

## QUICK GUIDE TO E-FILING

Like all federal courts across the country, the Eastern District of Michigan uses a program called CM/ECF (Case Management / Electronic Case Filing) to allow users to electronically file documents in cases. CM/ECF is a secure way for attorneys and non-incarcerated *pro se* parties to upload their documents directly into the Court record. Electronic filing has many benefits, including round-the-clock access to file, electronic service on other parties in the case, including the judge, and easy access to Court records through PACER (Public Access to Court Electronic Records).

This guide was written to give you the basics on how to use the CM/ECF system.

### Requirements to E-File

- Computer
- PACER Account
- PDF Creation Software
- Internet Access
- Scanner for Non-Electronic Documents
- Technical Expertise equivalent to sending an attachment via e-mail

### Getting Permission to File

You must be given access to file in the Eastern District of Michigan. Only attorneys admitted to the bar, federal government attorneys, or non-incarcerated *pro se* parties who apply to file in a case can e-file documents. You apply for admission and/or permission to e-file through the PACER website.

### ECF Policies and Procedures (Required Reading)

An appendix to the Eastern District of Michigan Local Rules is the ECF Policies and Procedures. Whether you have experience filing in another district or are new to e-filing, this document must be thoroughly read and understood in order to successfully e-file. A copy of the ECF Policies and Procedures is available on the Court's website.

## Scanned Documents

Use a scanner only if it is not possible to electronically prepare papers using word processing software and converting to PDF. When scanning papers for the ECF system, be sure to make them text-searchable whenever possible. To save file space, the Court recommends scanning at a resolution of 300 dpi. All papers should be scanned with a “black and white” setting whenever possible and should be 8.5” x 11”. After scanning a document, review the file to make sure the images are not upside down or scanned in landscape.

## Choose What Document (Event) You are Filing

After logging into the system, you must decide what kind of document you are filing. You have several different categories to choose from. Look at key words in your document title to help you choose what is most appropriate or use the **Search** button in the Main Menu bar to help locate the best event. If still undecided, you can call the ECF Help Desk at (313) 234-5000 for guidance.

Civil Events		
<b>Open a Case</b> <a href="#">Open a Civil Case</a> <a href="#">Open a Miscellaneous Case</a> <a href="#">Open a Sealed Civil Case</a>	<b>Other Filings</b> <a href="#">Notices</a> <a href="#">Trial Documents</a> <a href="#">Appeal Documents</a> <a href="#">Other Documents</a> <a href="#">Discovery Documents</a> <a href="#">Emergency Documents</a>	<b>Post-Judgment Filings</b> <a href="#">Post-Judgment Collection Documents</a>
<b>Initial Pleadings and Service</b> <a href="#">Initiating Complaints and Other Pleadings</a> <a href="#">Service of Process</a> <a href="#">Answers to Complaints/Amended Complaints/Habeas Petitions</a> <a href="#">Other Answers</a>		<b>Sealed Filings</b> <a href="#">Sealed Documents</a>
<b>Motions and Related Filings</b> <a href="#">Motions</a> <a href="#">Responses, Replies and Supplemental Briefs</a>		
<b>Applications, Petitions, Requests, and Related Filings</b> <a href="#">Applications/Petitions/Requests</a> <a href="#">Applications/Petition/Request Responses and Replies</a>		

Criminal Events	
<b>Charging Instruments, Pleas and Service</b> <a href="#">Plea-Related Documents</a>	<b>Sealed Filings</b> <a href="#">Sealed Documents</a>
<b>Motions and Related Filings</b> <a href="#">Motions</a> <a href="#">Responses, Replies and Supplemental Briefs</a>	
<b>Applications, Petitions, Requests and Related Filings</b> <a href="#">Applications/Petitions/Requests</a> <a href="#">Application/Petition/Request Responses and Replies</a>	
<b>Other Filings</b> <a href="#">Notices</a> <a href="#">Trial Documents</a> <a href="#">Appeal Documents</a> <a href="#">Waivers</a> <a href="#">Other Documents</a> <a href="#">Discovery Documents</a> <a href="#">Emergency Documents</a>	

## Displayed Messages

Many events have custom messages displayed in the event to prompt filers to use the event correctly and avoid common problems with e-filing. **Always** read the text on every screen and follow the displayed directions. Here are some examples.

**Motions**  
LR 7.1(d) requires that motions be accompanied by a brief. Therefore, when filing a motion, the brief and required certificate of service should be contained in and filed as one PDF document. (See the Court website for further instructions.)  
If your motion does not conform to the above practice, please reformat into one PDF file before continuing.

**Sealed documents can only be filed pursuant to LR 5.3, LCrR 12.2, federal statute or by order of the judge. Only the germane portion of a filing may be sealed. For example, if the sealed item is an exhibit to a motion, response, or reply, only the exhibit may be sealed.**

**Your sealed document will only be viewable by chambers for the assigned judge. A notice of electronic filing WILL NOT be sent to opposing counsel. **\*\* Service must be effected in the traditional manner. \*\*****

## Uploading a Document

When you get to a screen with a **Browse** button, this is where you upload the document you want to e-file. Clicking **Browse** will open your computer's file folders and allow you to find where you saved the document. It is recommended that you open the document and confirm it is the correct file before going to the next screen. If you have exhibits to the filing, they can also be uploaded on this same screen, one at a time. Review the ECF Policies and Procedures for rules about labeling and uploading exhibits. All exhibits must be scanned and electronically filed, no matter how lengthy.

Select the pdf document and any attachments.

**Main Document**  
 No file selected.

	Attachments	Category	Description
1.	<input type="button" value="Browse..."/> No file selected.	<input type="text"/>	<input type="text"/>

## Text-Only Events

Some events filed by the Court, and a handful of events filed by attorneys and *pro se* filers are known as text-only events. No PDF file is uploaded with the entry. Instead, all necessary information is contained in the docket text. Examples include a notice resetting a hearing date or a request for the Court to issue a summons.

	Reset Hearings as to M [REDACTED] Wallace: <b>Final Pretrial Conference RE-set for 1/8/2020 at 2:00 PM before District Judge Thomas L. Ludington (From 1/7/2020).</b> (KWin) (Entered: 12/11/2019)
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## Filing a New Case

Attorneys can electronically open a new civil or miscellaneous case. You'll be prompted to enter all parties listed in the initiating document and the system will generate a case number. After uploading the initiating document, the system will also assign judicial officers to the case, as dictated by local rules. Entering accurate party information and statistical information when prompted is required. Please review the *Electronic Case Filing User Manual* on our website for specific instructions and direction.

*Pro se* filers, regardless of e-filing status in previous cases, open a new civil or miscellaneous case by either bringing in or mailing paper to the Clerk's Office.

## Paying Filing Fees

Filing fees are paid online using a credit card or checking account information associated with your PACER account. Specific events allow payment as part of the filing, such as the *Notice of Appeal* and *Civil Case - Complaint*. If you skip payment while e-filing, you can electronically file text-only fee events after the fact. Payments are secure while processing and a record of all payments made is accessible through PACER.

## E-Filing Help Desk

Court staff can provide answers to common e-filing questions during business hours, 8:30 AM - 4:30 PM, EST. Keep in mind that court staff cannot provide legal advice of any kind, and that staff are not trained to provide technical assistance for your computer equipment. You can reach the Help Desk at (313) 234-5000.

## WHAT MAKES US DIFFERENT? – FILING IN MICHIGAN EASTERN

If you are already familiar with e-filing in another federal district, there are still some important things to note when filing in Michigan Eastern.

### Proposed Orders

Proposed orders prepared for judge's signatures are **not** made part of the record by attorneys. Instead, they are submitted to the judge's chambers for consideration. The portal to submit proposed orders is located under the "Utilities" menu. All proposed orders must be submitted in a format compatible with Microsoft Word, **not** PDF.

Note: If preparing a stipulation and order, combine the documents together and submit as a proposed order, pursuant to the ECF Policies and Procedures.

Select Judge for Proposed Order

Select a Judge: Hood, Lawson, Leitman, Levy, Ludington

From (Email Address): john\_doe@gmail.com

Case Number (i.e. YY-NNNN): 19-10000

Brief Comment: Stipulated Proposed Order to Extend Time

Proposed Order files must be in MS-Word (doc,docx), WordPerfect (wpd), or text (txt) format.

Attachments: Browse... ProposedOrder.docx

Submit Proposal

### Discovery Documents

#### Discovery documents are not to be filed with the Clerk except:

- (1) When discovery material provides factual support of a motion, response, or reply, the party relying on the material must file it as an exhibit or attachment to the motion, response, or reply.
- (2) When discovery material is to be read or otherwise used during a trial, hearing or other miscellaneous proceeding, the party relying on the material must file it at the start of the trial, hearing or proceeding or at such later time as the Court permits.

If discovery material not previously filed with the Clerk is needed for an appeal in a case, the party maintaining custody of the discovery material shall file it with the Clerk either on stipulation of the parties or on order of the Court.

**All other discovery material filed will be stricken.**

## Sealed Documents

When given permission by the judge or when mandated by federal statute, documents that should be sealed are filed electronically using events found under the “Sealed Documents” link. The PDF document is not accessible to any parties in the case, only the Court. Service of sealed documents must be done traditionally by the filing party.

In civil cases, the docket entry is still accessible from the public docket and NEFs are sent. The case participants and public can see a sealed document has been filed, but they will not be able to read the document. In criminal cases, the docket entry itself is sealed, no NEF is sent, and case participants and the public will not be able to tell a filing has been made.

All sealed events have message prompts to remind the user about what is restricted, and that proper authority or permission is needed when filing a sealed document. If proper permission is not given, the Court can order the filing unsealed.

### *Civil Example:*

Sealed documents can only be filed pursuant to Local Rules 5.3 or 26.4. Only the germane portion of a filing may be sealed. For example, if the sealed item is an exhibit to a motion, response, or reply, only the exhibit may be sealed.

Your sealed document will only be viewable by chambers for the assigned judge. A notice of electronic filing will be sent to opposing counsel who **WILL NOT** be able to view the document. **\*\* Service must be effected in the traditional manner. \*\***

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Do you affirm that you have read the above statement and that you are in compliance with the Court Rules?

Yes  
 No

### *Criminal Example:*

Sealed documents can only be filed pursuant to LR 5.3, LCrR 12.2, federal statute or by order of the judge. Only the germane portion of a filing may be sealed. For example, if the sealed item is an exhibit to a motion, response, or reply, only the exhibit may be sealed.

Your sealed document will only be viewable by chambers for the assigned judge. A notice of electronic filing **WILL NOT** be sent to opposing counsel. **\*\* Service must be effected in the traditional manner. \*\***

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Do you affirm that you have read the above statement and that you are in compliance with the Court Rules?

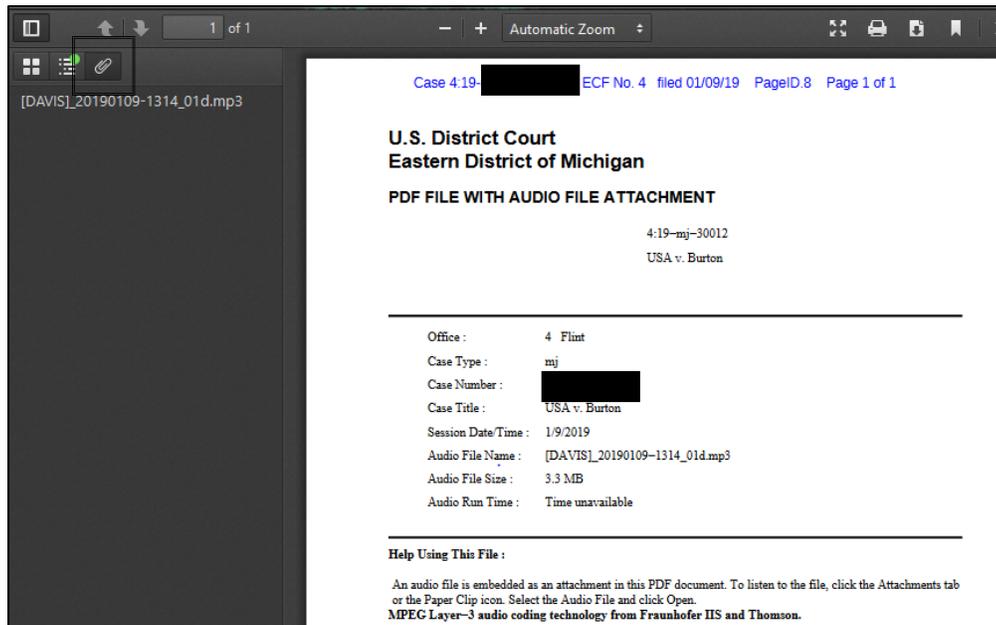
Yes  
 No

## Audio Uploads Made by the Court

The Court makes the audio recordings from duty court before a magistrate judge available to the public whenever possible. To listen to the recordings, you must open the PDF and then access the attached mp3 file.

 4	<b>Public Audio File of Initial Appearance as to M [REDACTED] Burton held on 1/9/2019 before Magistrate Judge Stephanie Dawkins Davis. AUDIO FILE SIZE (3.3 MB) (NAhm) (Entered: 01/10/2019)</b>
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Accessing the attachment varies depending on the internet browser you use. Look for a paperclip icon associated with the file to access the mp3, or click the help button in your browser and search for “accessing attachments.”



The screenshot shows a PDF viewer window. The main content area displays the following text:

Case 4:19- [REDACTED] ECF No. 4 filed 01/09/19 PageID.8 Page 1 of 1

**U.S. District Court  
Eastern District of Michigan**

**PDF FILE WITH AUDIO FILE ATTACHMENT**

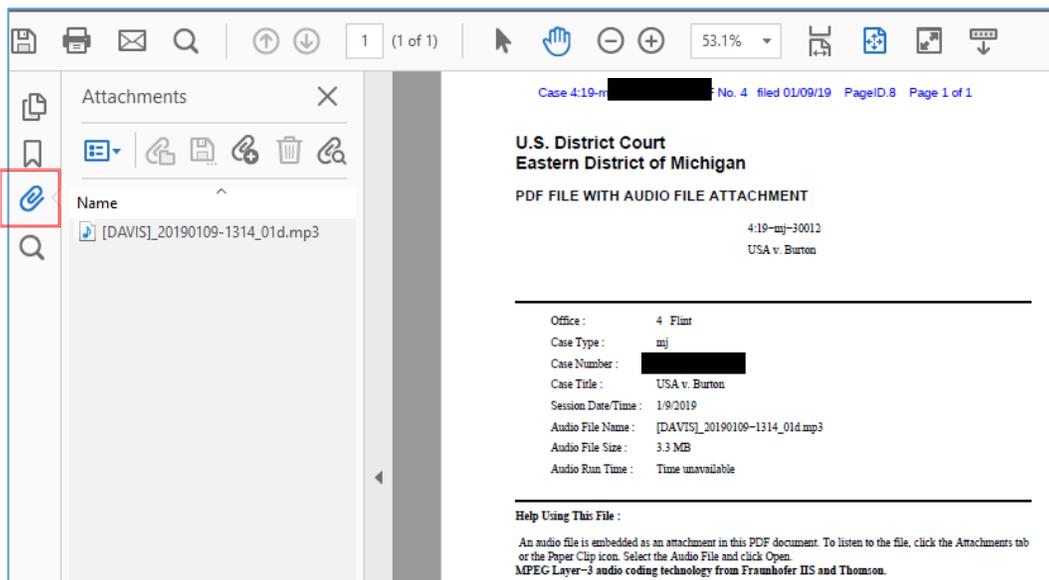
4:19-mj-30012  
USA v. Burton

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Office : 4 Flint  
Case Type : mj  
Case Number : [REDACTED]  
Case Title : USA v. Burton  
Session Date/Time : 1/9/2019  
Audio File Name : [DAVIS]\_20190109-1314\_01d.mp3  
Audio File Size : 3.3 MB  
Audio Run Time : Time unavailable

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**Help Using This File :**  
An audio file is embedded as an attachment in this PDF document. To listen to the file, click the Attachments tab or the Paper Clip icon. Select the Audio File and click Open.  
MPEG Layer-3 audio coding technology from Fraunhofer IIS and Thomson.



The screenshot shows the same PDF viewer as above, but with the 'Attachments' panel open on the left side. The panel contains the following information:

Attachments

[REDACTED]

Name

[DAVIS]\_20190109-1314\_01d.mp3

The main content area of the PDF viewer is partially visible, showing the same text as in the previous screenshot.

## Forgotten Login/Password

Use your PACER login and password to access e-filing privileges in federal court. If you forget your login and password, PACER has links on their login screen that will prompt you to answer security questions so you can access your account and reset your login information.

## Secondary Email Addresses

Most contact information, including the primary email address is updated and maintained by PACER. However, you can add additional (secondary) email addresses to your account for cases in MIED. To do this, click on **Utilities** in the Main Menu Bar and select **Maintain Your Secondary Email(s)**. It is recommended that you set all secondary emails with the same noticing preferences as your primary email.