

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**



CASE MANAGEMENT/ELECTRONIC CASE FILES

**VERSION 4.0.2 RELEASE NOTES
FOR ATTORNEYS and LAW FIRM STAFF**

NOVEMBER 2009

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INTRODUCTION

CM/ECF Release 4.0.2 incorporates a number of changes to the court's case management/electronic case files system. Some have been included to improve the system's functionality, some to comply with recent changes to rules and procedures and others to help our users navigate through the system.

Release 4.0.2 has been tested and works correctly with Firefox 3.0, and Internet Explorer 6 and 7.

CASE OPENING

CASE OPENING SCREEN

The civil case opening (statistical information) screen now provides filters for the cause of action and nature of suit fields. A user may begin typing the cause of action (or nature of suit), and the system will respond with any cause that matches. To change the filter, the user can type over the characters already entered, or click the **Clear filter** button. The **Clear filter** button, when clicked, returns the contents of the dropdown to the complete list.

Jurisdiction	3 (Federal Question)		
Cause of action	28:1330 (28:1330 Breach of Contract)	Filter: 28:13	Clear filter
Nature of suit	0 (zero)	Filter:	Clear filter
Origin	1 (Original Proceeding)		

PARTY SCREEN

The user interface for adding or selecting parties has changed.

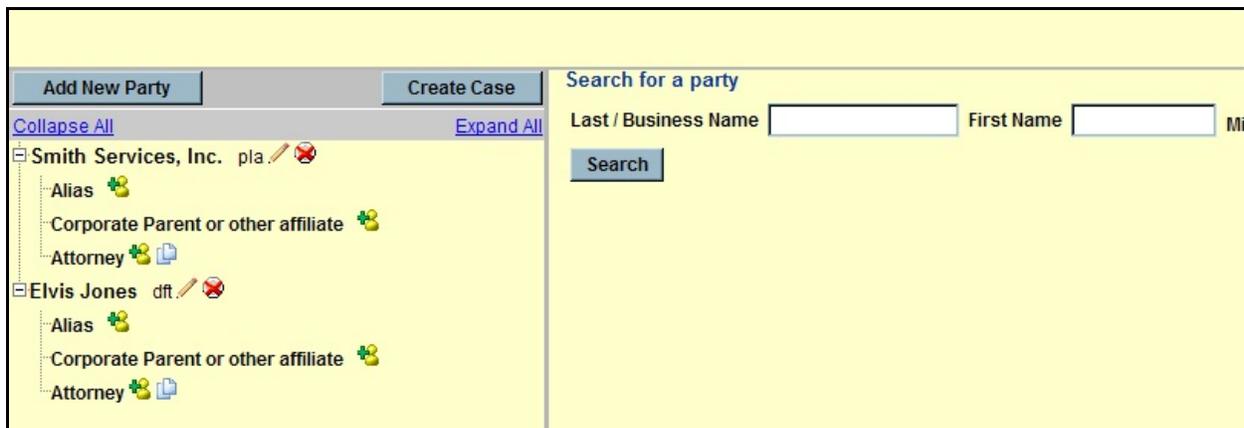
The party screen is divided into two sections. The right side of the screen is the standard interface used to search for and add parties to a case. The left side of the screen will create a 'participant tree.'

When the user clicks the **Add Party** button on the Party Information screen, the party is added to the participant tree, and nodes for attorney, alias, and corporate parent or other affiliate appear under the party in the tree. Also present in the tree now are icons, described below, that permit the user to change any party information just added. The right pane of the screen returns to the *Search for a Party* fields.

Attorney users may modify (edit) any party added during the current transaction. For example, an attorney may modify any party added during case opening, until such time as the transaction has been completed. An attorney may also modify any party added during a docket transaction (e.g., an amended complaint adding additional defendants). If a new participant is added during the docketing process, the icon controls will be visible in the tree only for the new participant(s).

The *Expand all* hyperlink displays all the participants in the case, once they are added. The *Collapse all* hyperlink displays only the parties in the case, with the other participants collapsed in the tree. The search fields in the right pane on the screen are unchanged and function as they always have.

Although the icon to add attorneys displays next to ‘Attorney’ on the left side of the screen, attorneys are not able to use that function. Attorneys are only added to the docket by the filing of a Complaint, Notice of Removal, Notice of Appearance or other such document.



This participant tree will also be displayed to the user during any entry in which the filer is asked to select a party (or parties).

ICONS

Icon	Description
	Delete this party from the case.
	Add new alias, corporate parent, or attorney.
	Copy attorney(s) from other parties in the case to this party.
	Edit the party, alias, corporate parent or attorney. Only displays beside actual names of participants, so if no participant has been added, this icon is suppressed.

If opening a case, the filer must click on ‘Create Case’ to complete the transaction.

ONLINE PAYMENT OF FEES

Local Rule 67.4 (effective January 1, 2009) mandates the payment of any and all case-related fees through CM/ECF. Where appropriate, CM/ECF will redirect the filer to the Treasury Department's Internet payment process (pay.gov).

Any entry requiring a fee will ask a series of questions:

Local Rule 67.4 requires the electronic payment of all case related fees. Local and state governments are not exempt from the payment of fees, but may pay by check.

Are you filing a motion to proceed in forma pauperis contemporaneously to the filing of this document?
 Are you filing an affidavit on behalf of the seaman-plaintiff? (civil complaints only)
 Are you filing on behalf of the US Government?
 Are you filing on behalf of an agency of a state or local government? (filing fee to be paid by check)
 Have you previously been granted in forma pauperis status (in this action)?
 The filer of this document is not exempt from the filing fee

If "The filer of this document is not exempt..." is selected, the user will be redirected to pay.gov to pay the fee. Once the fee is paid, the fee amount and receipt number, as well as a fee status of "Filing Fee Paid" will appear in the final docket text.

Docket Text: Modify as Appropriate.

COMPLAINT [REDACTED] against Monica Atkins Filing fee: \$ 350, receipt number 0101-187325 (Fee Status: Filing Fee paid) , filed by Kimberly F. Hodges. (Taylor, Elizabeth)

The other fee statuses that may appear in the final docket text, depending on how the user answers the fee questions, are:

IFP requested

Seaman

US Government

Local Government

IFP granted

Clerk's Office staff will review each transaction to verify that all necessary fees and/or necessary paperwork (motions, affidavits, etc.) have been paid and recorded properly.

DOCKET REPORTS

COMBINED DOCKET REPORT – CRIMINAL CASES

Users may now run a combined Docket Report for a subset of criminal defendants in a multi-defendant case. A new *View Combined Docket Report* checkbox will be displayed beneath the case number list when a case number for a multi-defendant criminal case has been entered and two or more of the criminal defendant cases have been selected. Selecting the *View Combined Docket Report* checkbox allows the user to run the combined form of the report for the chosen subset of defendants.

Case number

Select a case:

1:03-cr-10275-RCL USA v. Veras et al

1:03-cr-10275-RCL-1 Felix Veras

1:03-cr-10275-RCL-2 Tobias Castillo (closed 09/20/2004)

1:03-cr-10275-RCL-3 Carlos Isaac

View Combined Docket Report

If you do not select *View Combined Docket Report*, the resulting docket report for each defendant will be displayed consecutively.

LARGE DOCKET REPORT WARNING

Depending on the selection criteria entered by the user, it is possible for a large amount of data to be included in the report output. A warning with additional options now displays when the report output includes more than 200 docket entries. Users are presented with options to help narrow the search to include docket entries for the past week, the past 90 days, the past year, or as initially requested.

Docket Sheet

The report may take a long time to run because this case has many docket entries. You can go back and modify the selection criteria or select one of the following options.

include docket entries:

for the past week

for the past 90 days

for the past year

as initially requested

DOCUMENTS AND ATTACHMENTS

Release 4.0.2 includes modifications to the way documents and attachments are added and handled in CM/ECF. The changes include a new single screen for document and attachment uploading during docketing, and an improvement in the way attachments are numbered on the Document Selection screen.

The process of adding a main document and attachments during docketing has been streamlined to just one screen.

Motions
[1:09-cv-20004-CMA Smith v. ABC Corporation](#)

Select the pdf document and any attachments.

Main Document

Attachments	Category	Description
1. <input type="text"/>	<input type="button" value="Browse..."/>	<input type="text"/> <input type="button" value="v"/>

After browsing for and selecting the appropriate Main Document, the user should click the **Browse** button in the *Attachments* section to add the first attachment (if necessary). Once a PDF document is selected, the user can select a Category and/or Description. CM/ECF requires that at least one or the other be used. As each attachment is successfully added to the screen, a new row will appear, to add another attachment if necessary. Click 'Next' when all attachments have been added to the entry.

DOCUMENT AND ATTACHMENT NUMBERING

When viewing a document with attachments, the document selection screen has been modified so that the attachments are numbered beginning with 1. This way, the attachment numbers are consistent everywhere they appear (i.e., docket text, the document selection screen). Previous versions of the software listed the Main Document as Part 1 and any attachments followed in numerical order causing Exhibit 1 to be Attachment 2. Also, the file sizes and the total size of all of the documents for a docket entry are displayed on the document selection screen.

NOTE: each PDF file may not exceed 7 MB.

Document Selection Menu			
Select the document you wish to view.			
Document Number: 3		1 page	5 kb
Attachment	Description		
1	Affidavit of Jane Doe	1 page	4 kb
2	Exhibit Medical Records of John Doe	1 page	4 kb
3	Text of Proposed Order for Motion to Dismiss	1 page	8 kb
<input type="button" value="View All"/> or <input type="button" value="Download All"/>		4 pages	19 kb

EMAIL MAINTENANCE

The Email Information screen in Maintain Your Account has been modified to provide more streamlined functionality. Additional options are presented to the user rather than being hidden. Cutting and pasting multiple case numbers from one person account to another and/or from one delivery method to another is now allowed.

The initial Email Information screen is divided into two panes. In the left pane, the primary email address and secondary email addresses, if any, appear as hyperlinks.

When the user clicks the primary or secondary email address hyperlink in the left pane, configuration options appear under the email address in the right pane.

Email Information for Elizabeth Taylor

Registered e-mail addresses	Configuration options
Primary e-mail address: ginny_hurley@mad.uscourts.gov	<input type="text" value="ginny_hurley@mad.uscourts.gov"/>
Secondary e-mail addresses: gginny1@aol.com add new e-mail address	Should this e-mail address receive notices? <input checked="" type="radio"/> Yes <input type="radio"/> No
<input type="button" value="Submit all changes"/> <input type="button" value="Clear"/>	How should notices be sent to this e-mail address? <input checked="" type="radio"/> Per Filing <input type="radio"/> Summary Report
	In what format should notices be sent to this e-mail address? <input checked="" type="radio"/> HTML <input type="radio"/> Text
	Should this e-mail address receive general announcement notices from this court? <input checked="" type="radio"/> Yes <input type="radio"/> No
	<input type="button" value="Show all cases for this e-mail address"/> (Copy case lists from here)
	Case-specific options

To remove an email address, click on the address in the left pane. This will cause the email address to display in a text field on the right pane, along with all the configuration options and case lists (if any) associated with the email address. The user should remove the email address from the text field. If the user wants to change the email address to a different one, the user should immediately type the new address in the text field. **If the user clicks anywhere outside the text field while a complete email address is not in the text field, all of the configuration options and case lists will disappear from the screen, and the previous email address and settings will be removed.**

The following page contains an explanation of each of the options that appear on the screen shown above.

OPTION	DESCRIPTION
How should notices be sent to this e-mail address?	Sets the default delivery method for notices sent to this address. If Per Filing , an e-mail will be sent for each individual NEF. If Summary Report , one daily summary e-mail notice that lists all the filings for that day will be sent after midnight.
Should this e-mail address receive a “no activity” notice when no summary noticing occurs?	This question will only display, if Summary Report is selected. If Yes, the Daily Summary Report e-mail will include the message “no transactions found for this time period”. If No, then no e-mail will be generated when there is no activity in the cases.
In what format should notices be sent to this e-mail address?	Controls the format of the e-mails – either HTML or Text . HTML is the preferred format.
Should general announcement notices be sent to this e-mail address?	Occasionally, the Court will send CM/ECF users announcements. It is recommended that this setting be set to Yes.
Show all cases for this e-mail address?	Displays a list of all of the cases for which the user is configured to receive NEFs.
Add additional cases for noticing	Allows users to add cases in which they are not an active participant, but would like to receive NEFs. There is no free look associated with these Notices.
These cases will send notice <i>per filing</i> . (<i>default method</i>)	An e-mail will be sent for each individual NEF.
These cases will send notice <i>as a summary report</i> . (<i>alternate method</i>)	One daily summary e-mail notice that lists all the filings for that day will be sent after midnight.

MISCELLANEOUS BUSINESS DOCKET (MBD)

Attorneys may now initiate MBD (Miscellaneous Business Docket) cases through CM/ECF.

NOTE: Sealed cases and sealed documents in otherwise public cases may not be filed electronically. All sealed documents must be filed on paper with the clerk's office. Please refer to the Court's CM/ECF Administrative Procedures.

Examples of MBD matters in this district are:

Administrative Subpoenas/Summonses
Applications to Perpetuate Testimony
IRS Third Party Record Keeper Actions
Motions for Return of Seized Property
Proceedings Against Sureties

Examples of MBD matters arising from cases pending in another jurisdiction are:

Foreign Subpoenas
Letters Rogatory
Motions to Compel Testimony (deposition)
Motions for Protective Order
Motions to Quash Deposition Subpoena
Receiverships
Registration of Judgment from another District

MBD cases are labeled as 'mc' in CM/ECF, but are opened in much the same way as a typical civil action. Click 'Civil' on the blue menu bar, and then 'Open a Civil Case.'

First, select the appropriate office for filing, and change the case type from 'cv' to 'mc.'

The screenshot shows a yellow background with several input fields. On the left, there is a label 'Office' followed by a dropdown menu showing 'Boston'. To its right is a label 'Case type' followed by a dropdown menu showing 'mc'. Below these is a label 'Date filed' followed by the text '10/26/2009'. At the bottom left, there is a label 'Lead case number' followed by an empty text input field. A third dropdown menu is open below the 'Case type' dropdown, showing three options: 'cv', 'mc', and 'md', with 'mc' selected.

Next, add the court name and case number assigned to the original case, in the field for *Other court name* and *Other court number*. For example, if the attorney is filing a motion to quash a subpoena issued for a deposition in this district for a case pending in the Northern District of New York, enter the name of that court and the civil action number assigned in that court.

Other court name	Northern District of New York
Other court number	1:09-cv-45871-TSH

Click Next.

Unlike civil (cv) cases, the user is not prompted for statistical information, such as nature of suit and cause of action.

Add all the parties to the case, as named in the original civil action.

If the party initiating this action is not a named party in the original action, add that party here as a movant, witness, etc. as appropriate. Be sure to review the list of party roles to select the most appropriate role.

Add New Party	Create Case	Search for a party
Collapse All	Expand All	Last / Business Name <input type="text"/>
<ul style="list-style-type: none"> <input type="checkbox"/> Elvis Jones pla   <input type="checkbox"/> Jack Smith dft   <input type="checkbox"/> James Abogado mov   		<input type="button" value="Search"/>

Once the case is created, the system will ask ‘Docket Lead Event?’ Clicking on this link will open the civil menu for complaints and other initiating documents. Because most MBD matters are initiated by a motion or other such document, click on Civil on the blue menu bar and find the appropriate event.

REMEMBER to use the Search function to find the most appropriate entry.

In this example, we will file a motion to quash a deposition subpoena. The system will respond as when filing any other type of entry in a civil case. When prompted, be sure to associate the attorney to the party (movant, witness, etc.) filing the document.

<p>1:09-mc-10003 Jones v. Smith</p> <p>The following attorney/party associations do not exist for the above case(s).</p> <p>Please check the box on the left of the screen for associations which should be created.</p> <p>If the association should <i>not</i> be created, be sure the box is <i>unchecked</i><</p> <p><input checked="" type="checkbox"/> James Abogado (pty:mov) represented by Elizabeth Taylor (aty) <input type="checkbox"/> Lead <input checked="" type="checkbox"/> Notice</p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p>
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The filer will be presented with a list of questions regarding the filing fee. If the filer is not exempt, CM/ECF will bring the filer to pay.gov, where the necessary credit card information should be entered.

The final text window will include the fee information, and allow the user to modify the entry as necessary.

Docket Text: Modify as Appropriate.

Filing fee: \$ 39, receipt number 0101-187324 (Fee Status: Filing Fee paid) by Mary Saunders. (Taylor, Elizabeth)

Clerk's Office staff will regularly monitor ECF for new filings, and assign a District and/or Magistrate Judge and issue any necessary process.

RADIO BUTTONS

Version 4.02. now permits the court to set radio buttons or drop-down lists in place of the traditional 'Yes/No' questions in certain docket entries. These screens can also be set to require a response. An example of this new function is shown above, with the questions asked relating to the filer's fee status.

One other use of the radio buttons is to help the court's staff help the attorneys.

For example, in the past, court staff have found that attorneys sometime use a generic entry, such as 'Notice - Other' or 'Motion for miscellaneous relief' rather than a more appropriate entry. ECF now stops the user and asks:

[1:09-mc-10003 Jones v. Smith](#)

Before using this entry, have you carefully searched (using the Search function on the blue menu bar) for a more appropriate menu item?

Yes
 No

If the user selects No, the entry will not continue until the user searches for a more appropriate entry.

REDACTION NOTICES

Release 4.0.2 has added a redaction disclaimer to the attorney login screen, a hyperlink to the rule, and a checkbox to acknowledge the redaction disclaimer. Attorney users must indicate their acknowledgment by clicking on the new checkbox to successfully log into CM/ECF.

CM/ECF Filer or PACER Login

Notice
This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

Instructions for filing:
Enter your CM/ECF filer login and password if you are electronically filing something with the court.

If you received this login page as a result of a link from a Notice of Electronic Filing email:
Enter your CM/ECF filer login and password. The system prompts customers for a CM/ECF login and password when attempting to view certain types of documents.

If you have trouble viewing a document:
After successful entry of your CM/ECF login, you should be able to view the document. If you receive the message "You do not have permission to view this document," viewing the document is restricted to attorneys of record in the case and the system does not recognize you as such. If the login prompt appears again, after you have entered your CM/ECF login and password, it means that the "free look" link has expired. You will need to enter your PACER login and password to view the document.

Instructions for viewing filed documents and case information:
If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, you may register online at <http://pacer.pac.uscourts.gov>.

Authentication

Login:

Password:

client code:

IMPORTANT NOTICE OF REDACTION RESPONSIBILITY: All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; financial account numbers; and, in criminal cases, home addresses, in compliance with [Fed. R. Civ. P. 5.2](#) or [Fed. R. Crim. P. 49.1](#). This requirement applies to all documents, including attachments.

I understand that, if I file, I must comply with the redaction rules. I have read this notice.

In addition, users are reminded of their responsibility to redact with the question "Have you redacted?" at the final docket text review screen.

QUERY

The Query screen was modified to provide more options to allow for more refined searching. The Query screen was modified as follows:

- The party name search fields were combined with the case data search fields to form a single section.
- A *Cause of Action* select list was added.
- Queries now can be run by entering a case number or any combination of the following:

Case Status	Filed Date	Last Entry Date
Nature of Suit	Cause of Action	Last/Business Name
First Name	Middle Name	Type

The screenshot shows a web form titled "Search Clues" with a yellow background. It contains the following fields and controls:

- Case Number:** A text input field.
- or search by:** A label indicating alternative search criteria.
- Case Status:** Radio buttons for "Open", "Closed", and "All".
- Filed Date:** Two text input fields separated by "to".
- Last Entry Date:** Two text input fields separated by "to".
- Nature of Suit:** A dropdown menu with options: "0 (zero)", "110 (Insurance)", and "120 (Contract: Marine)".
- Cause of Action:** A dropdown menu with options: "0 (No cause code entered)", "02:0431 (02:431 Fed. Election Commission: Failure Enforce C)", and "02:0437 (02:437 Federal Election Commission)".
- Last/Business Name:** A text input field with a hint "(Examples: Desoto, Des*t)".
- First Name:** A text input field.
- Middle Name:** A text input field.
- Type:** A dropdown menu.
- Prisoner ID:** A text input field.
- Buttons:** "Run Query" and "Clear" buttons at the bottom.

UNITED STATES DISTRICT COURT - DISTRICT OF MASSACHUSETTS
CIVIL CM/ECF MENU REPORT FOR EXTERNAL USERS
REPORT DATE: 11/09/09

(new or relocated menu items in **bold face**) - **USERS ARE ENCOURAGED TO USE THE ONLINE SEARCH FUNCTION FOR ADDITIONS TO MENU**

INITIAL PLEADINGS AND SERVICE

COMPLAINTS AND OTHER INITIATING DOCUMENTS

NOTE: Notice of Removal is found on the Notices menu

Amended Complaint
Application for Writ of Garnishment
Bankruptcy Appeal
Complaint
Counterclaim
Crossclaim
Intervenor Complaint
Motion to Vacate/Set Aside/Correct Sentence (2255)
Notice of Condemnation
Petition for Exoneration from or Limitation of Liability
Petition for Hearing on Naturalization
Petition for Writ of Habeas Corpus - 2241
Petition for Writ of Habeas Corpus - 2254
Third Party Complaint

SERVICE OF PROCESS

Acknowledgment of Service
Affidavit of Service
Request for Waiver of Service
Service by Publication
Summons Returned Executed
Summons Returned Executed as to US Attorney
Summons Returned Executed as to USA
Summons Returned Unexecuted
Summons to Trustee Returned Executed
Summons to Trustee Returned Unexecuted
Waiver of Service Executed

Waiver of Service Unexecuted
Writ Returned

OTHER ANSWERS

Amended Answer to Complaint
Answer of Trustee
Answer to Complaint - after filing of Notice of Removal
Answer to Writ of Garnishment
Answer/Response to Petition for Hearing on Naturalization
Answer/Response to Petition for Writ of HC - 2241
Answer/Response to Petition for Writ of HC - 2254
Claim
Response to 2255 Motion
Withdrawal of Claim

MOTIONS AND RELATED FILINGS

MOTIONS

Alter Judgment
Amend
Appeal *in forma pauperis*
Appear *pro hac vice*
Appoint Counsel
Appoint Custodian
Appoint Expert
Appoint Grand Juror
Appoint Guardian/Attorney *ad litem*
Appoint Receiver
Appoint Special Process Server
Approve Consent Judgment
Approve Joint Statement
Attorney Fees
Bifurcate

Bill of Costs
Bond
Certificate of Appealability
Certify Class
Change Venue
Clarification
Compel
Consolidate cases
Contempt
Continue
Correct
Costs
Declaration of Mistrial
Declaratory Judgment
Default Judgment
Deposit Funds
Directed Verdict
Disbursement of Funds
Disclosure
Discovery
Dismiss
Dismiss Case as Frivolous
Dismiss/Lack of Jurisdiction
Dismiss/Lack of Prosecution
Disqualify Counsel
Disqualify Judge
Disqualify Juror
Enforce IRS Summons
Enforce Judgment
Enter Premises
Entry of Default
Excludable Delay
Excuse Grand Juror
MOTIONS (cont'd)

**UNITED STATES DISTRICT COURT - DISTRICT OF MASSACHUSETTS
CIVIL CM/ECF MENU REPORT FOR EXTERNAL USERS
REPORT DATE: 11/09/09**

(new or relocated menu items in **bold face**) - **USERS ARE ENCOURAGED TO USE THE ONLINE SEARCH FUNCTION FOR ADDITIONS TO MENU**

Expedite	Lis Pendens	Sanctions
Extend Term of Grand Jury	Miscellaneous Relief <i>(Search first!)</i>	Seal
Extension of Time	Modification	Seal Case
Extension of Time to Amend	More Definite Statement	Seal Document
Extension of Time to Complete Discovery	New Trial	Sealed Motion
Extension of Time to File Answer	Order	Sequester
Extension of Time to File Document	Order Affirming Decision of the Commissioner	Serve Grand Jury Subpoena
Extension of Time to File Response/Reply	Order Authorizing Interception	Service by Publication
Extension of Time to Indict	Order Reversing Decision of the Commissioner	Set Aside
Extension of Time to Request Redaction of Transcript	Order of Sale	Set Aside Default
File Excess Pages	Partial Lifting of Seal	Set Aside Forfeiture
Forfeiture of Property	Partial Summary Judgment	Set Aside Judgment
Hearing	Pen Register	Set Aside Verdict
Immunity Order	Permanent Injunction	Settlement
Impanel Grand Jury	Preliminary Injunction	Sever
In Limine	Preserve Evidence	Show Cause
Injunctive Relief	Proceed In Forma Pauperis	Stay
Intervene	Produce	Strike
Issuance of Warrant in rem	Protective Order	Substitute Attorney
Joinder	Quash	Substitute Party
Judgment Based on ADR Settlement	Reassign Case	Summary Judgment
Judgment Debtor Exam	Reconsideration	Take Deposition
Judgment NOV	Recusal	Taxation of Costs
Judgment as a Matter of Law	Redact Transcript	Temporary Restraining Order
Judgment of Forfeiture	Referral to Medical Malpractice Tribunal	Transfer Case
Judgment on Partial Findings	Refund of Fees Paid Electronically	Trustee Process
Judgment on the Pleadings	Release of Bond Obligation	Unseal Case
Judgment under Rule 54b	Release of Funds	Unseal Document
Leave to Appeal	Remand	Vacate
Leave to File Document	Remand to Agency	Withdraw
Letters Rogatory	Remand to Bankruptcy Court	Withdraw Reference
Limited Admission	Remand to State Court	Withdraw as Attorney
	Reopen Case	Writ
	Return of Property	MOTIONS (cont'd)

UNITED STATES DISTRICT COURT - DISTRICT OF MASSACHUSETTS
CIVIL CM/ECF MENU REPORT FOR EXTERNAL USERS
REPORT DATE: 11/09/09

(new or relocated menu items in **bold face**) - **USERS ARE ENCOURAGED TO USE THE ONLINE SEARCH FUNCTION FOR ADDITIONS TO MENU**

Writ of Garnishment
Writ of Habeas Corpus ad prosequendum
Writ of Habeas Corpus ad testificandum
Writ of Mandamus

MEMORANDA, RESPONSES AND REPLIES

Addendum to Motion/Memorandum
Affidavit in Opposition to Motion
Affidavit in Support of Motion
Certificate of Consultation pursuant to LR 7.1
Memorandum in Opposition to Motion
Memorandum in Support of Motion
Notice of Supplemental Authorities
Objection to Report and Recommendation
Opposition to Motion
Reply to Objection to Report and Recommendation
Reply to Response to Motion
Response to Motion
Statement of Material Facts L.R. 56.1
Sur-reply to Motion

OTHER FILINGS

ADR DOCUMENTS

Consent to Alternative Dispute Resolution

DISCOVERY DOCUMENTS

Certificate of Compliance pursuant to LR 15.1(b)

Certification pursuant to Rule 16.1
Disclosure pursuant to Rule 26
Document disclosure

Joint submission pursuant to Local Rule 16.1

NOTICES

Appeal of Magistrate Decision to District Court

Consent to Sue - FLSA
Notice - Other *(Search first!)*

Notice of Appeal
Notice of Appeal to the Federal Circuit
Notice of Appearance
Notice of Attorney Payment of Fees
Notice of Change of Address or Firm Name
Notice of Cross Appeal
Notice of Intent to Request Redaction
Notice of Interlocutory Appeal
Notice of Manual Filing
Notice of Pro Bono Attorney Appearance
Notice of Removal
Notice of Settlement

Notice of Supplemental Authorities

Notice of Voluntary Dismissal
Notice of Withdrawal of Appearance
Redaction Request - Transcript
Release of Lis Pendens
Subsequent Notice of Appeal
Withdrawal of Notice of Intent to Redact Transcript

TRIAL DOCUMENTS

Exhibit List
Pretrial Memorandum
Proposed Findings of Fact
Proposed Jury Instructions
Proposed Jury Questions
Proposed Jury Verdict
Proposed Voir Dire
Request for Trial De Novo
Stipulation to Jury of less than 12 members
Stipulation to Jury of less than 6 members
Trial Brief
Witness List

APPEAL DOCUMENTS

Appeal Transcript Order Form
Appeal of Magistrate Decision to District Court
Appellants Brief
Appellants Reply Brief
Appellees Brief
Designation of Record on Appeal
Notice of Appeal
Notice of Appeal to Federal Circuit
Notice of Cross Appeal
Notice of Interlocutory Appeal
Subsequent Notice of Appeal

OTHER DOCUMENTS

Affidavit
Affidavit in Opposition
Affidavit in Support
Agreement for Judgment
OTHER DOCUMENTS (cont'd)

UNITED STATES DISTRICT COURT - DISTRICT OF MASSACHUSETTS
CIVIL CM/ECF MENU REPORT FOR EXTERNAL USERS
REPORT DATE: 11/09/09

(new or relocated menu items in **bold face**) - **USERS ARE ENCOURAGED TO USE THE ONLINE SEARCH FUNCTION FOR ADDITIONS TO MENU**

Amended Document - NOT Motion
Amicus Curiae Appearance
Amicus Brief filed
Appendix/Exhibit
Application for Writ
Bill of Costs
Brief - not related to a motion
Certificate of Compliance pursuant to LR 15.1b
(Addition of new parties)
Certificate of Good Standing
Certificate of Service **pursuant to LR 5.2**
Civil Cover Sheet & Category Sheet
Consent to Jurisdiction by US Magistrate Judge
Consent to Magistrate Judge Disposition on Motion
Consent to Sue - FLSA
Corporate Disclosure Statement
Declaration
Designation of experts
Exhibit
Financial Affidavit
Financial Affidavit - CJA 23
Interpleader
Joint statement of counsel
Joint statement re scheduling conference
Jury Demand
Letter/request - non-motion
Memorandum of Law
Notice of Intent to Request Redaction
Objection - not related to a motion
Order of Special Master on a Motion
Petition to Enforce IRS Summons
Pretrial Memorandum
Proposed Documents Submitted to the Court

Recommendations for Scheduling Order
Redacted Document
Redaction Request - Transcript
Refusal of MJ Jurisdiction - MJ Neiman
Registration of Foreign Judgment
Registration of State Court Judgment
Report of Rule 26f Planning Meeting
Report on the filing/termination of copyright case
Report on the filing/termination of patent/trademark case
Request for Judicial Notice
Request for notice of default
Response - not related to a motion
Response to Order to Show Cause
Satisfaction of Judgment
Settlement Agreement
State Court Record - answer filed
State Court Record - no answer filed
Statement of counsel
Statement of fact
Status Report
Stipulation
Stipulation of Dismissal
Suggestion of Bankruptcy
Suggestion of Death
Transcript Order form
Withdrawal of Notice of Intent to Redact Transcript
Withdrawal of motion

UNITED STATES DISTRICT COURT - DISTRICT OF MASSACHUSETTS
CRIMINAL CM/ECF MENU REPORT FOR EXTERNAL USERS
REPORT DATE: 11/09/09

(new or relocated menu items in **bold face**) - **USERS ARE ENCOURAGED TO USE THE ONLINE SEARCH FUNCTION FOR ADDITIONS TO MENU**

CHARGING INSTRUMENTS AND PLEAS

PLEA-RELATED DOCUMENTS

Plea Agreement

MOTIONS AND RELATED FILINGS

MOTIONS

Acquittal
Alter Judgment
Amend
Amend/Correct
Appeal in forma pauperis
Appear Pro Hac Vice
Appoint Counsel
Appoint Counsel Re Crack Cocaine Case
Appoint Expert
Authorization of Services or Funds
Bifurcate
Bill of Particulars
Bond
Brady Materials
Certificate of Appealability
Change Venue
Clarification
Compel
Consolidate cases
Contempt
Continue
Correct
Declaration of Mistrial
Departure

Detention
Directed Verdict
Disclosure
Discovery
Dismiss
Dismiss/Lack of Jurisdiction
Dismiss/Speedy Trial
Disqualify Counsel
Disqualify Judge
Disqualify Juror
Early Termination of Probation
Enforce IRS Summons
Excludable Delay
Exclude
Exculpatory Evidence
Exemplars
Expedite
Extension of Time
Extension of Time re Redaction of Transcript
Extension of Time to File Document
Extension of Time to File Response/Reply
Extension of Time to Indict
File Amicus Brief
File Excess Pages
Forfeiture of Property
Hearing
In Limine
Inspect
Interim Compensation
Investigative Funds
Issuance of Warrant in rem
Joinder

Judgment NOV
Judicial Recommendation Against Deportation
Leave to Appeal
Leave to File Document
Lis Pendens
Medical Exam
Medical Treatment
Miscellaneous Relief *(Search first!)*
Modification/Revocation of Probation
Modification/Revocation of Supervised Release
Modify Conditions of Release
New Trial
Order
Order of Competency to Stand Trial
Partial Lifting of Seal
Preserve Evidence
Proceed In Forma Pauperis
Produce
Protective Order
Psychiatric Exam
Psychiatric Treatment
Quash
Quash Indictment/Information
Reconsideration
Recusal
Redact Transcript
Reduce Sentence
Reduce Sentence re Crack Cocaine Offense - 18:3582
Refund of Fees Paid Electronically
Release of Bond Obligation
Release from Custody
Release of Funds

UNITED STATES DISTRICT COURT - DISTRICT OF MASSACHUSETTS
CRIMINAL CM/ECF MENU REPORT FOR EXTERNAL USERS
REPORT DATE: 11/09/09

(new or relocated menu items in **bold face**) - **USERS ARE ENCOURAGED TO USE THE ONLINE SEARCH FUNCTION FOR ADDITIONS TO MENU**

MOTIONS (cont'd)

Remand
Remand to State Court
Return of Property/PostTrial
Return of Property/PreTrial
Return of Surety
Revoke
Rule 11 Hearing
Sanctions
Seal
Seal Case
Seal Document
Sealed Motion
Separate Trial on Counts
Sequester
Service by Publication
Set Aside Forfeiture
Set Aside Judgment
Set Aside Sentence
Set Aside Verdict
Sever
Show Cause
Special Appearance
Speedy Trial
Strike
Substitute Attorney
Suppress
Take Deposition
Transcripts at government expense
Transfer Case
Travel
Unseal Case

Unseal Document
Vacate
Vacate - 2255
Warrant
Warrant for Arrest of Property
Withdraw Document
Withdraw Plea of Guilty
Withdraw Plea of Nolo Contendere
Withdraw as Attorney
Writ
Writ of Habeas Corpus ad prosequendum
Writ of Habeas Corpus ad testificandum

MEMORANDA, RESPONSES AND REPLIES

Addendum to Motion/Memorandum
Affidavit in Opposition to Motion
Affidavit in Support of Motion
Memorandum in Opposition
Memorandum in Support
Objection to Report and Recommendation
Opposition to Motion
Reply to Response to Motion
Response to Motion
Sur-reply to Motion

OTHER FILINGS

DISCOVERY DOCUMENTS

Bill of Particulars
Joint memorandum - Initial Status Conference
Joint submission - Final Status Conference
Notice of Alibi

Notice of Insanity Defense
Notice re automatic disclosure
Withdrawal of Insanity Witness

WAIVERS

Waiver of Counsel
Waiver of Interstate Agreement on Detainers
Waiver of Minimum Time to Trial
Waiver of Preliminary Hearing
Waiver of Presentence Investigation Report
Waiver of Right to Separate Counsel
Waiver of Rule 32.1 Hearings
Waiver of Rule 5 and 5.1 Hearings
Waiver of Speedy Trial
Waiver of Trial by Jury

WARRANTS AND OTHER PROCESS

Application for Writ of Habeas Corpus ad Prosequendum
Application for Writ of Habeas Corpus ad Testificandum
Certificate of Service
Summons Returned Executed

UNITED STATES DISTRICT COURT - DISTRICT OF MASSACHUSETTS
CRIMINAL CM/ECF MENU REPORT FOR EXTERNAL USERS
REPORT DATE: 11/09/09

(new or relocated menu items in **bold face**) - **USERS ARE ENCOURAGED TO USE THE ONLINE SEARCH FUNCTION FOR ADDITIONS TO MENU**

NOTICES

Appeal of MJ Decision to District Court-CR Case
Appeal of MJ Decision to District Court-MJ Case
Appeal of MJ Decision to District Court - MJ Order
Dismissal by Government
Nolle Prosequi
Notice -Other (Search first!)
Notice of Appeal
Notice of Appeal - Conditions of Release
Notice of Appeal - Final Judgment
Notice of Appeal - Interlocutory
Notice of Attorney Appearance - Defendant
Notice of Attorney Appearance - USA
Notice of Attorney Payment of Fees
Notice of Intent to Seek Death Penalty
Notice of Manual Filing
Notice of Withdrawal of Appearance
Notice of Withdrawal of Appearance by Govt Attorney
Redaction Request - Transcript
Release of Lis Pendens
Withdrawal of Notice of Intent to Redact Transcript

TRIAL DOCUMENTS

Exhibit
Exhibit/Witness List
Pretrial Memorandum
Proposed Jury Instructions
Proposed Jury Questions
Proposed Voir Dire
Request for Special Findings of Fact
Stipulation to Jury
Trial Brief

APPEAL DOCUMENTS

Appeal of MJ Decision to District Court - Criminal Case
Appeal of MJ Decision to District Court- Mag Judge Case
Appeal of MJ Decision to District Court - MJ Order
Defendant Brief
Defendant Reply Brief
Designation of Record on Appeal
Government Brief
Government Reply Brief
Government's Certification pursuant to 18:3731
Notice of Appeal
Notice of Appeal - Conditions of Release
Notice of Appeal - Final Judgment
Notice of Appeal - Interlocutory
Subsequent Notice of Appeal - Final Judgment
Transcript Order Form - Appeal

OTHER DOCUMENTS

Affidavit
Amended Document - Not a Motion
Amicus Brief
Amicus Curiae Appearance
Appendix/Exhibit
Attorney Appearance Pro Bono
Certificate of Good Standing
Consent to Trial before US Magistrate Judge
Corporate Disclosure Statement
Declination
Financial Affidavit - CJA 23
Financial Affidavit - CJA 23 for Material Witness
Government's Certification of Timely Acceptance of
Responsibility

Information to Establish Prior Conviction
Letter - non-motion
Memorandum - not related to a motion
Notice of Intent to Request Redaction
Objection - unrelated to a motion
Objection to Presentence Investigation Report
Objection to Report and Recommendations
Pretrial Memorandum
Proposed Orders Submitted
Proposed documents submitted to the Court
Recorded Mortgage
Redacted Document
Redaction Request - Transcript
Refusal of Magistrate Judge Jurisdiction
Response - unrelated to a motion
Response to Court order
Response to Order to Show Cause
Response to Sentencing Memorandum
Satisfaction of Judgment
Sentencing Memorandum
Statement of counsel
Status Report
Stipulation
Transcript Order Form
Withdrawal of Motion
Withdrawal of Notice of Intent to Redact Transcript

RULE 5.4 FILING AND SERVICE BY ELECTRONIC MEANS

(A) Electronic Filing Generally. Unless exempt or otherwise ordered by the court, all pleadings and other papers submitted to the court must be filed, signed, and verified by electronic means as provided herein.

(B) ECF Administrative Procedures. Subject to the supervision of the court, the clerk will maintain Electronic Case Filing (ECF) Administrative Procedures, including procedures for the registration of attorneys and other authorized users and for distribution of passwords to permit electronic filing. All electronic filings must be made in accordance with the ECF Administrative Procedures. The ECF Administrative Procedures will be generally available to the public and shall be posted on the court's web site.

(C) Service of Pleadings. Unless exempt or otherwise ordered by the court, all pleadings and other papers must be served on other parties by electronic means. Transmission of the Notice of Electronic Filing (NEF) through the court's transmission facilities will constitute service of the filed document upon a registered ECF user. Any pleading or other paper served by electronic means must bear a certificate of service in accordance with Local Rule 5.2(b).

(D) Deadlines. Although the ECF system is generally available 24 hours a day for electronic filing, that availability will not alter filing deadlines, whether set by rule, court order, or stipulation. All electronic transmissions of documents must be completed prior to 6:00 p.m. to be considered timely filed that day.

(E) Civil Case Opening Documents. All ECF filers registered in the District of Massachusetts must file civil case opening documents, such as a complaint (or petition or notice of removal), civil action cover sheet, or category sheet, electronically. Cases which include sealed or ex parte documents and supporting materials presented contemporaneously with civil case opening documents may be filed and served initially in paper format and not electronically. Pro se filers, others exempt from electronic filing, or otherwise ordered by the court, may file case opening documents in paper format and not electronically. Whenever possible, at the time a civil case is submitted in paper format, the filing party may also file a disk with the clerk's office containing in PDF format the opening documents and any emergency motions and supporting papers not filed electronically.

(F) State Court Record in Removal Proceedings. Within thirty days after filing a notice of removal in a civil action, a party removing an action under 28 U.S.C. §§ 1441-52 must file certified or attested copies of all docket entries, records, and proceedings in the state court in paper format. Unless exempt or otherwise ordered by the court, the removing party must also file a disk with the clerk's office containing the state court record in PDF format.

(G) Exemptions.

(1) *Documents That Should Not Be Filed Electronically.* The following types of documents must not be filed electronically, and will not be scanned into the ECF system by the clerk's office:

- (a) sealed documents;
- (b) ex parte motions;
- (c) documents generated as part of an alternative dispute resolution (ADR) process;
- (d) the administrative record in social security and other administrative proceedings;
- (e) the state court record in proceedings under 28 U.S.C. § 2254; and
- (f) such other types of documents as the clerk may direct in the ECF Administrative Procedures.

(2) *Documents That Need Not Be Filed Electronically.* The following types of documents need not be filed electronically, but may be scanned into the ECF system by a filing party or the clerk's office:

- (a) handwritten pleadings;
- (b) documents filed by pro se litigants who are incarcerated or who are not registered ECF users;
- (c) indictments, informations, criminal complaints, and the criminal JS45 form;
- (d) affidavits for search or arrest warrants and related documents;
- (e) documents received from another court under Fed. R. Crim. P. 20 or 40;
- (f) appearance bonds;
- (g) any document in a criminal case containing the original signature of a defendant, such as a waiver of indictment or a plea agreement;
- (h) petitions for violations of supervised release;
- (i) executed service of process documents under Rule 4; and
- (j) such other types of documents as the clerk may direct in the ECF Administrative Procedures.

Effective January 1, 2006. Amended effective January 1, 2009.

RULE 67.4 PAYMENTS AND DEPOSITS MADE WITH THE CLERK

(a) The clerk will not routinely accept payments or deposits in cash; but the court, on motion of any party, may order that the clerk accept cash in a particular instance.

(b) All checks must be made payable to "Clerk, United States District Court." The clerk is authorized to refuse any check not so made payable.

(c) The clerk may, in his discretion, require any payment to be made by certified check or its equivalent. The clerk shall require payment of bail to be made by certified check or its equivalent, unless otherwise ordered by the court.

(d) When electronically filing any pleading or paper through CM/ECF that requires a fee, all registered ECF users are to pay the fee electronically through the Treasury Department's Internet payment process (pay.gov). Pro se filers and those who have been exempted from electronic filing and/or electronic payment of fees may submit payments by check or money order made payable to "Clerk, U.S. District Court".

Effective September 1, 1990. Amended Effective January 1, 2009.

5.3 PERSONAL DATA IDENTIFIERS

(A) Restrictions on Personal Identifiers in Filings

In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all filings submitted to the court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the Court.

(1) *Social Security numbers.* If an individual's social security number must be included in a filing, only the last four digits of that number should be used.

(2) *Names of minor children.* If the involvement of a minor child must be mentioned, only the initials of that child should be used.

(3) *Dates of birth.* If an individual's date of birth must be included in a pleading, only the year should be used.

(4) *Financial account numbers.* If financial account numbers are relevant, only the last four digits of these numbers should be used.

(B) Non-Redacted Filings under Seal

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may file an unredacted document under seal, pursuant to Local Rule 7.2. 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.

(C) Responsibility for Redaction

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk will not review each pleading for compliance with this rule.

~~10.1 SOCIAL SECURITY APPEALS~~

~~In all appeals from the denial of Social Security benefits, the appellant's social security number shall be inscribed in the caption of the complaint.~~

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PUBLIC NOTICE

REGARDING DOCUMENT SHARING SOFTWARE

NOTICE FOR PACER FEE-EXEMPT USERS

The court would like to remind fee-exempt PACER users of the terms of the exemption and of potential issues associated with a new software application called RECAP. It was designed by a group from Princeton University to enable the sharing of court documents on the Internet. Once a user loads RECAP, documents that he or she subsequently accesses via PACER are automatically sent to a public Internet repository. Other RECAP/PACER users are then able to see whether documents are available from the Internet repository.

A fee exemption applies only for limited purposes. **Any transfer of data obtained as the result of a fee exemption is prohibited unless expressly authorized by the court.** Therefore, fee exempt PACER users must refrain from the use of RECAP.

The prohibition on transfer of information received without fee is not intended to bar a quote or reference to information received as a result of a fee exemption in a scholarly or other similar work.

NOTICE FOR CM/ECF FILERS

The court would like to make CM/ECF filers aware of certain security concerns relating to a software application or "plug-in" called RECAP, which was designed by a group from Princeton University to enable the sharing of court documents on the Internet.

Once a user loads RECAP, documents that he or she subsequently accesses via PACER are automatically sent to a public Internet repository. Other RECAP/PACER users are then able to see whether documents are available from the Internet repository. RECAP captures District and Bankruptcy Court documents, but has not yet incorporated Appellate Court functionality. At this time, RECAP does not appear to provide users with access to restricted or sealed documents. Please be aware that RECAP is "open-source" software, which can be freely obtained by anyone with Internet access and modified for benign or malicious purposes, such as facilitating unauthorized access to restricted or sealed documents. Accordingly, CM/ECF filers are reminded to be diligent about their computer security practices to ensure that documents are not inadvertently shared or compromised.

The court and the Administrative Office of the U.S. Courts will continue to analyze the implications of RECAP or related-software and advise you of any ongoing or further concerns.

August 25, 2009

Sarah Allison Thornton
Clerk of Court