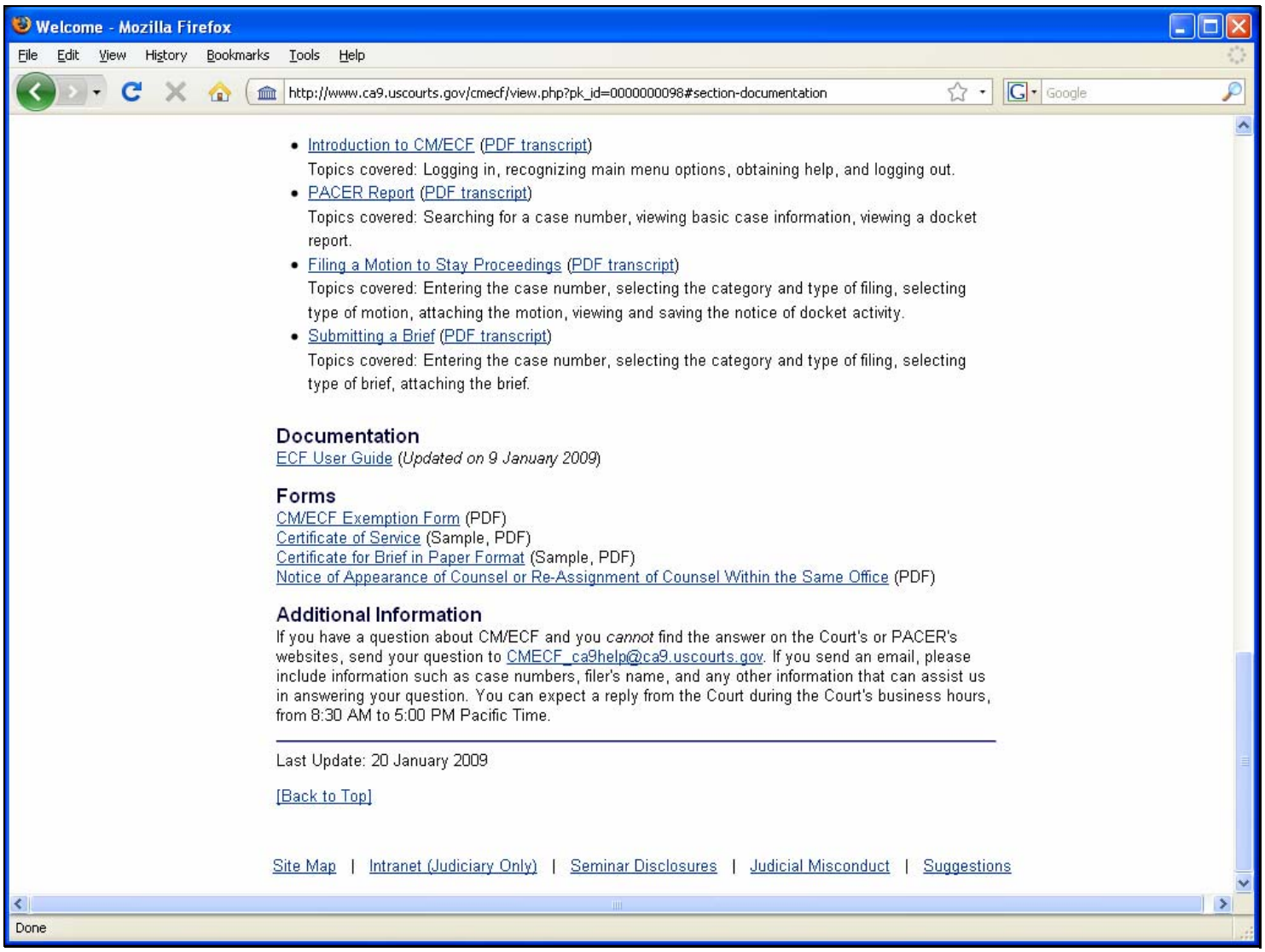
Training Section



Slide notes

The Training section has a link to the in-person training schedule and lets you access ECF learning modules. The current versions of these electronic learning modules were developed with version 2.0 of the application, they will be updated soon to match the current version. Make sure you check back for updates.

ECF User Guide

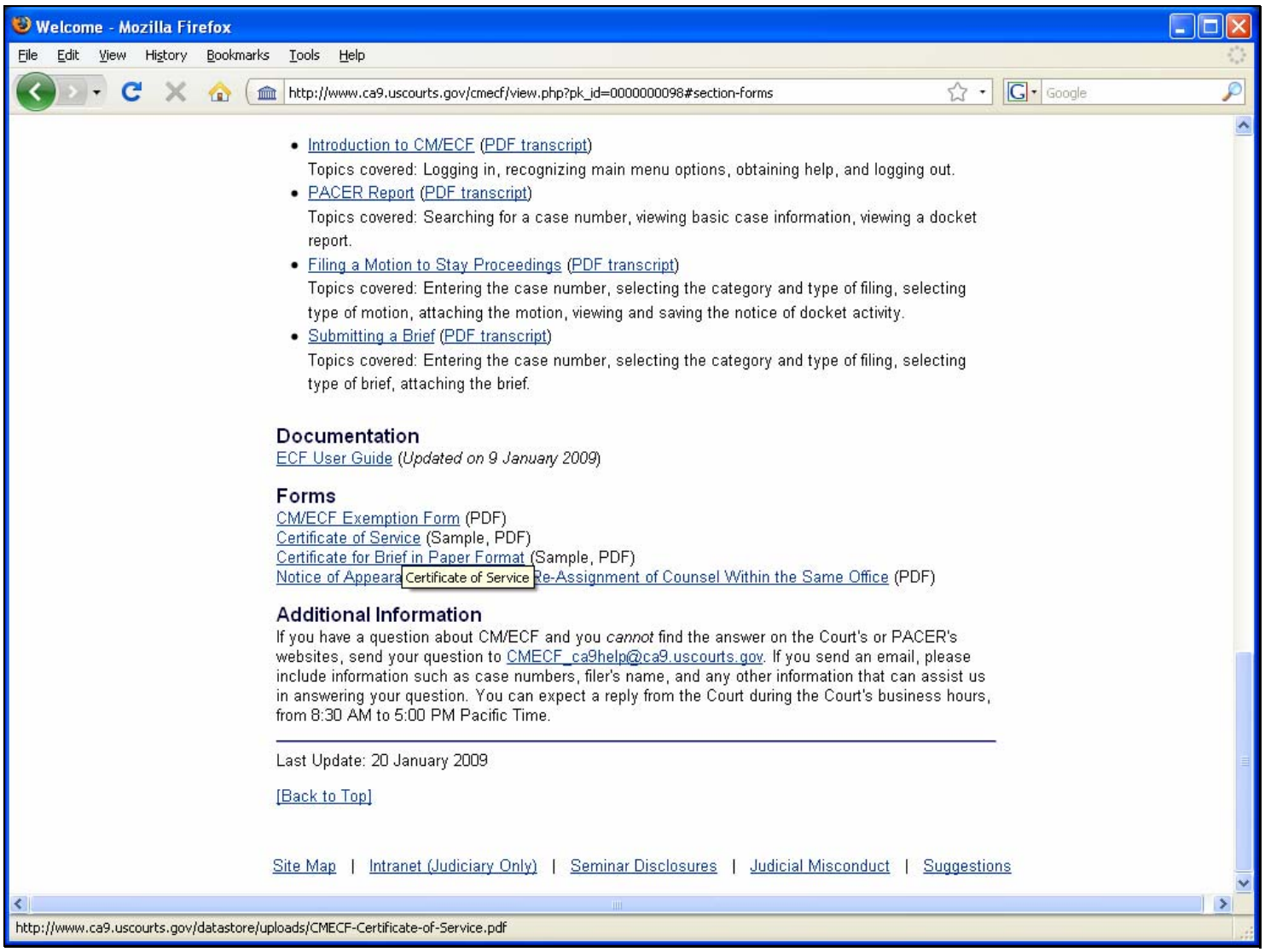


Slide notes

The ECF User Guide is available in the Documentation section. You can also always find this document (PDF) after you have logged in to ECF, by choosing Help from the Help menu.

The title page of the user guide shows you the date it was last updated. Among other topics, this document has a complete reference list of all the types of filings you can enter using ECF.

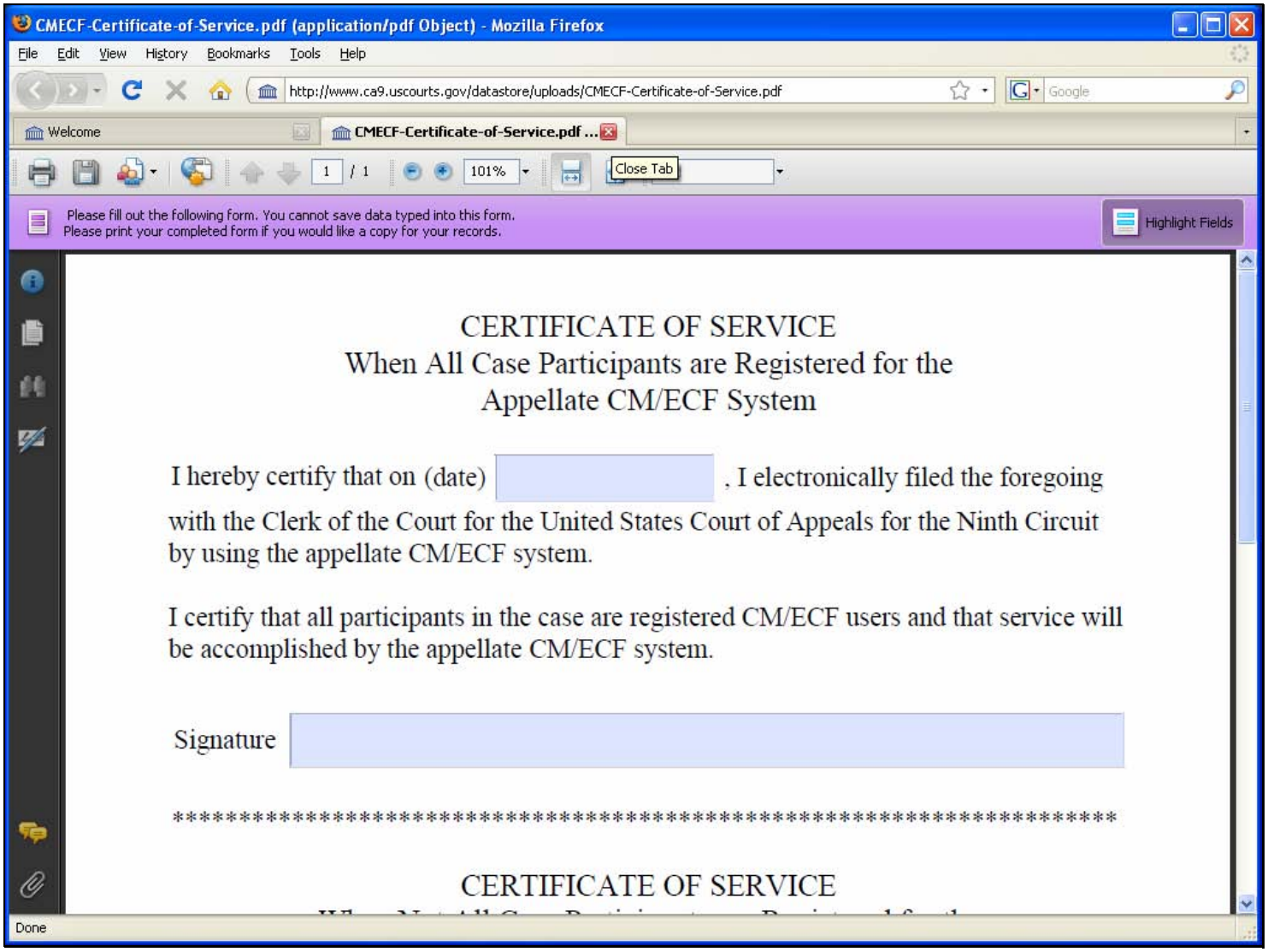
Forms Section



Slide notes

The Forms section contains several fill-in PDF forms that are available on the site, including some sample certificate forms

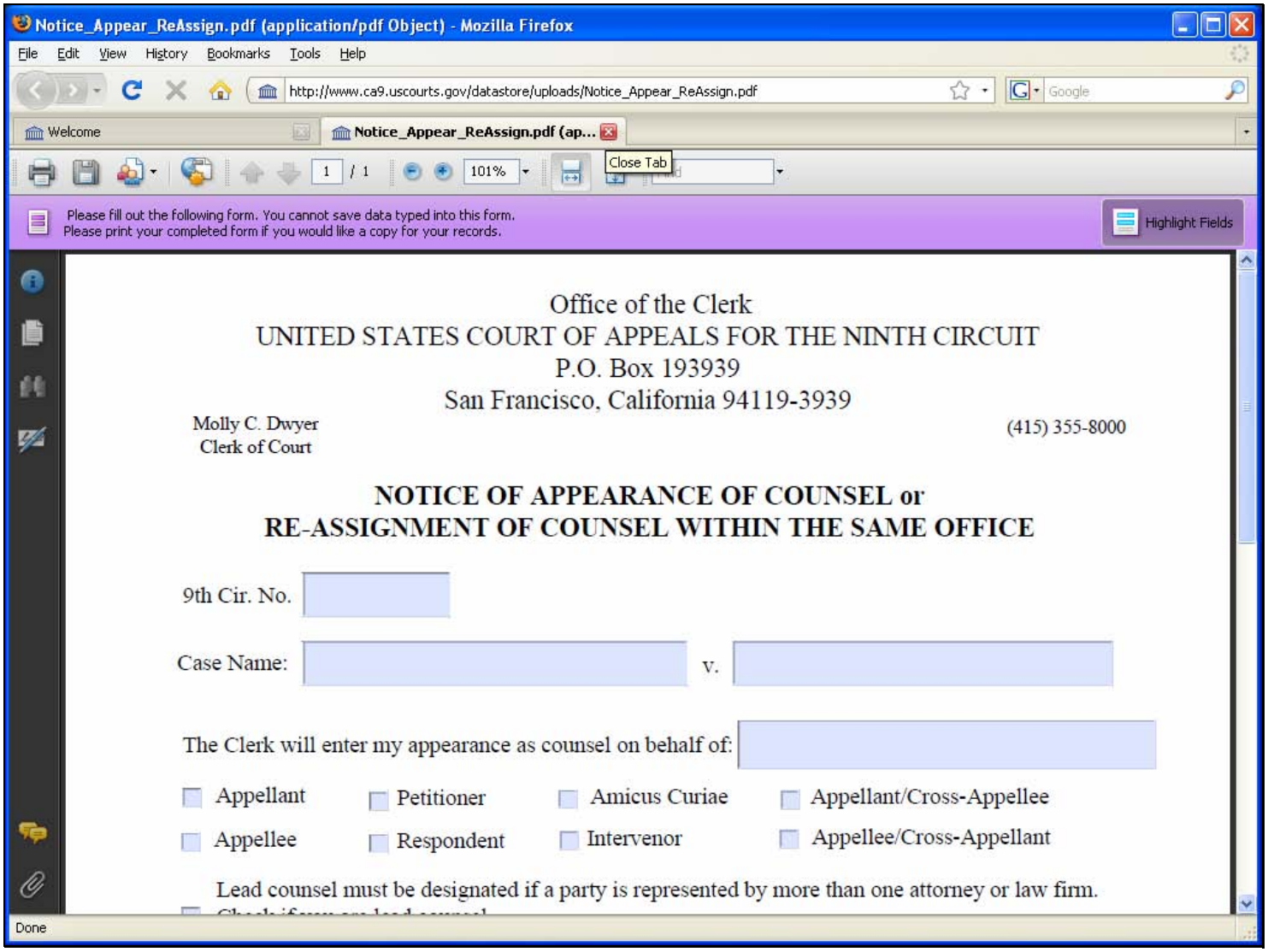
Sample Certificate of Service



Slide notes

This is an example of a fill-in form for a Certificate of Service. If you do not have an application that will let you save Court-provided filled-in forms, you may fill in the form, print it, then scan it into a PDF file and attach it to your filing.

Notice of Appearance of Counsel or Re-Assignment of Counsel Form



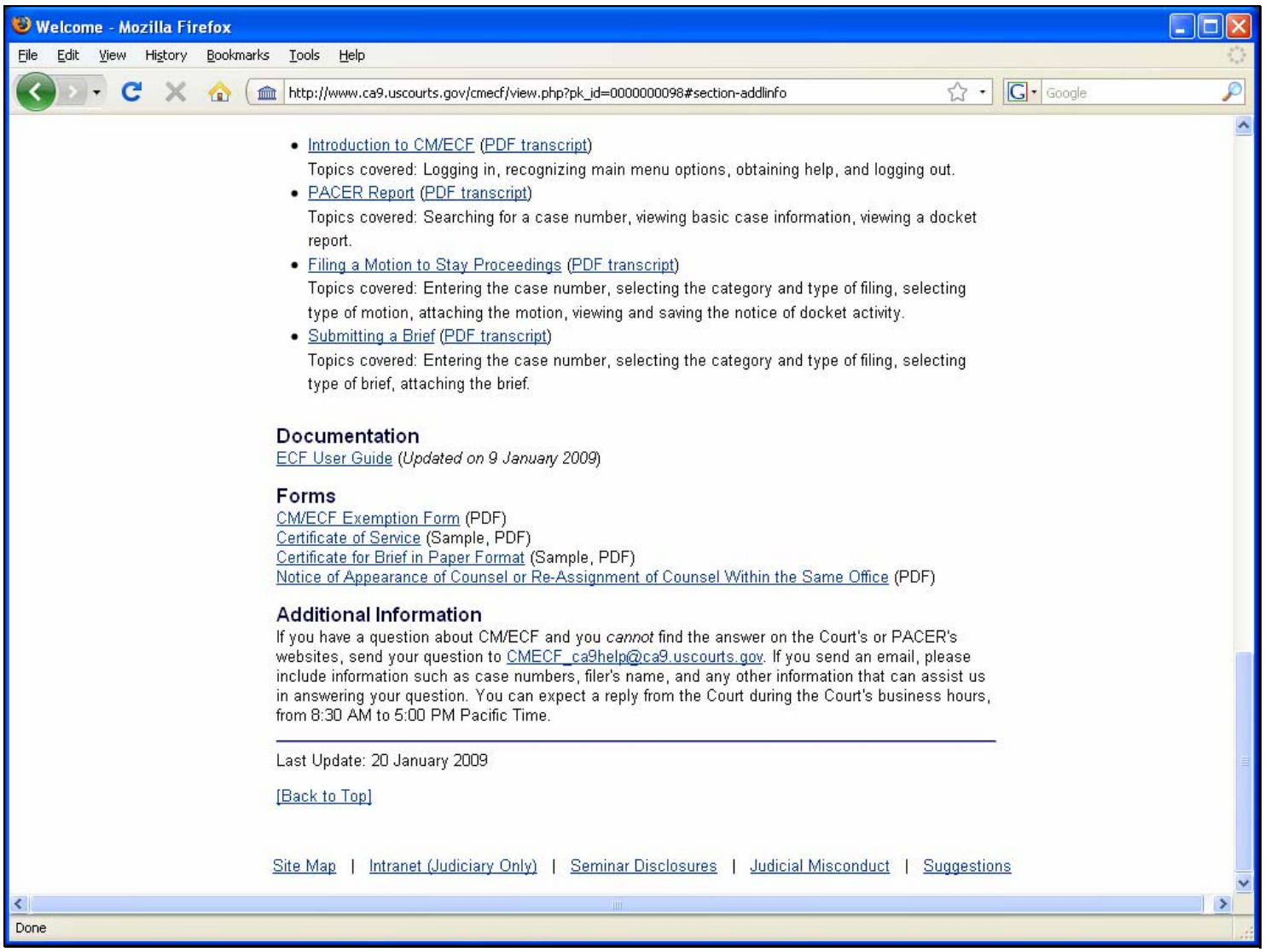
Slide notes

Let's look at the Notice of Appearance or Re-Assignment of Counsel form.

Note that when you click a link for a PDF in the electronic case filing page, the PDF will open in a new browser window or in a new browser tab, depending on how your browser is set up.

Use this form to enter your appearance in a case, or to re-assign the case to someone else in your office.

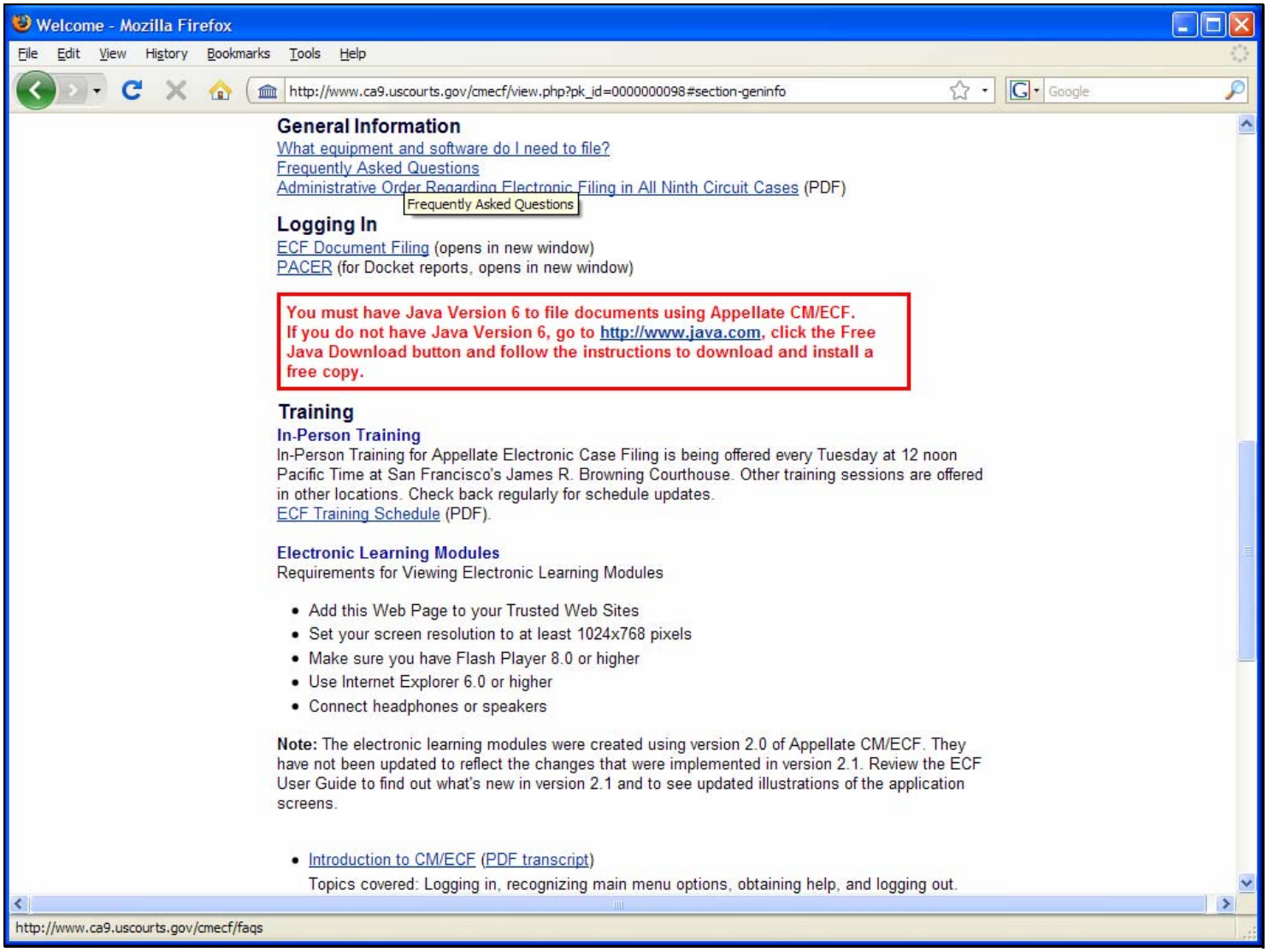
Additional Information



Slide notes

Lastly, you can see that there is an email address in the Additional Information section. You can send questions to this email address, but we do encourage you to review the information available at the website and in the documentation before sending us your questions.

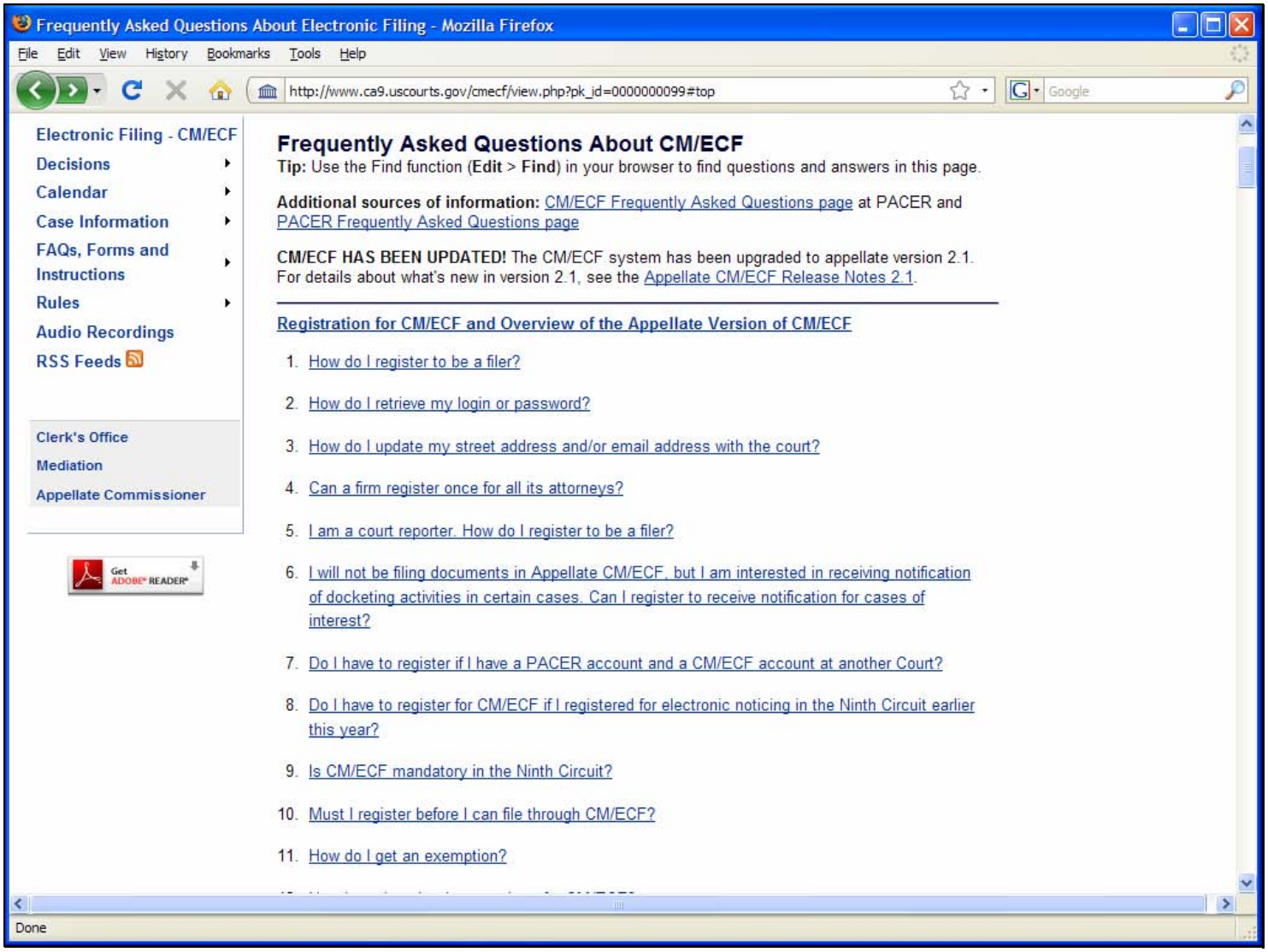
Accessing the FAQ Page



Slide notes

To see the FAQ page, click the General Information link, then click the Frequently Asked Questions link

FAQs – Groups of Questions and Answers



Slide notes

The questions and answers are grouped into four areas: Registration, Filing and Service, Briefs, and Technical Questions

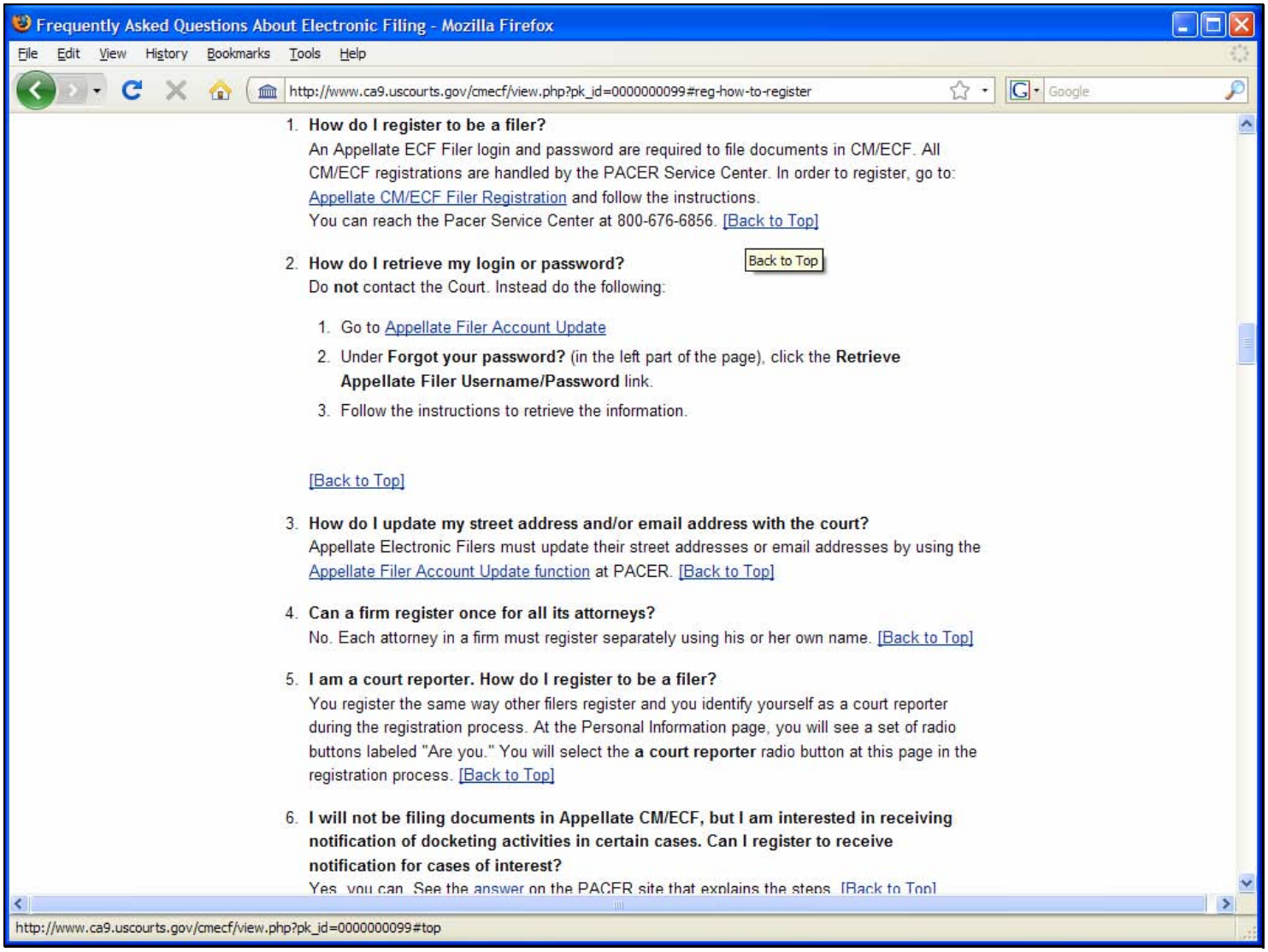
The Registration questions and answers cover topics such as "how do I register."

The Filing and service questions and answers cover topics such as a description of a notice of docket activity, why you may not be able to access the service list for a case, and how to get a daily summary of notices.

The Briefs questions and answers cover topics specific to submitting briefs to the Court. Remember that the administrative order includes the rules related to electronic filing of briefs.

The Technical Questions specifically cover requirements, screen resolution, and any technical issues that you may encounter while entering a filing.

Navigating to a Question with its Answer and Returning to the top of the Page



Slide notes

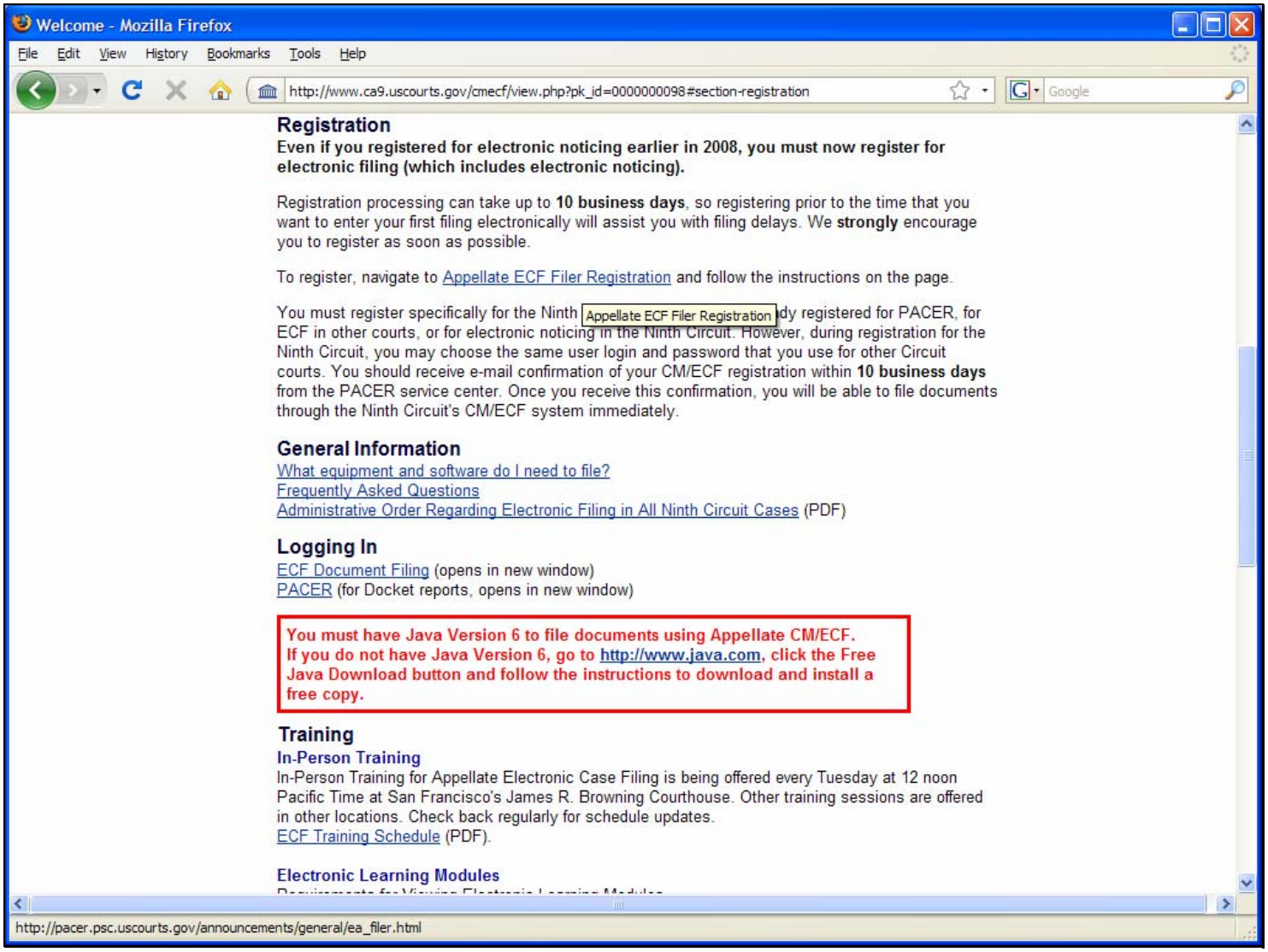
Clicking the link for a question takes you to that question and its answer. To return to the top of the page, click the Back to Top link.

Using Find to Find Answers

Slide notes

Remember to use the Find function in your browser, shown here in Firefox, to find specific terms in the FAQs

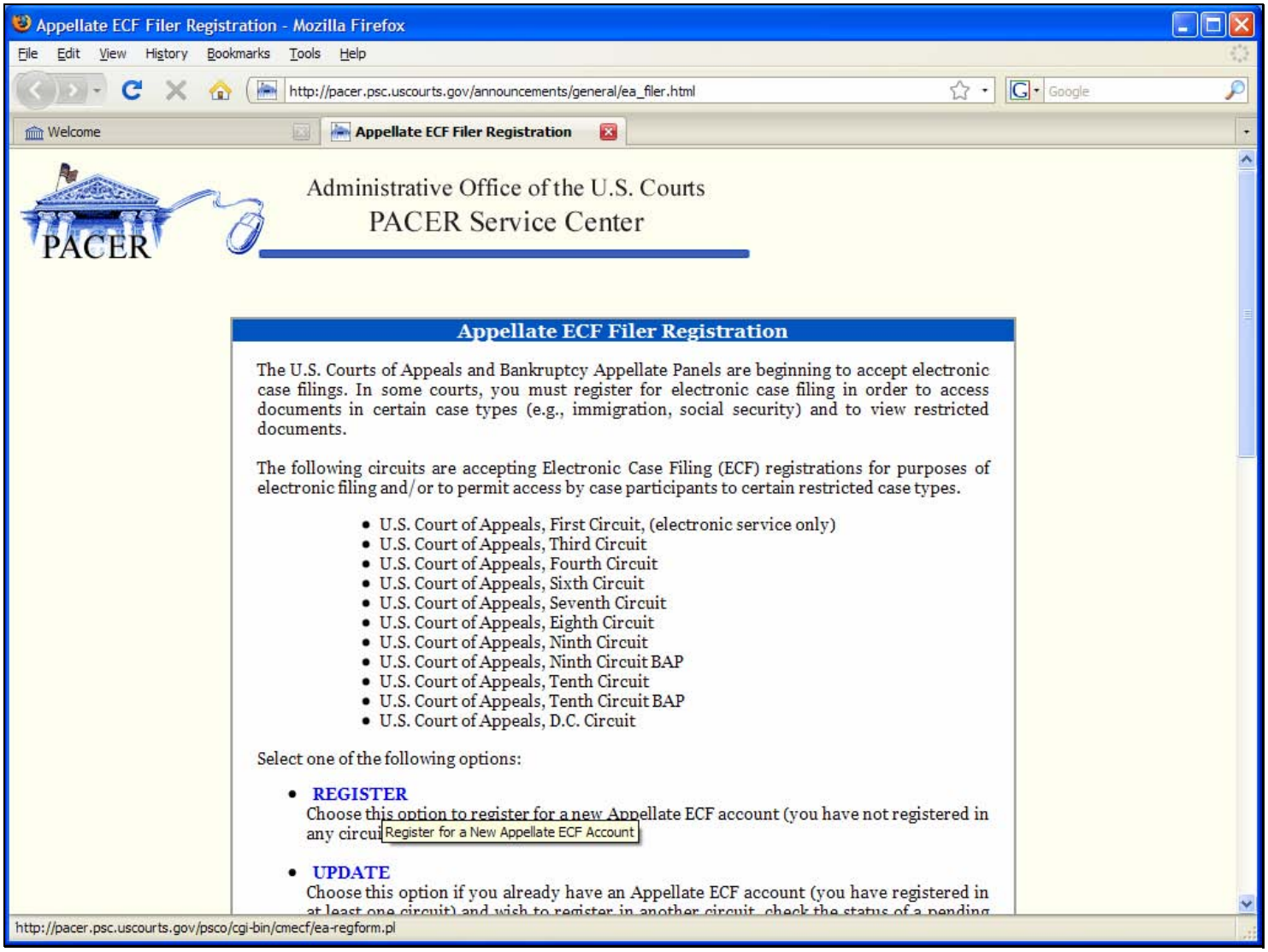
Accessing the Appellate ECF Filer Registration Page



Slide notes

You can access the Appellate ECF Filer Registration page from the Court's electronic filing page, by clicking the Appellate ECF Filer Registration link in the Registration section.

Appellate ECF Filer Registration



Slide notes

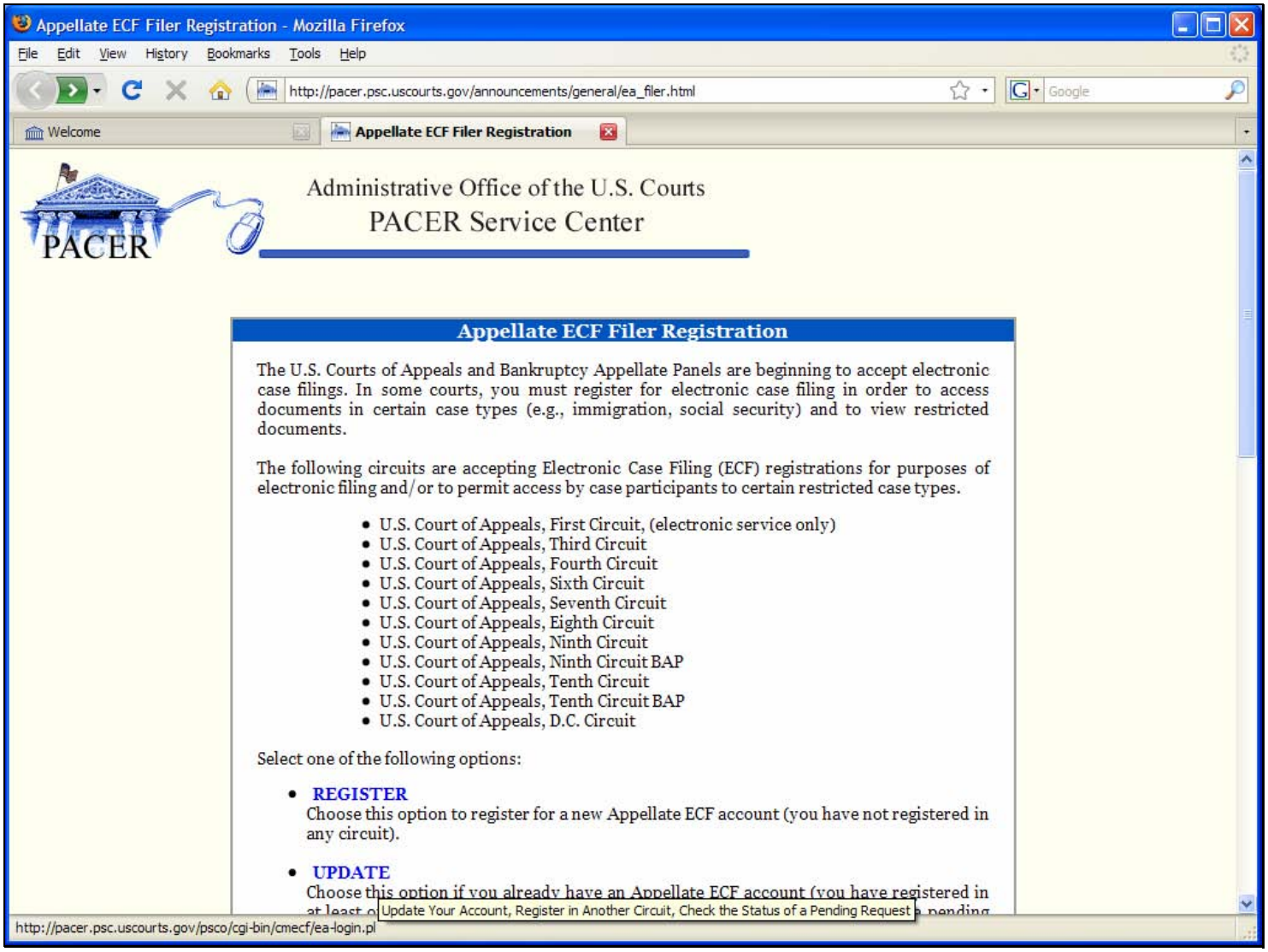
This is the page where you start the registration process. If you have not registered for another Appellate Court, click the REGISTER link to start the registration process. Once you have submitted your registration, the Court may take up to 10 working days to process your registration. You must wait for a confirmation message from the PACER service center before you will be able to log in.

Entering Personal Information

Slide notes

When you register, please make sure you use the name that you normally use to sign your pleadings. If you do not use your legal name to sign pleadings, then don't use your legal name when you register because that will cause confusion during the registration process and we may not link your registration to the correct attorney record in our system.For example, if you sign your pleadings as B. S. Simpson but your legal name is Bart Samuel Simpson, please do register as B. S. Simpson and not Bart Samuel Simpson.

Updating an Appellate ECF Filer Account



Slide notes

If you are already a registered filer in another appellate court, you should click the UPDATE link to add the Ninth Circuit to your list of courts.

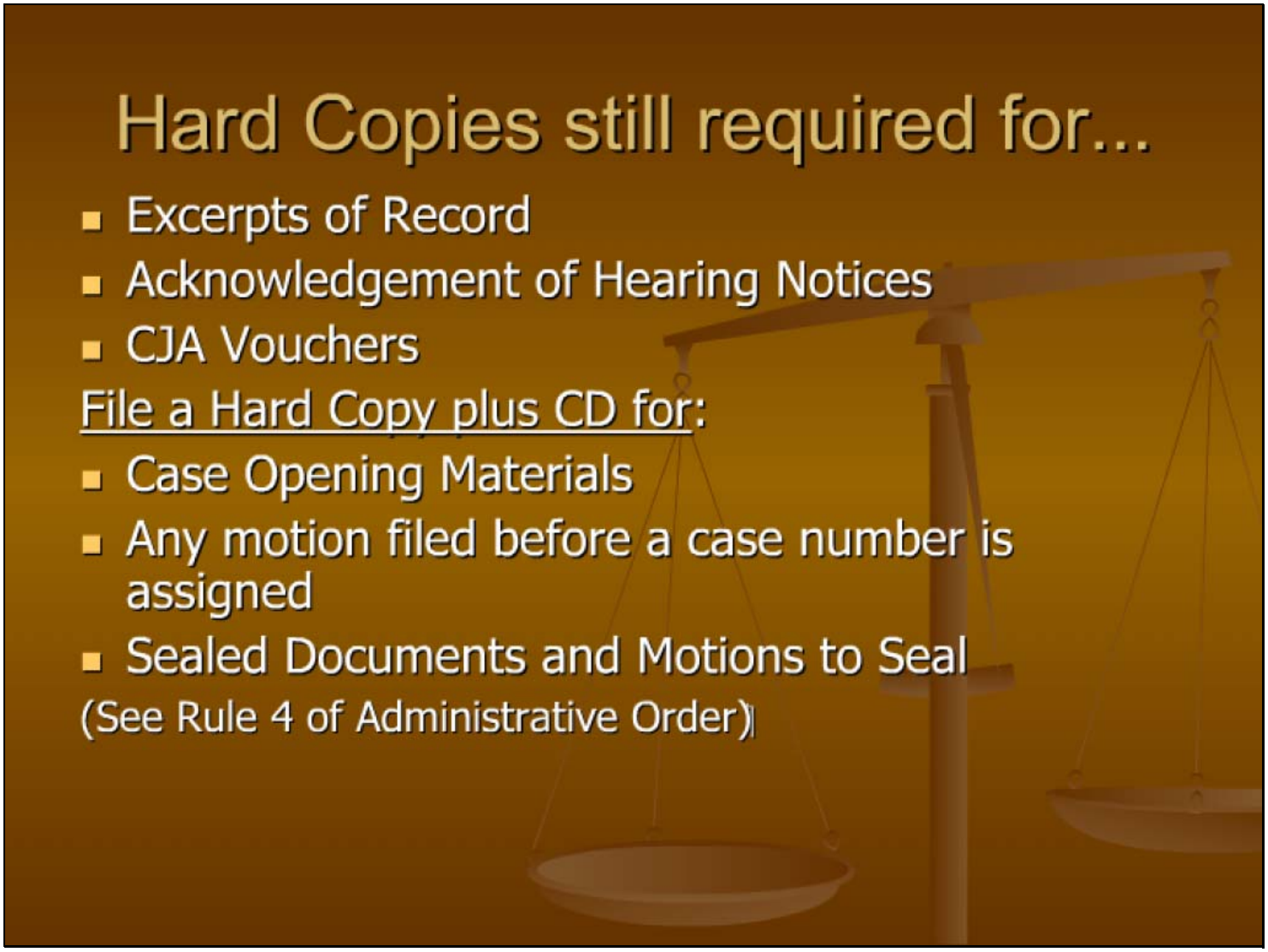
Logging In To Update Your Appellate Filer Account

Slide notes

Clicking the UPDATE link takes you to the Appellate Filer Account Update login page. After you log in, you can register for additional appellate courts.

Once you have registered, you can maintain your account through ECF. The account update function lets you update your email address, your phone numbers and address, and add or change email addresses of staff in your office that should get electronic noticing from the court at the same time that you do.

Hard Copies Still Required for Some Types of Filings



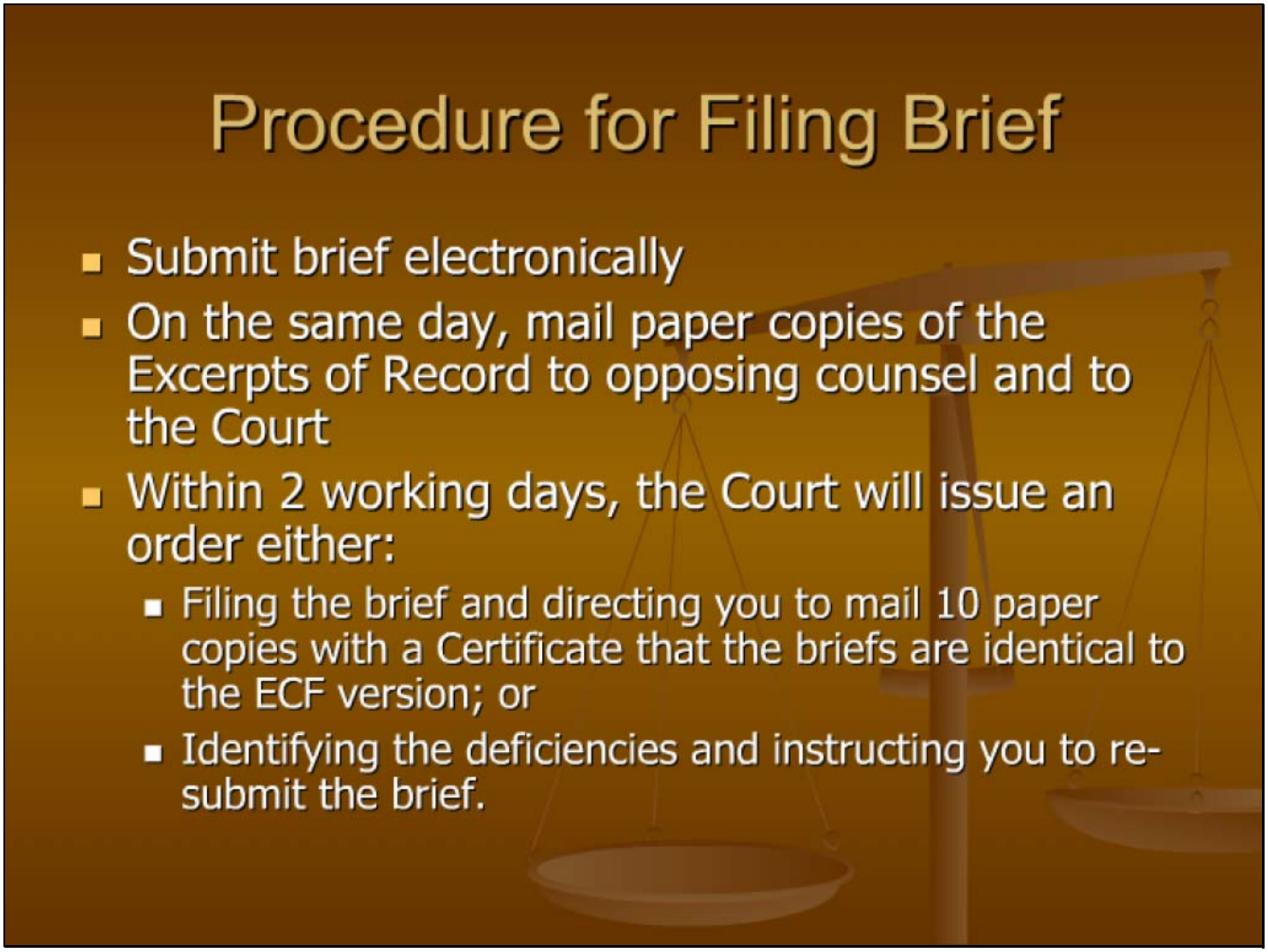
Slide notes

Rule 4 of the administrative order lists the documents that you cannot file electronically.

Hard copies are still required for Excerpts of Record, Acknowledgement of Hearing Notices, and CJA Vouchers.

You must file paper plus a CD for the following: Case Opening Materials , Any motion filed before a case number is assigned, and Sealed Documents and Motions to Seal.

Procedure for Filing Brief



Slide notes

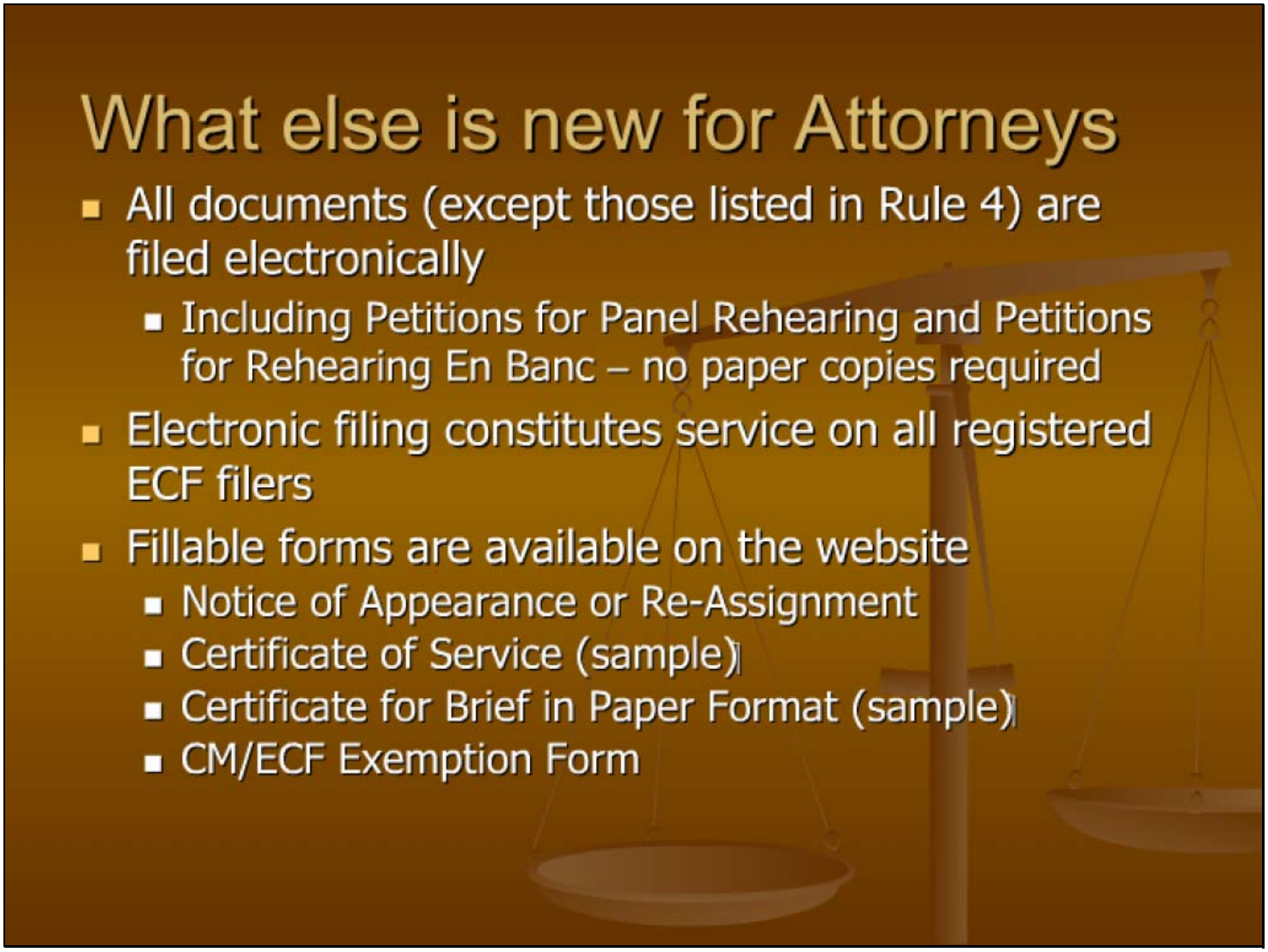
For briefs, you electronically submit the brief for review by the Court.
On the same day, you should mail paper copies of the excerpts of record to opposing counsel and the Court.
Within two working days, the Court will review your brief and issue an order. The order will do one of two things:

It will either tell you that the brief is filed and you must send 10 paper copies of the brief, with a certificate that says that the paper copy matches the electronically-submitted brief. That certificate must be included at the end of each copy of the brief.

The order may also tell you to correct deficiencies in your brief and resubmit the brief electronically.

Note that if you electronically submit your brief timely and you receive an order saying it is deficient, the brief is still considered timely.

What Else is New?



Slide notes

Let's review some more changes for filers

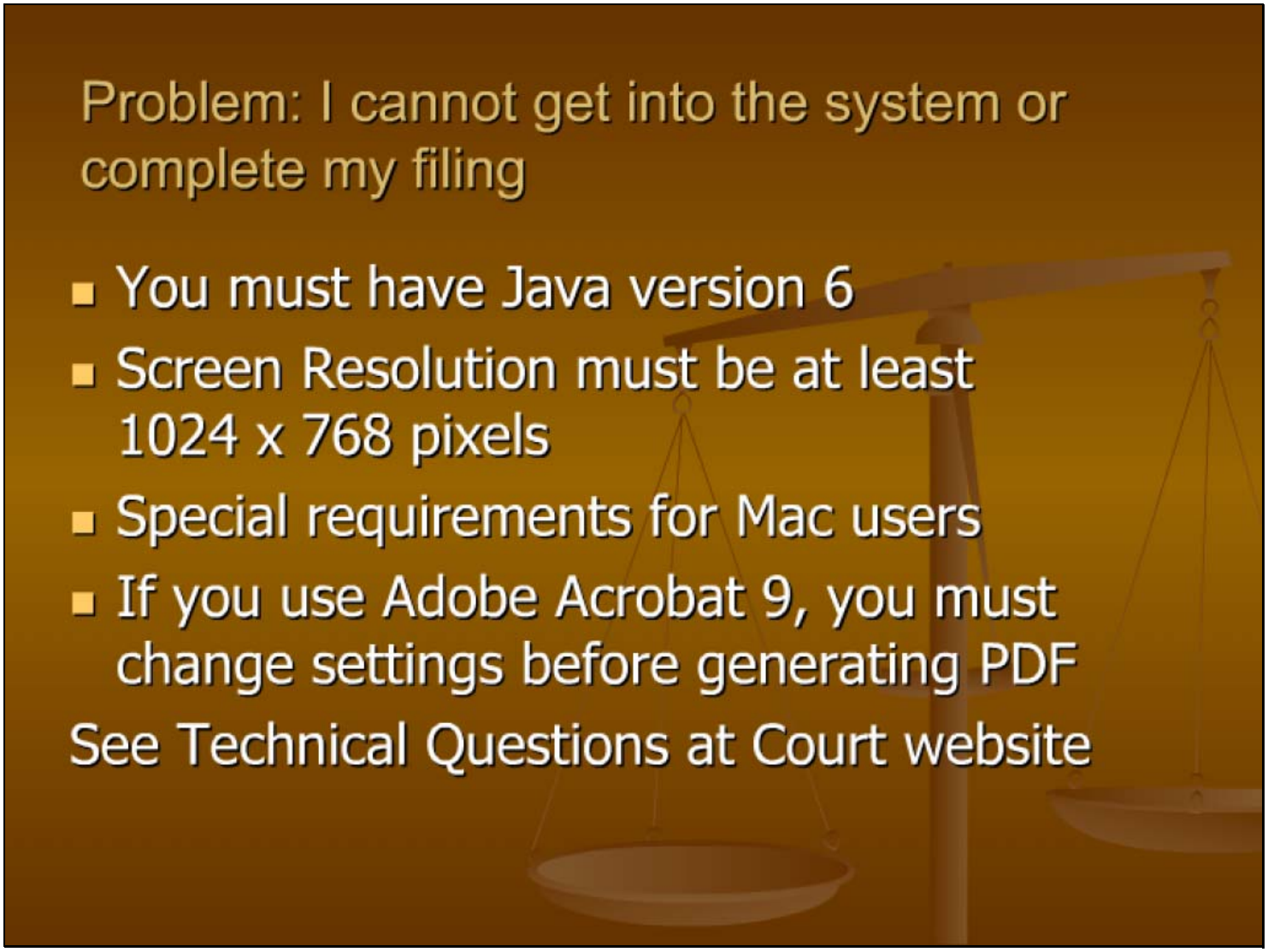
All documents (except those listed in Rule 4) must be filed electronically, this includes Petitions for Panel Rehearing and Petitions for Rehearing En Banc – no paper copies required.
Electronic filing constitutes service on all registered ECF filers.
Several fill-in forms are available on the website: Notice of Appearance or Re-Assignment, a sample Certificate of Service, a sample Certificate for Brief in Paper Format, and a CM/ECF Exemption Form.

Filing Problems and Solutions

Slide notes

Let's discuss some of the problems that filers have encountered since electronic filing became available in the Ninth Circuit

Problem: I cannot get into the system or complete my filing



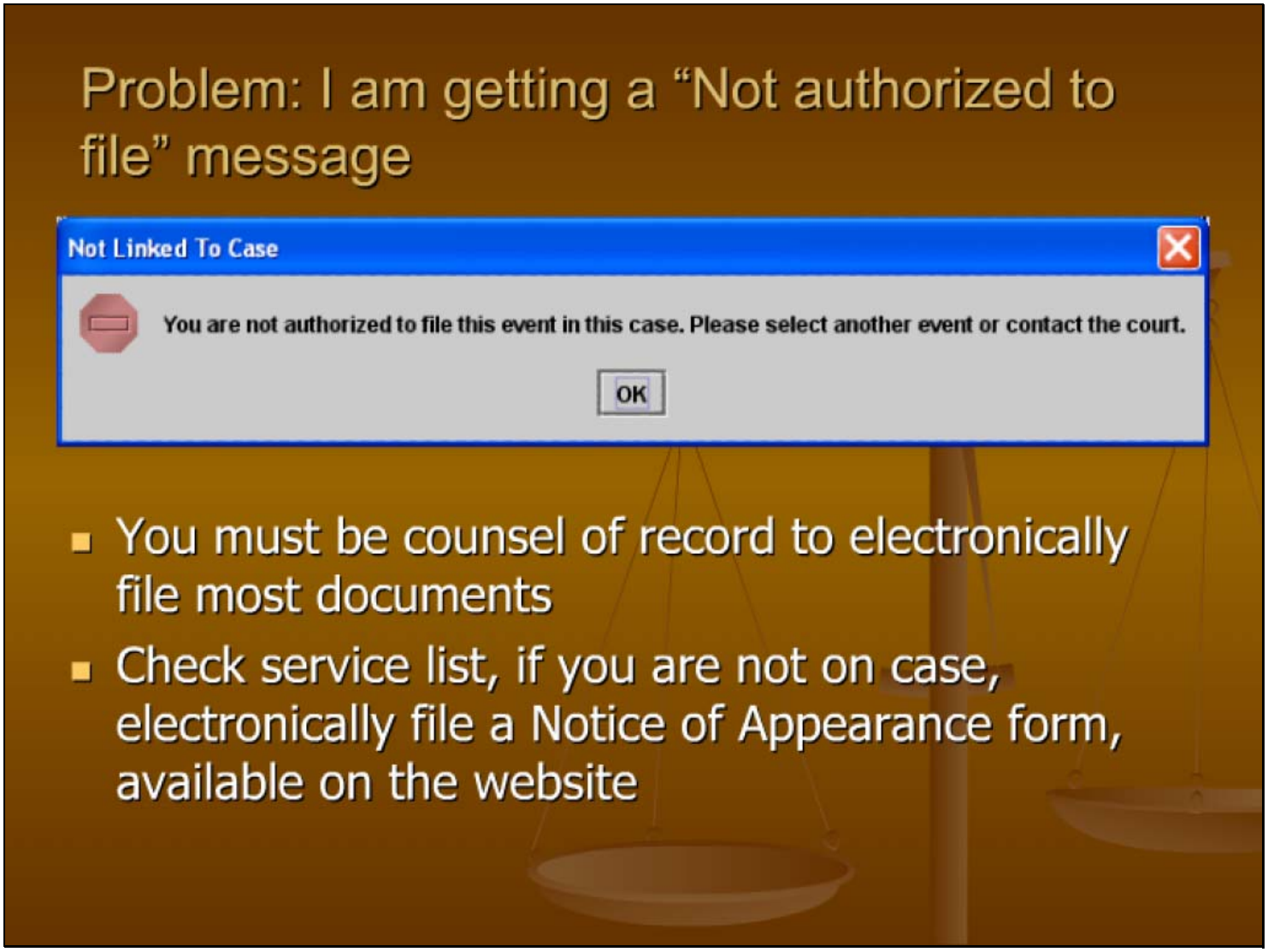
Slide notes

Problem description: I cannot get into the system to complete my filing

Most of the time, this is caused by a technical issue ...

See the Technical Questions at the Court's website for additional information

Problem: I am getting a “Not authorized to file” message



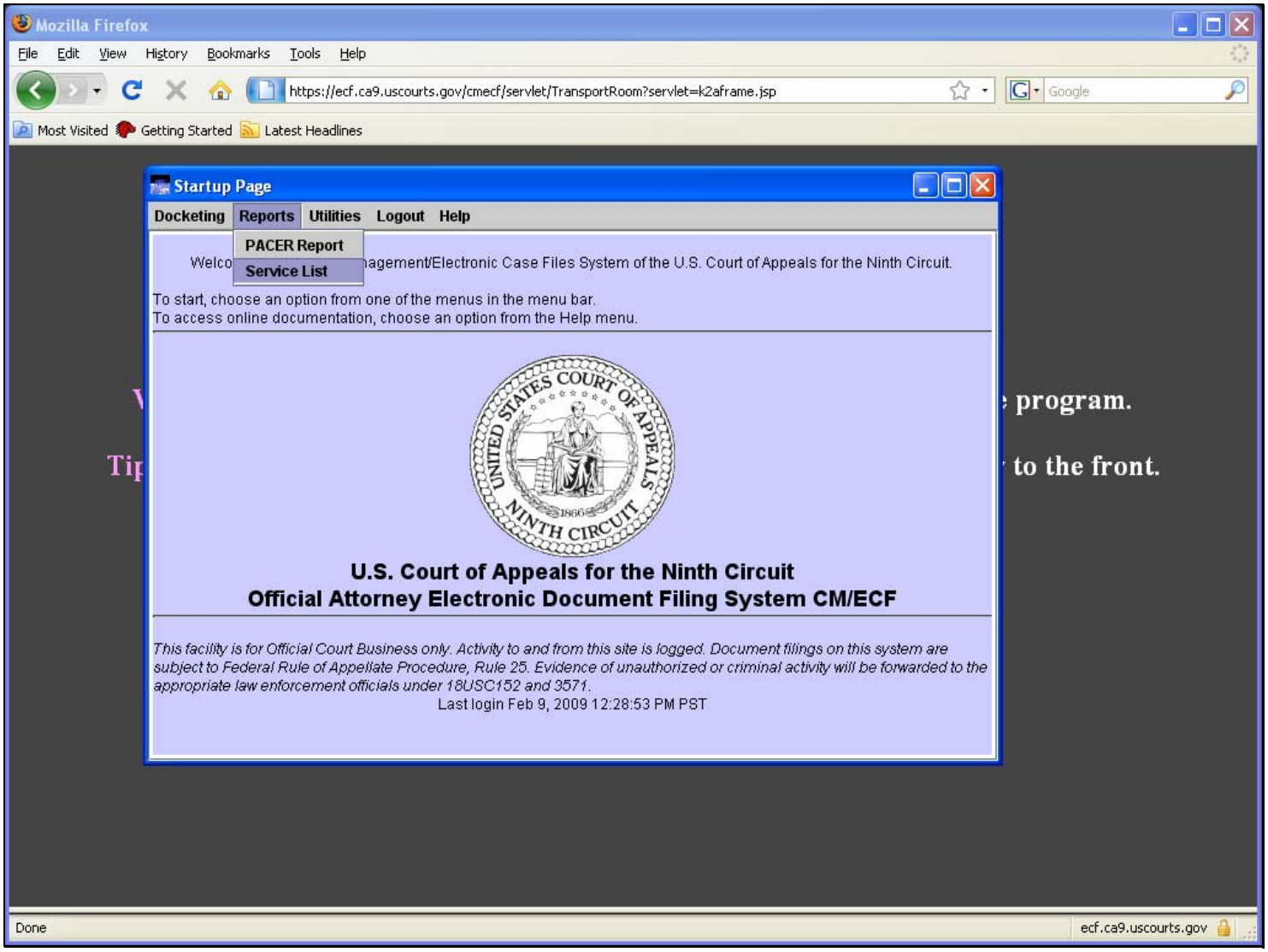
Slide notes

Problem description: I am getting a “Not authorized to file” message

You must be counsel of record to electronically file most documents

Check the service list using the Service List option in the Reports menu in ECF; if you are not on the case, file a Notice of Appearance form electronically. The form is available on the website. If you are showing on the service list, but you are shown as Not Registered, send a note to the CM/ECF help email with details, such as case number, full name of attorney, and any differences in the spelling of the name. We have found that in some cases, we need to merge several records because we have several variations of your name in the system.

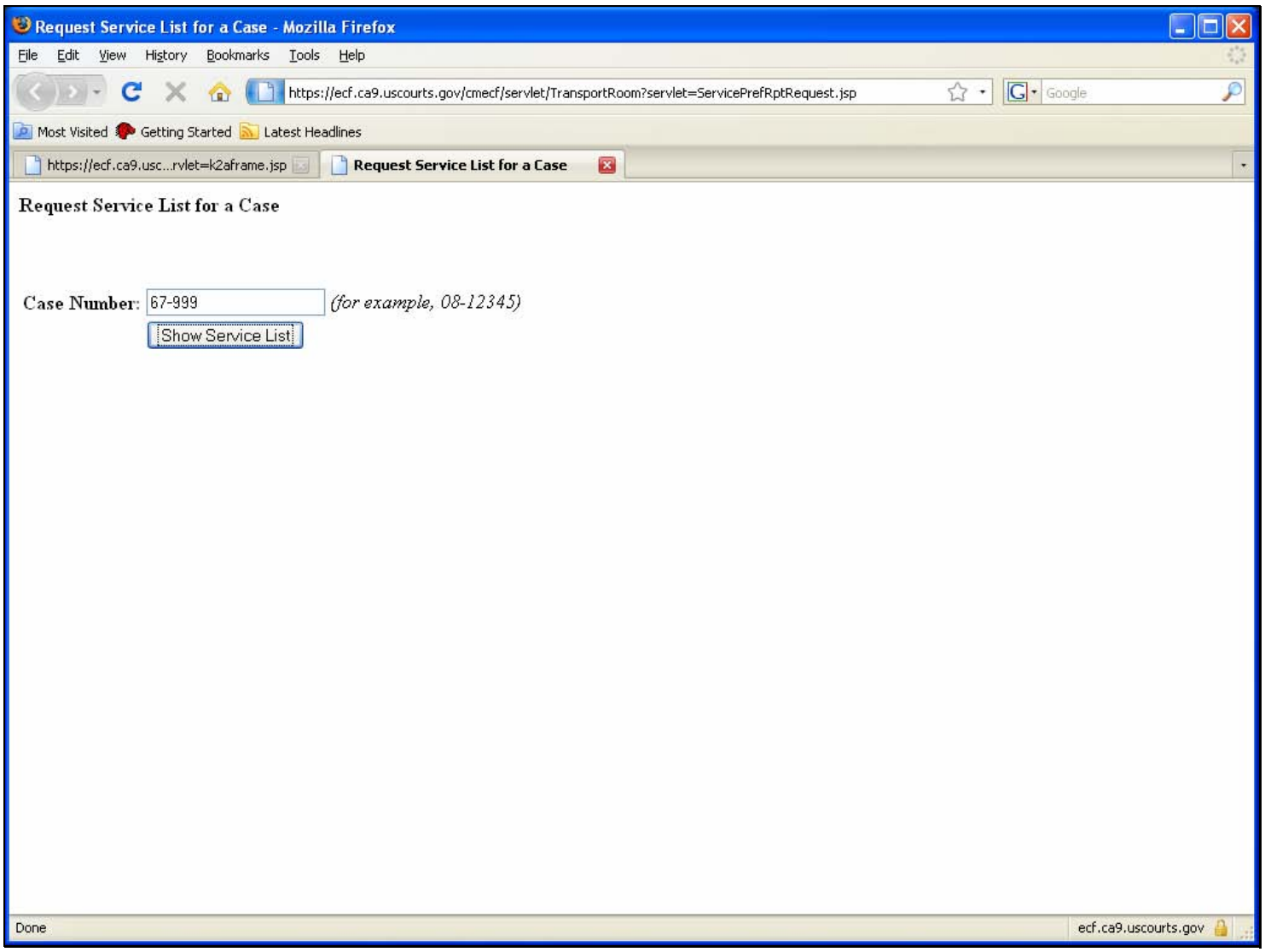
Showing the Service List



Slide notes

Click Reports, then click Service List.

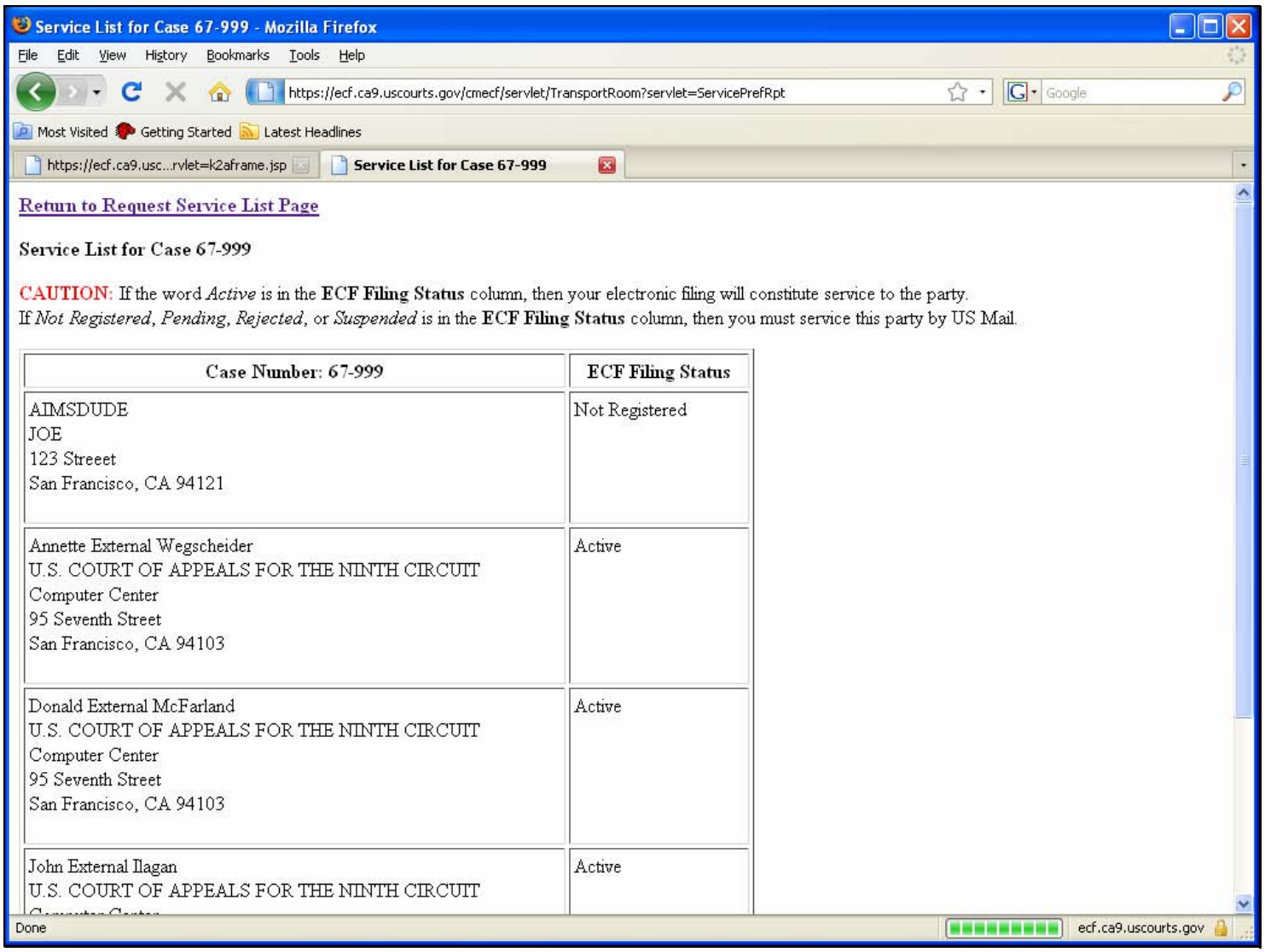
Entering the Case Number



Slide notes

In the text box, type the case number. Then click the Show Service List button.

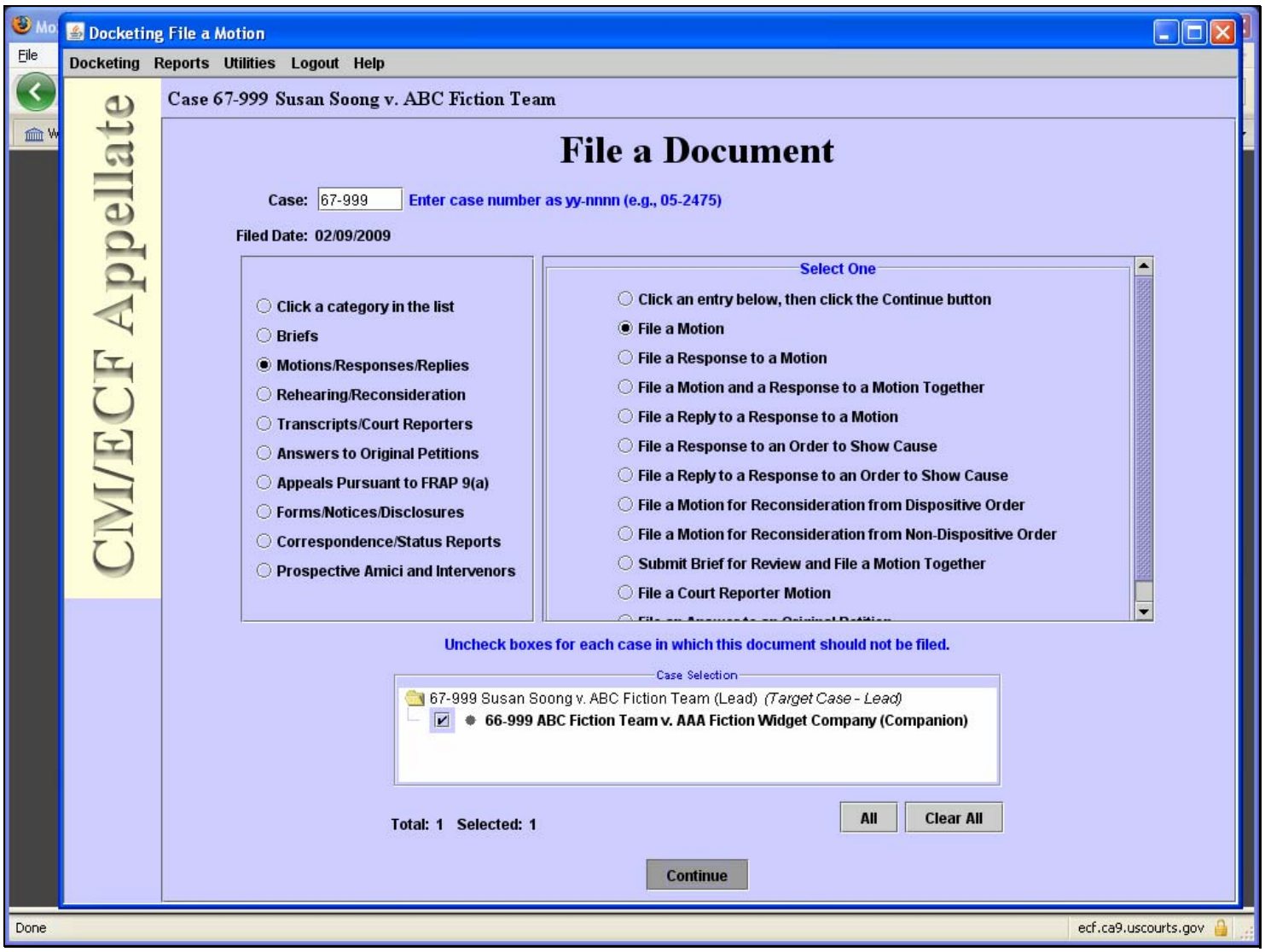
Reviewing The Service List for a Case



Slide notes

The system shows the service list for the case. If the ECF filing status is not ACTIVE, you must serve the party by US Mail. If you are registered for ECF but it is not showing that way in the service list, send a note to the CM/ECF help email so we can fix the issue. Note that if a service list does not open up when you try this, make sure that there are no pop-up blockers at work. If a pop-up blocker is blocking pop-ups from our site, you will only see a blank page when you try to run the Service List. To run another service list, click the Return to Request Service List Page link.

Problem: I need to file a document in more than one case



Slide notes

Problem description: I need to file in more than one case, or I only want to file in one case instead of all linked cases.

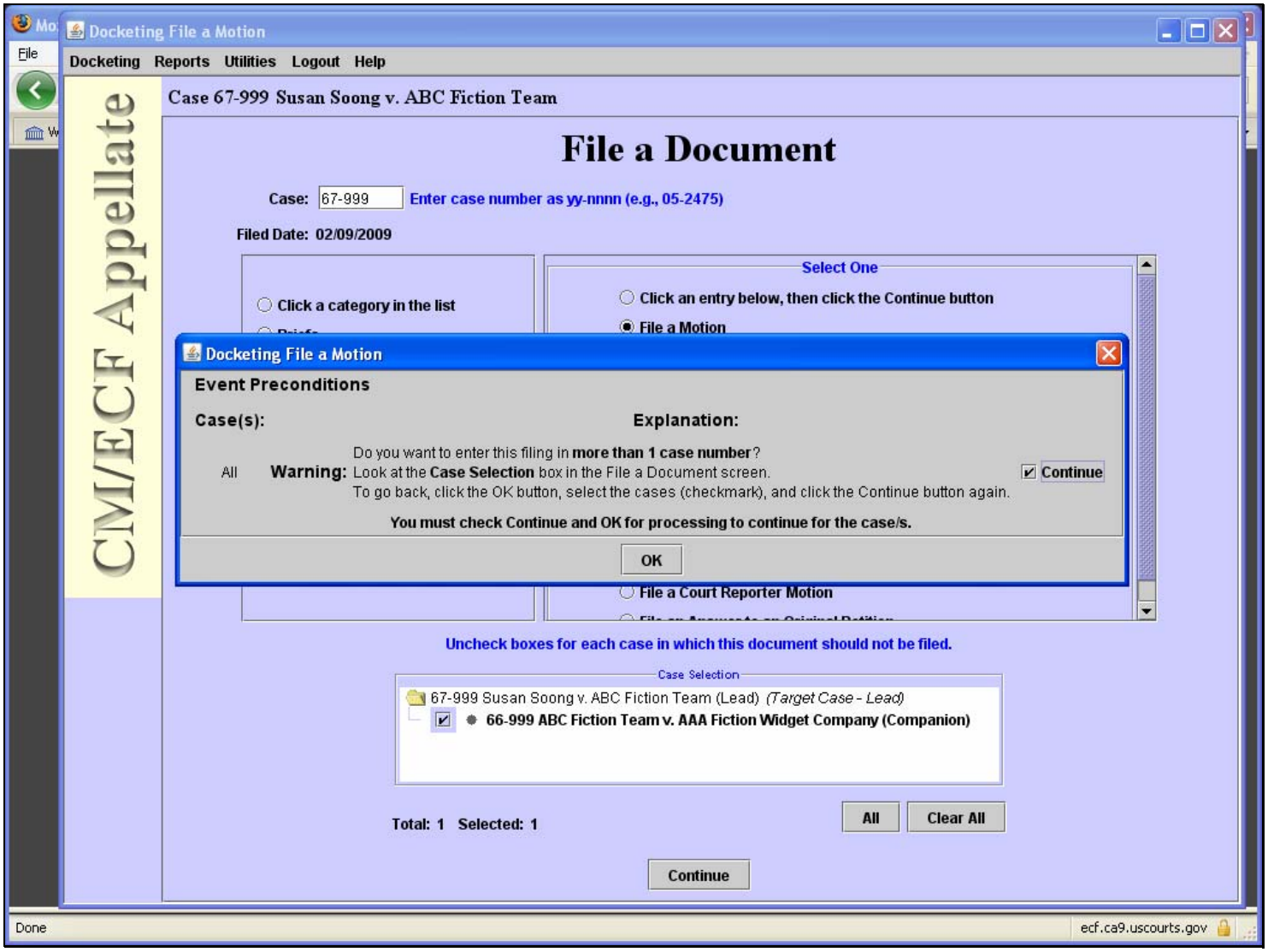
When you need to file a document in more than one case, make sure you click in the box next to the number or numbers in which you want to enter the filing.

In the Case field, type a case number and press the Tab key. When you press the Tab key, the system shows the linked case or cases in the Case Selection box at the bottom of the screen.

To enter the filing in both 67-999 AND 66-999, elect the checkbox for 66-999 in the Case Selection box. Since we entered 67-999 in the Case field at the top of the screen, the filing will go into that case no matter what we select in the Case Selection box at the bottom of the screen.

Then click the Continue button to enter the filing in both 67-999 and 66-999.

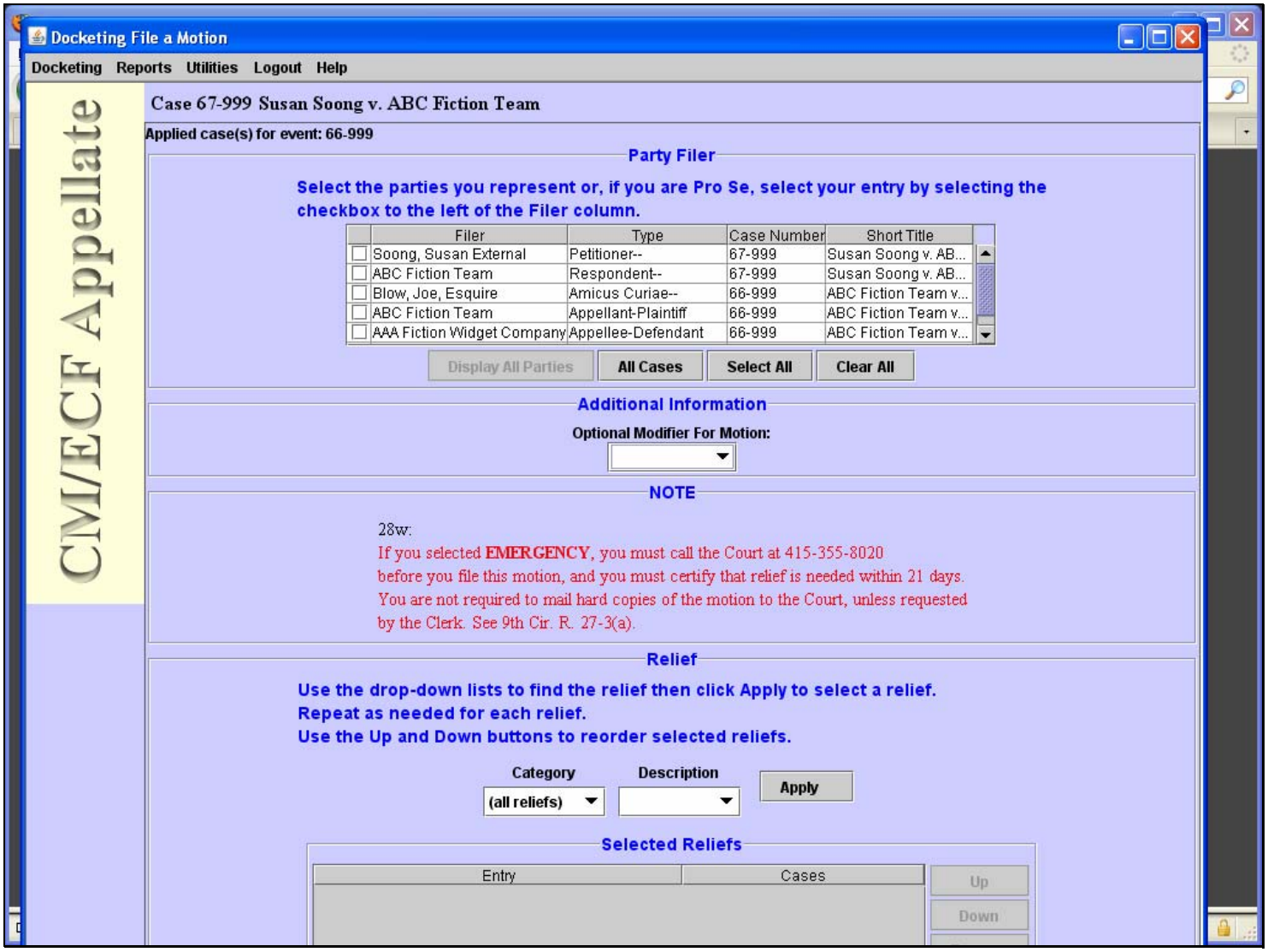
Event Preconditions Dialog Box



Slide notes

After reading the warning about entering the filing in several cases, select the checkbox next to the word Continue, then click the OK button.

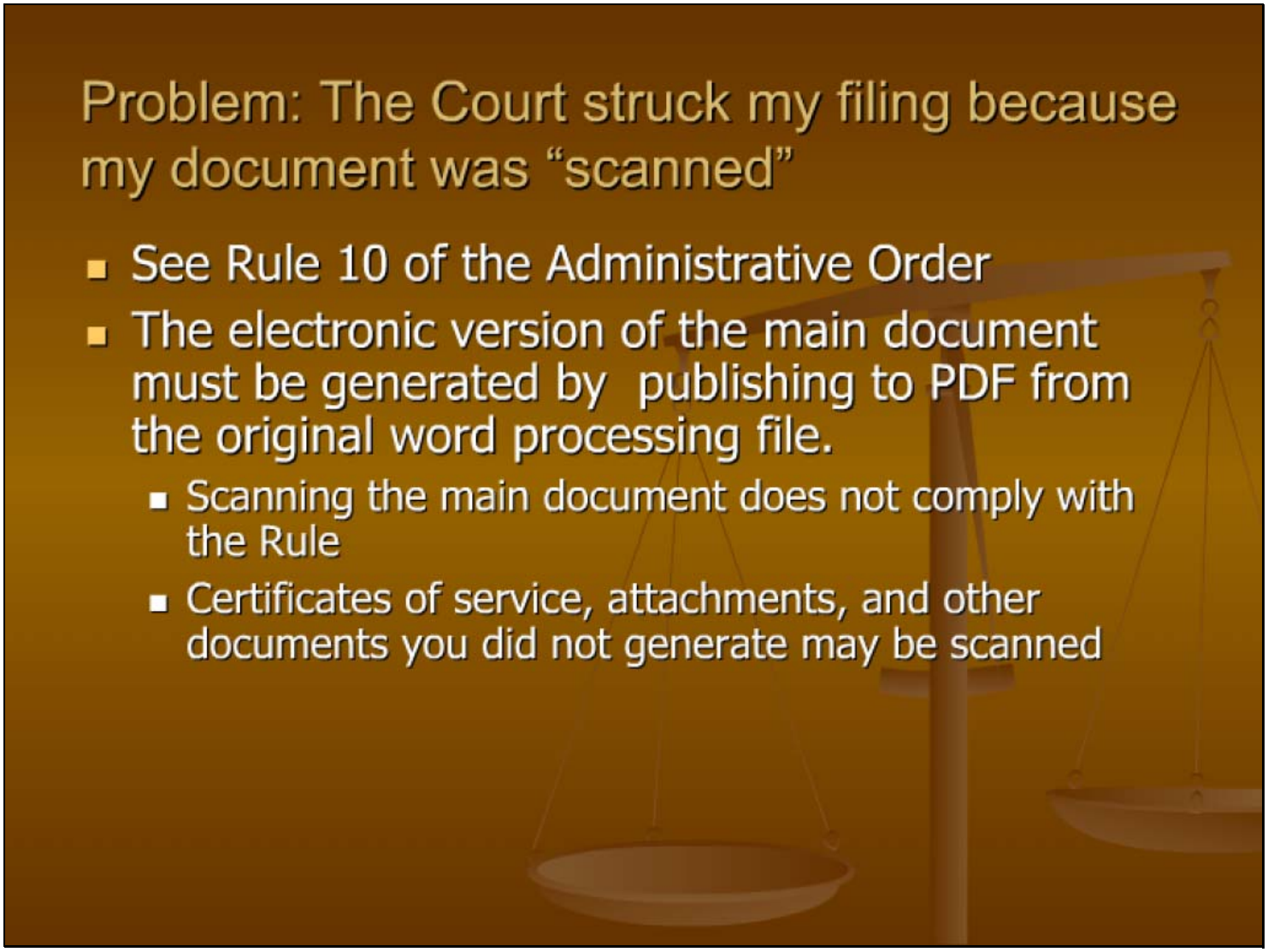
Filing in Several Cases – Checking the Case Numbers



Slide notes

Notice that at the top of the screen, the system tells you that you are entering the filing in 67-999 and also in 66-999 which is listed as an applied case. In addition, the Party Filer area shows all the parties for all the cases where you are entering the filing.

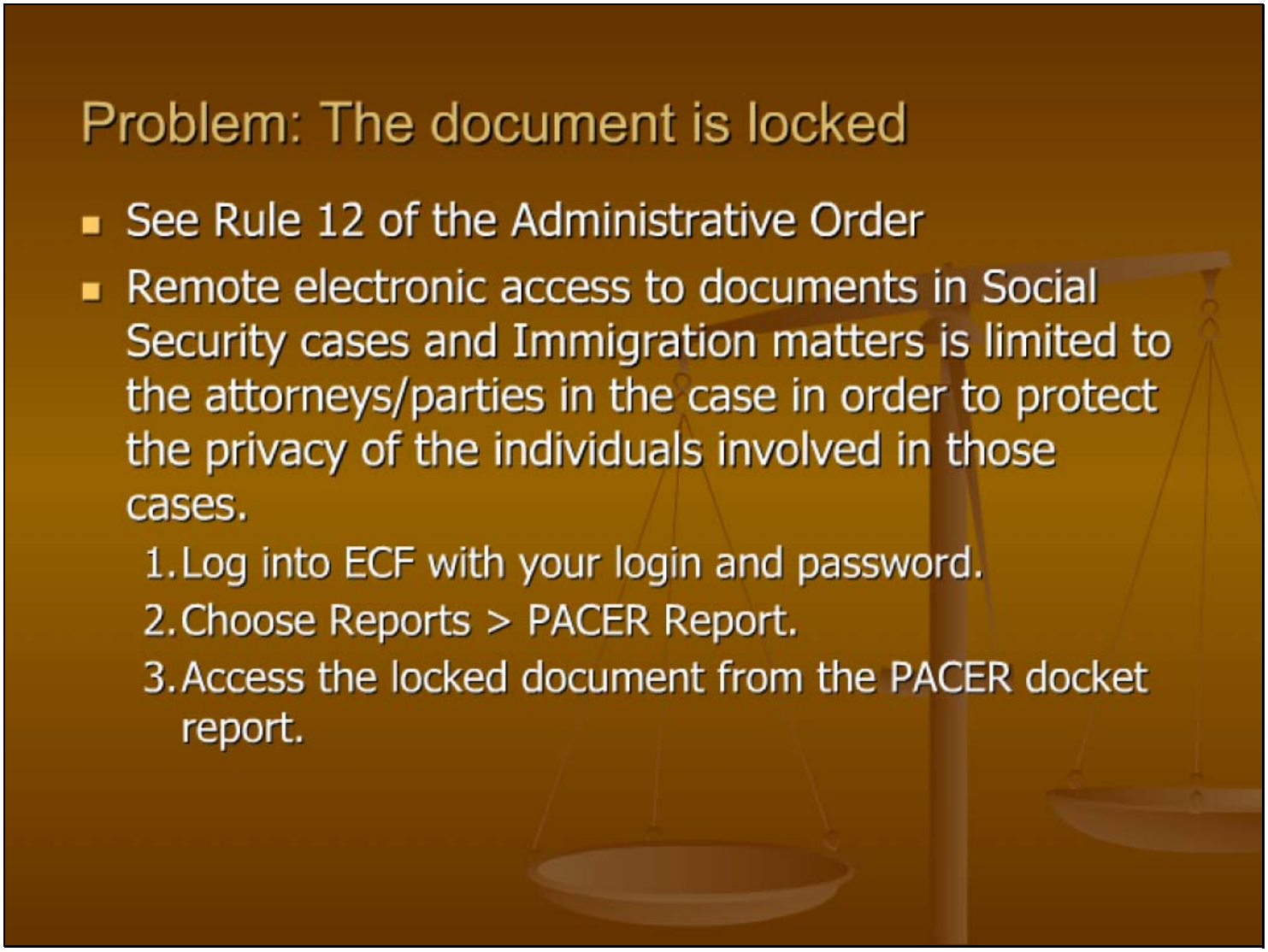
Problem: The Court struck my filing because my document was scanned



Slide notes

Problem description: The court struck my filing because I scanned the document.
Rule 10 of the administrative order states that the electronic version of the main document must be generated by publishing to PDF from the original word processing file. Scanning the main document does not comply with this Rule. Certificates of service, attachments, and other documents you did not generate yourself may be scanned.

Problem: The document is locked



Slide notes

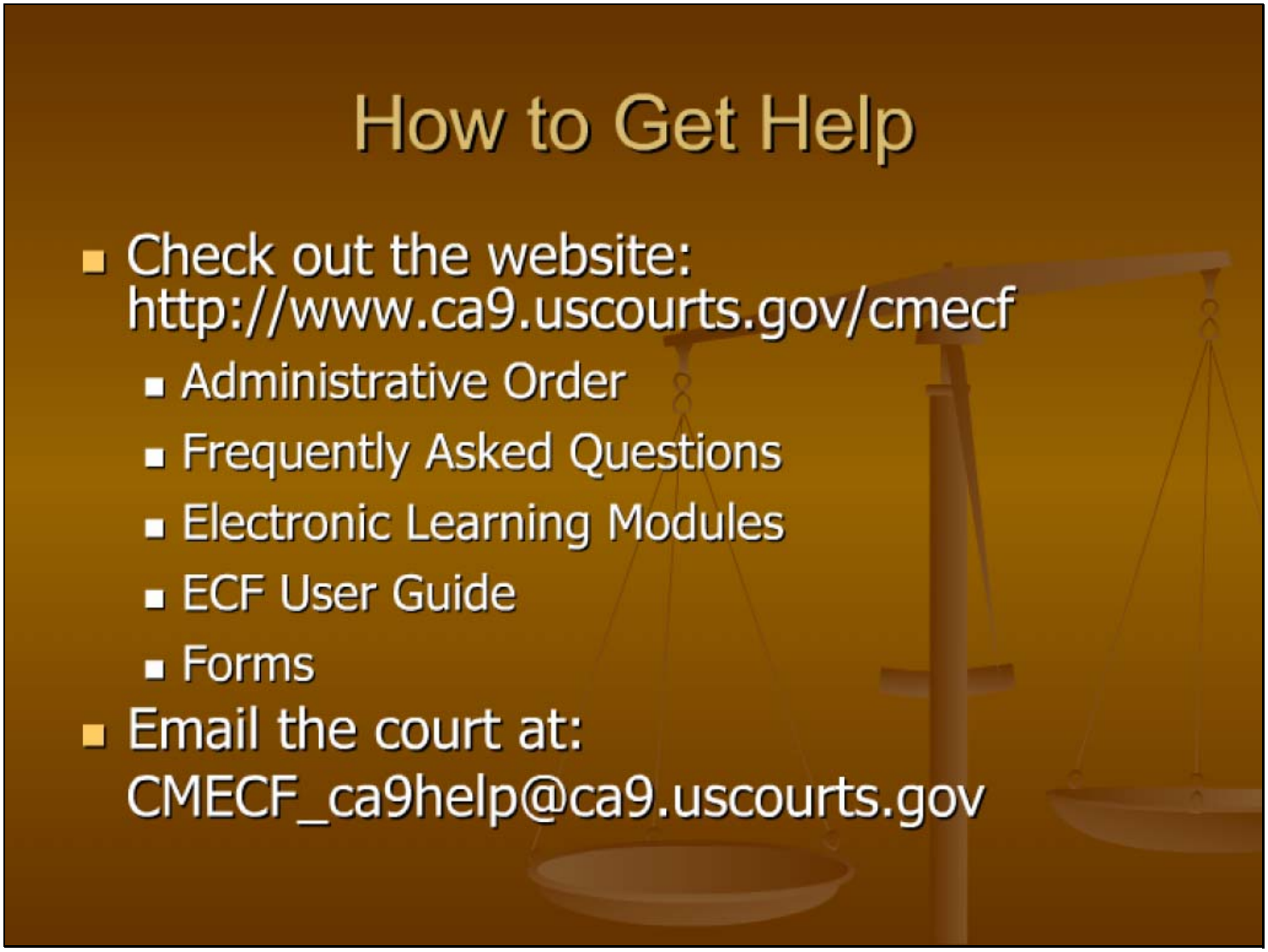
Problem description: I cannot access the document on the docket because it is locked.
Rule 12 of the Administrative Order explains that remote electronic access to documents in Social Security cases and Immigration matters is limited to the attorneys and parties in the case in order to protect the privacy of the individuals involved in those cases.

To access the document, you must do the following:

1. Log into ECF with your login and password so that PACER can identify you as an active participant in the case.
2. In ECF, choose Reports then PACER Report.
3. Access the locked document from the PACER docket report.

Accessing the docket report through ECF allows PACER to identify you as a participant in the case.

How to Get Help



Slide notes

You can get assistance in several ways:

The website is always available. The Electronic Case Filing page gives you access to the Administrative Order, the FAQs, and electronic learning modules that guide you through different scenarios.

We strongly recommend that you review the ECF user guide. It has a complete list of all the types of filings and reliefs that you can select and walks you through a complete filing.

Finally, you can send a note to the CMECF help email, cmecf_ca9help@ca9.uscourts.gov. Several people monitor this email address. If you do decide to write us, please remember to include the name of the attorney, the case where you are trying to file, and any other information that may help us to help you! Incoming messages are monitored from 8:30 AM to 5:00 PM Pacific time.

Thank you for reviewing this training video. Remember to Register and start filing electronically!