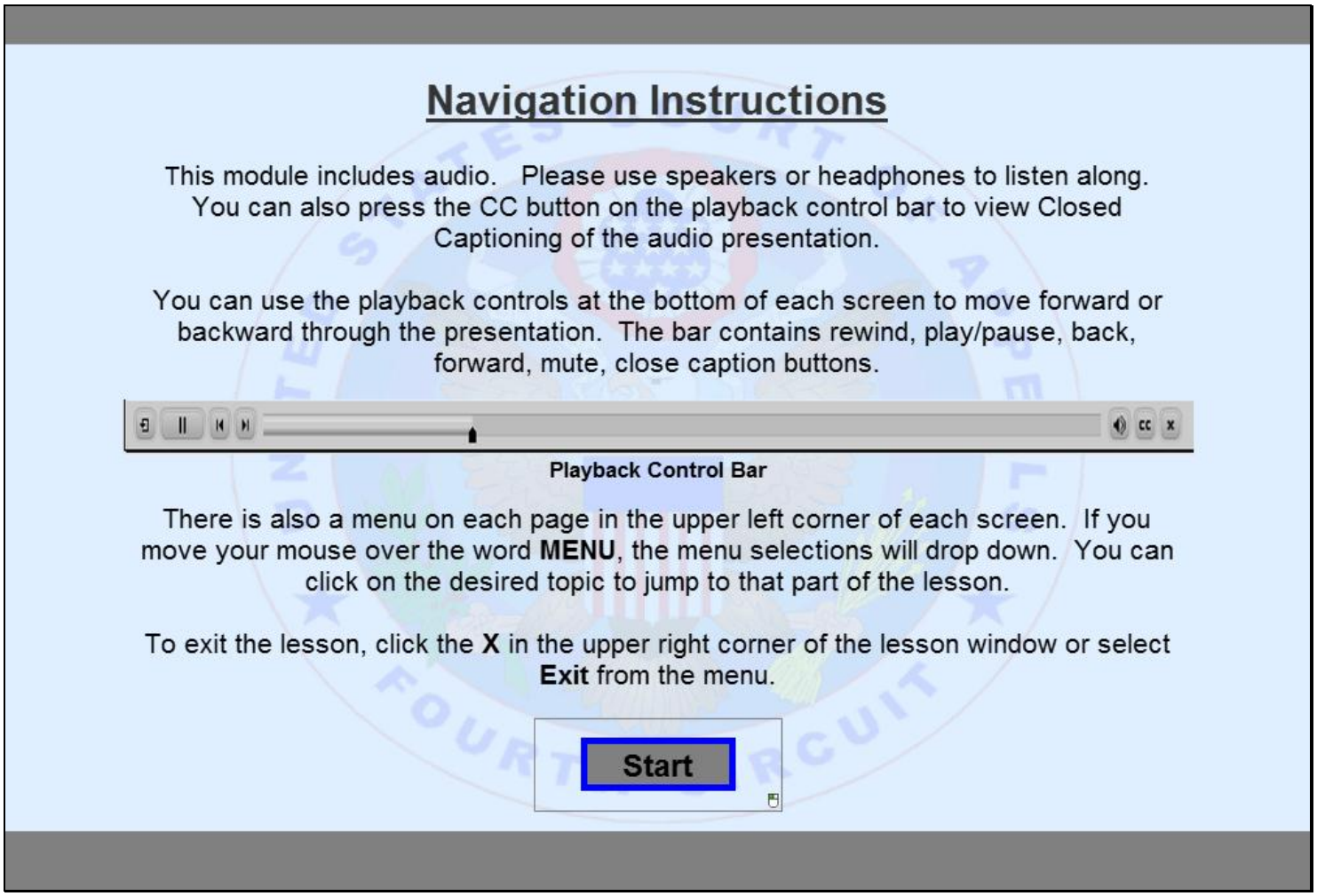
WELCOME

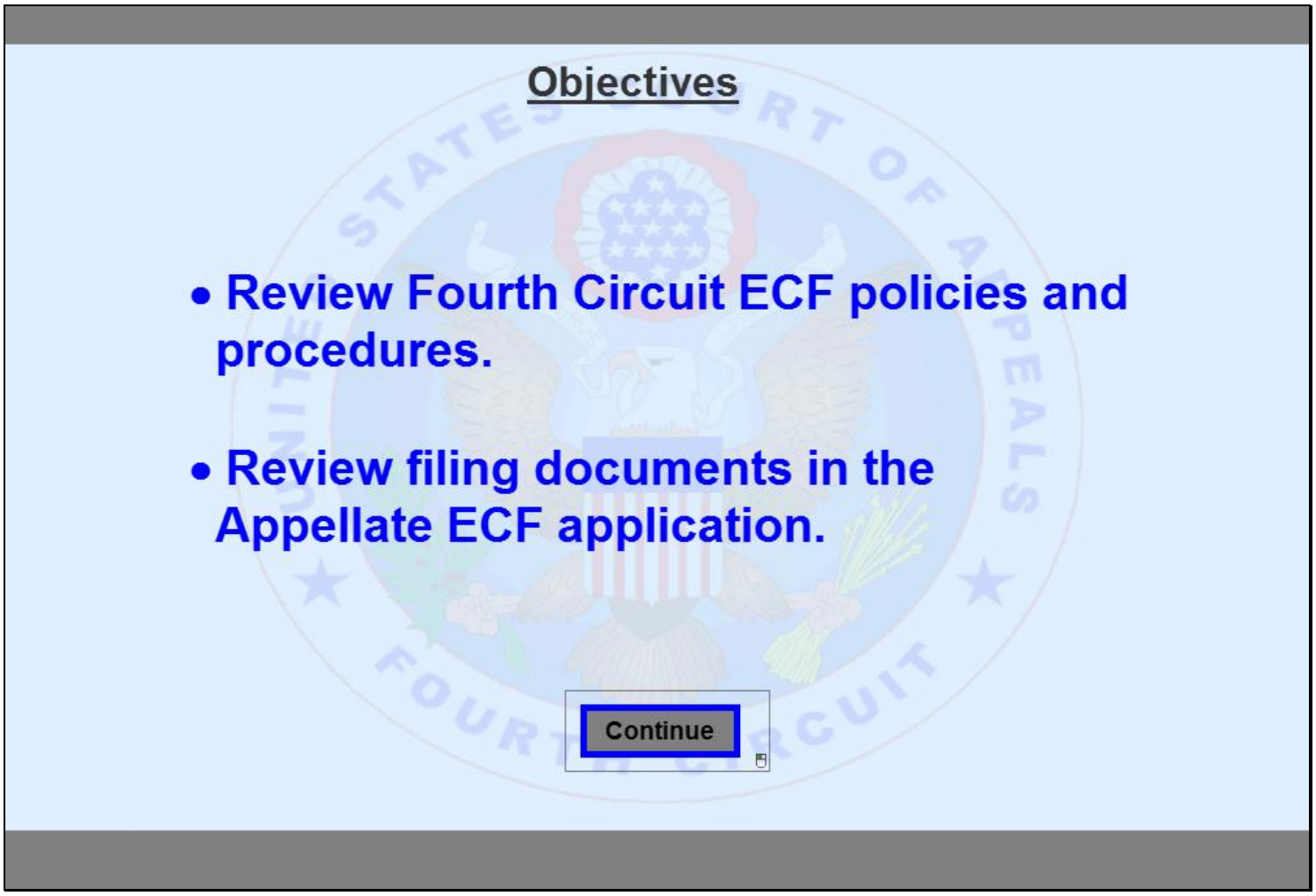
Welcome to the Fourth Circuit Court of Appeals Attorney ECF Training.

NAVIGATION



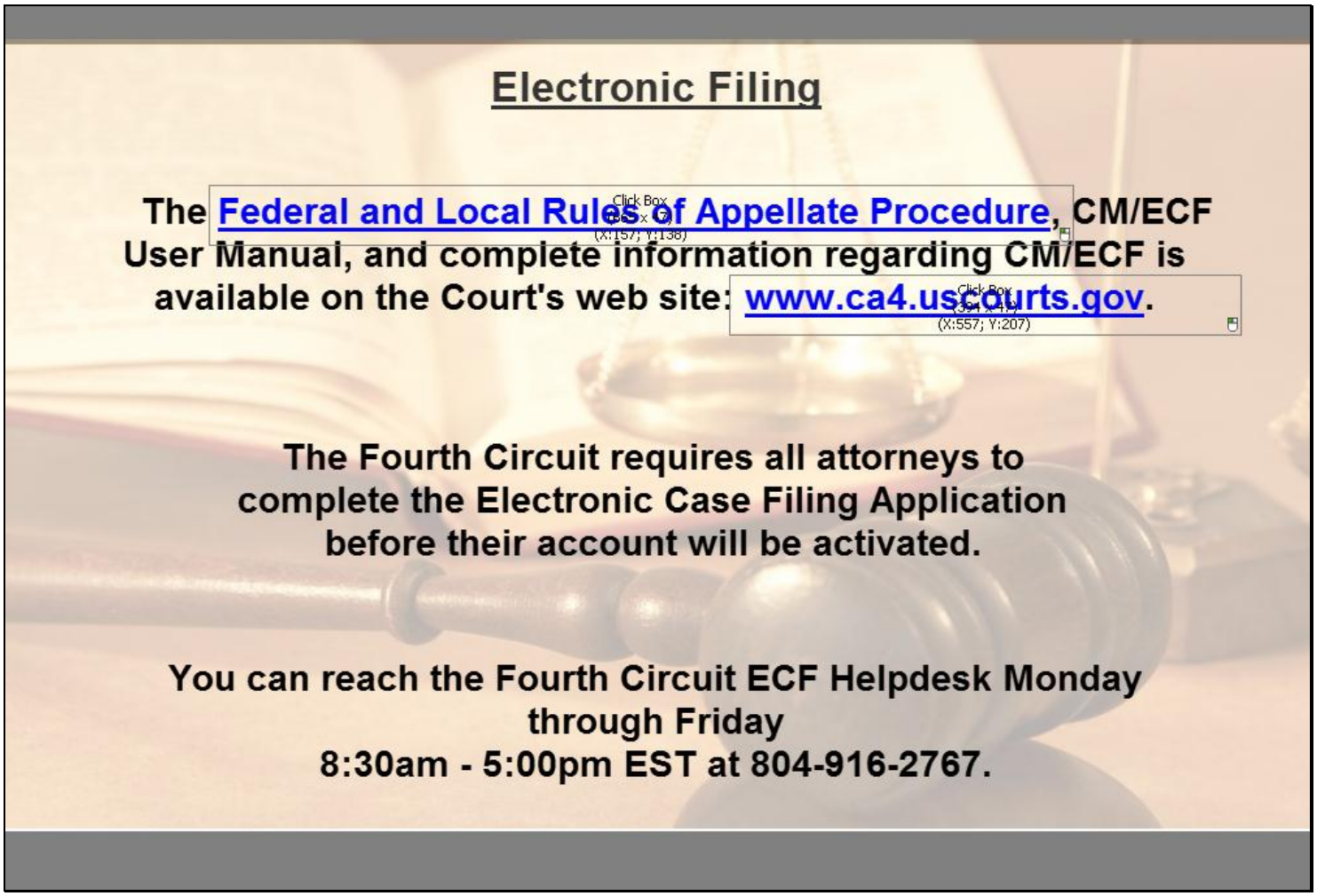
Please review the navigation instructions before proceeding. Note that you can click on any web link in this presentation without stopping the presentation. Press the Start button when you are ready to proceed.

OBJECTIVES



Please take a moment to review the objectives for this lesson. Click the Continue button when you are ready to begin.

ELECTRONIC FILING



Local Rule 25(a) requires all attorneys to file documents electronically. All ECF filers are required to complete the Electronic Case Filing Application before their ECF account will be activated. At the end of this lesson you will be directed to the Fourth Circuit's Electronic Case Filing Application and the Appellate ECF registration web site. Users must answer at least eight out of ten Application questions correctly. Your account will be activated upon receipt of a passing score and ECF registration.

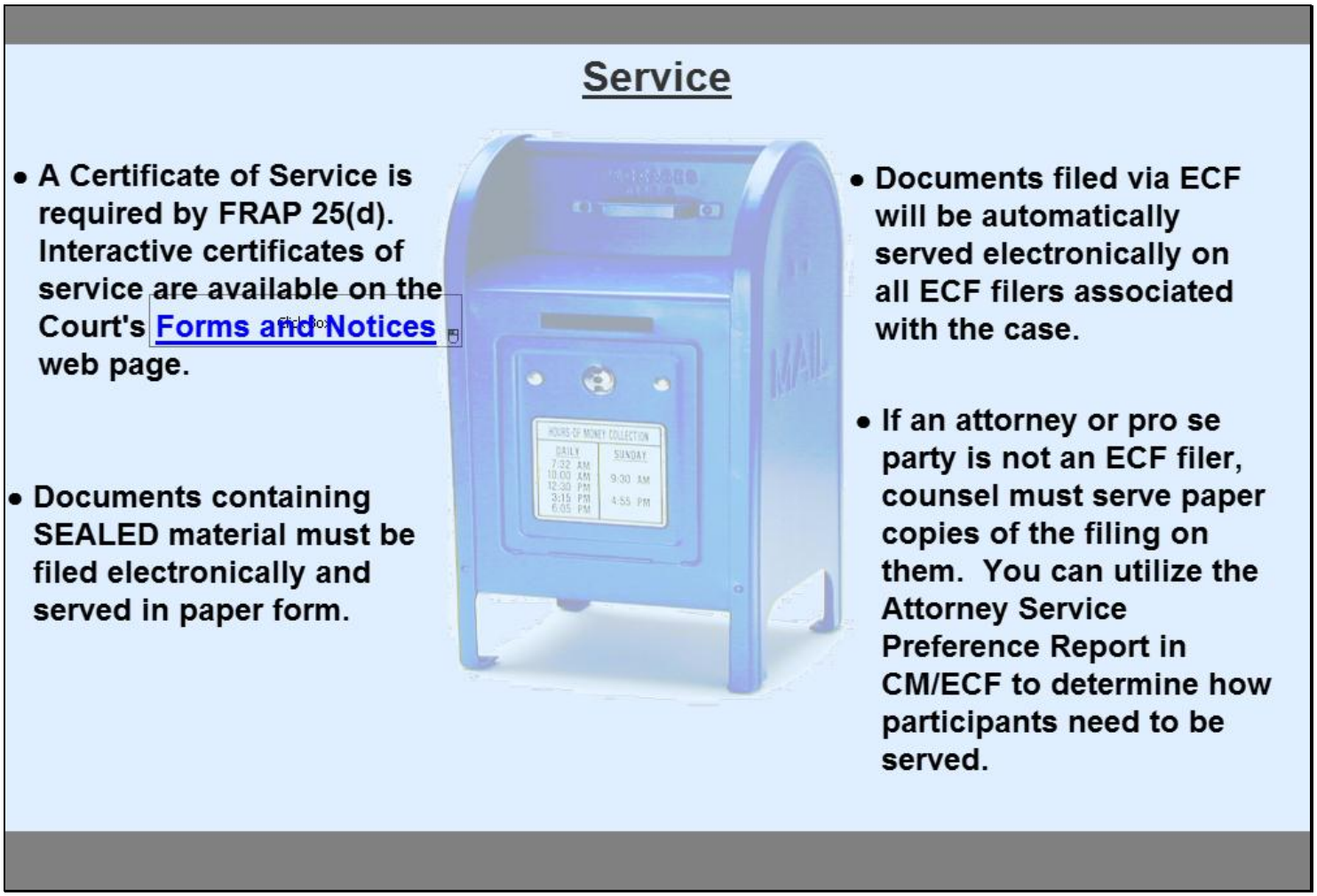
WHAT'S FILED

What's filed via ECF?

- All formal briefs must be filed electronically. Paper copies of formal briefs must be provided to the Court.
- As of July 2, 2012, formal appendices must be filed in electronic and paper form. See Local Rule 25(a)(1)(D) for further information.
- Case Originating Documents (Petitions for Review of Agency Decisions, Writs of Mandamus, Rule 5 Petitions) may be filed via ECF or in paper form.
- CJA and Assigned Counsel Vouchers must be filed in paper form as they are saved as financial documents.
- All other documents filed by counsel must be filed electronically.

Nearly all documents filed by counsel must be filed via ECF. Formal briefs and appendices are filed electronically and in paper format. Case initiating documents for original proceedings may be submitted in paper or electrconic form. CJA and appointed counsel vouchers are filed in paper form only. All other documents must be filed electronically.

SERVICE



Here's some important reminders regarding service of documents filed electronically:

1. A certificate of service is required for all documents filed with the Court.

2. Documents filed via ECF will automatically be served on all ECF registered users associated with the case, except sealed documents, which must be served in paper form to all parties.

3. For any pro se party or counsel who is not an ECF registered user, counsel is responsible for serving documents conventionally.

4. Utilize the Attorney Service Preference Report in CM/ECF to determine how case participants need to be served. Please see the CM/ECF User Manual, which is available on the Fourth Circuit web site, for instructions on how to run the Attorney Service Preference Report.

NDAs

Notice of Docket Activity (NDA)

NDA Reminders

- A Notice of Docket Activity will be emailed to all ECF registered parties associated with a case at the time the docket entry is completed.
- If counsel was not associated with the case prior to filing, the Court must associate them with the case BEFORE they will receive NDAs.
- If your Internet browser's Pop Up Blocker is turned OFF, a Notice of Docket Activity will pop up on your screen at the conclusion of docketing.

Continue

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

The date and time listed on the NDA is the official filing time.

Notice of Docket Activity

The following transaction was entered on 02/19/2009 at 10:56:51 AM EST and filed on 02/19/2009

Case Name: US v. Record Test
Case Number: 57-5700
Document(s): Document(s)

Docket Text:
APPEARANCE OF COUNSEL filed (Local Rule 46(c)) by John Doe for Record Test [998037547] [57-5700] (JJQ)

The following document(s) are associated with this transaction:
Document Description: Appearance of counsel filed (Local Rule 46(c))
Original Filename:084816motion.pdf
Electronic Document Stamp:
[STAMP acecfStamp_ID=1105645354 [Date=02/19/2009] [FileNumber=998037547-0]
[3919d479f5cedf9fb71533d949377aaf38c4816fe98ee25428dfedfc3f41dc92a00bbbf9c52657663e0cf8f9813dd42b3a3d62e3496f78651c1e1ab52f2b1d92]]

Notice will be electronically mailed to:

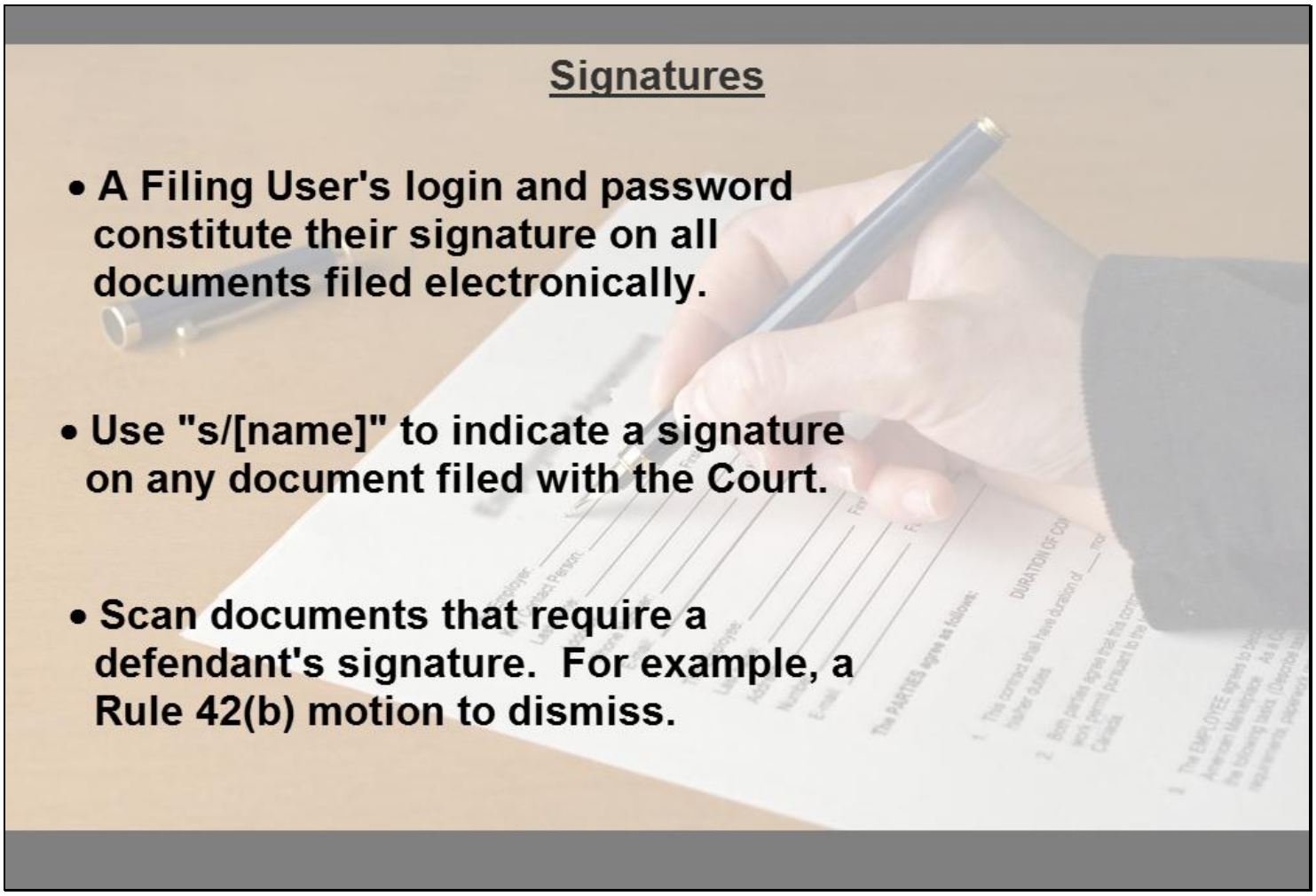
Ms. Quella, Jackie J.: Jackie_Quella@ca4.uscourts.gov

Notice will be mailed to:

Doe, John
FEDERAL CORRECTIONAL INSTITUTION LOW
P. O. Box 1000
Petersburg, VA 23804

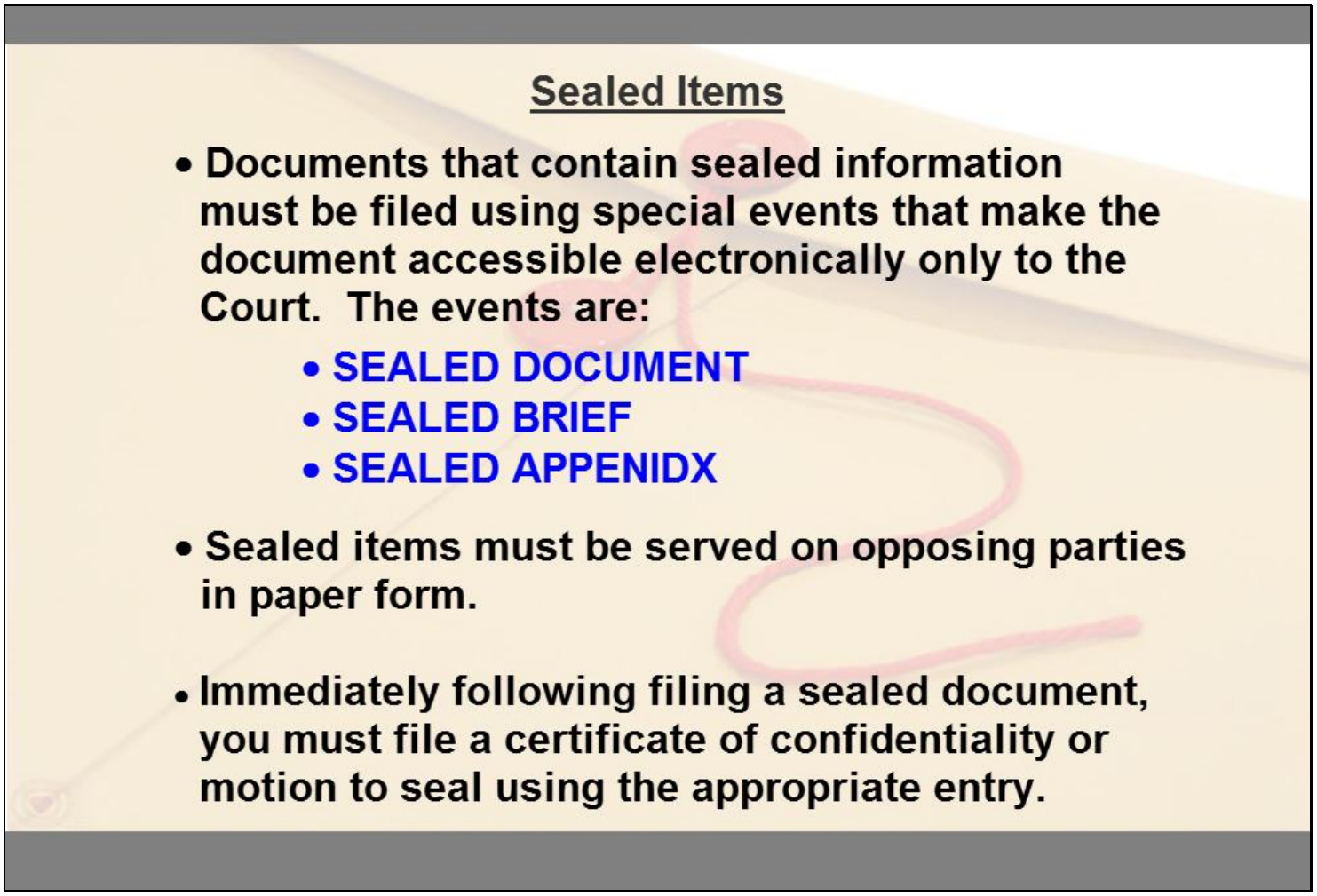
A Notice of Docket Activity is your proof of filing. The date and time listed on the NDA determines the timeliness of the filing. The NDA contains pertinent information about the filing, including case title and number, a link to the document filed, the docket text and service information. Please review the important NDA reminders. Press continue when you are ready to proceed.

SIGNATURES



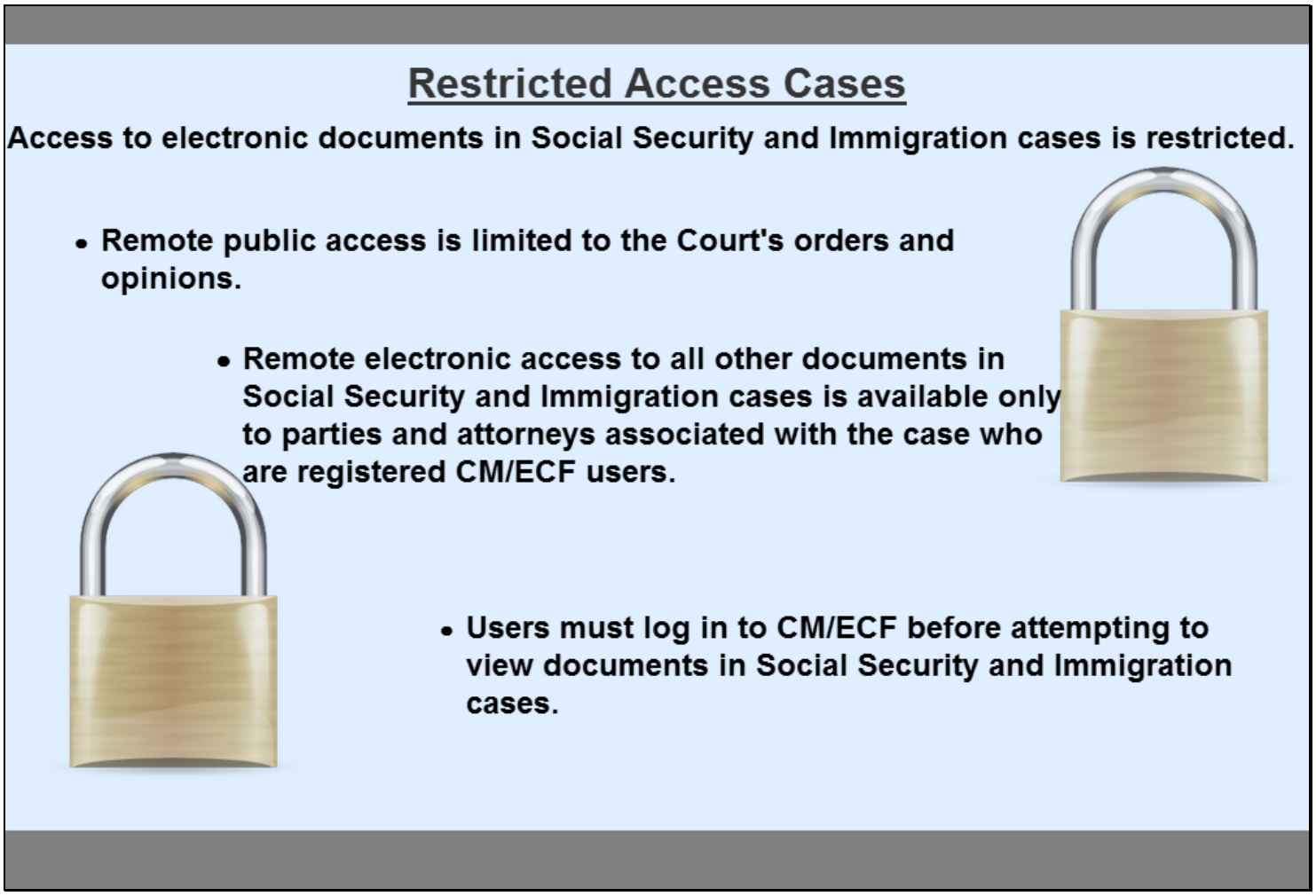
The ECF login and password constitute an attorney's signature on all documents filed electronically, and they should be safeguarded from unauthorized use. If you learn of any breach of security, please contact the Court immediately. Attorneys may delegate the use of their ECF account login information to authorized agents, but counsel is ultimately responsible for filings made using their account.

SEALED ITEMS



It is critical that all documents containing sealed material be filed properly. Sealed documents are filed using Sealed Brief, Sealed Appendix or Sealed Document. These entries restrict electronic access to Court users only; no one outside of the Court will be able to view the documents via ECF or PACER. Sealed documents must be served conventionally on all parties associated with the case. Please contact the Court if you have any questions regarding filing a sealed brief, appendix or document.

RESTRICTED ACCESS



There are two case types which have restricted public access, immigration and social security cases. Court orders and opinions are available electronically to the public via Pacer. All other documents are restricted to electronic access by registered ECF users associated with the case. You must be logged into Fourth Circuit CM/ECF before attempting to view immigration or social security documents via PACER or the Notice of Docket Activity link.

PERSONAL IDENTIFIERS

Redaction of Personal Data Identifiers

Pursuant to Local Rule 25(a)(8), parties must refrain from including or redact personal data identifiers from documents filed with the Court whenever such redaction is required by FRAP 25(a)(5) .

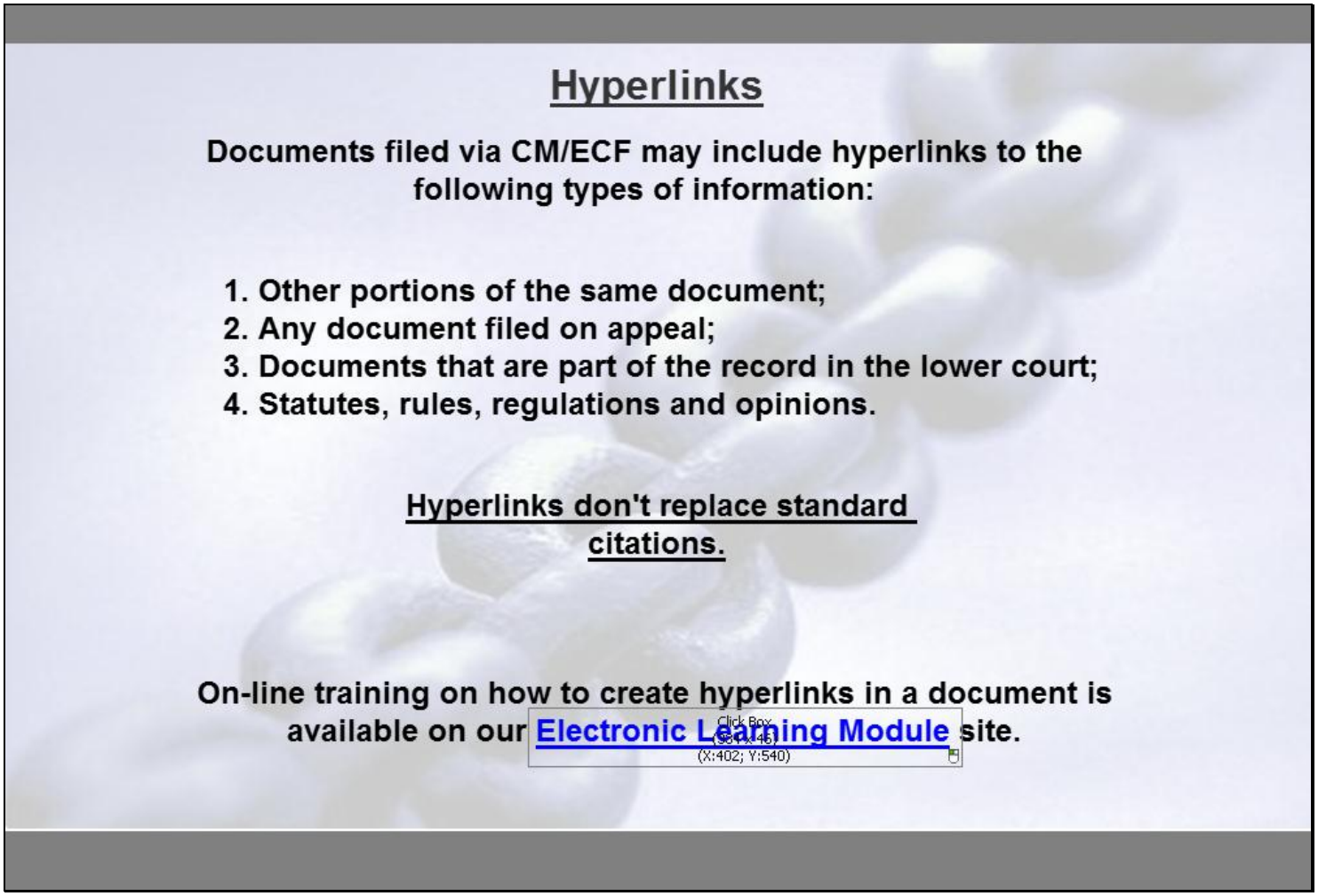
Personal Data Identifiers

- **Social security numbers**
- **Names of minor children**
- **Dates of birth**
- **Financial account numbers**
- **Home addresses (in criminal cases)**

NOTE: The Clerk will not review each pleading for compliance; the responsibility for redacting personal data identifiers rests solely with counsel and the parties.

With the exception of sealed documents and documents filed by the parties in immigration and social security cases, documents filed with the Court are available via PACER on the Court's Internet site. Therefore, personal or sensitive information should not be included in documents filed with the Court. Counsel is responsible for ensuring that social security numbers, names of minor children, dates of birth, financial account numbers and home addresses in criminal cases are not included or are redacted in documents filed with the Court.

HYPERLINKS



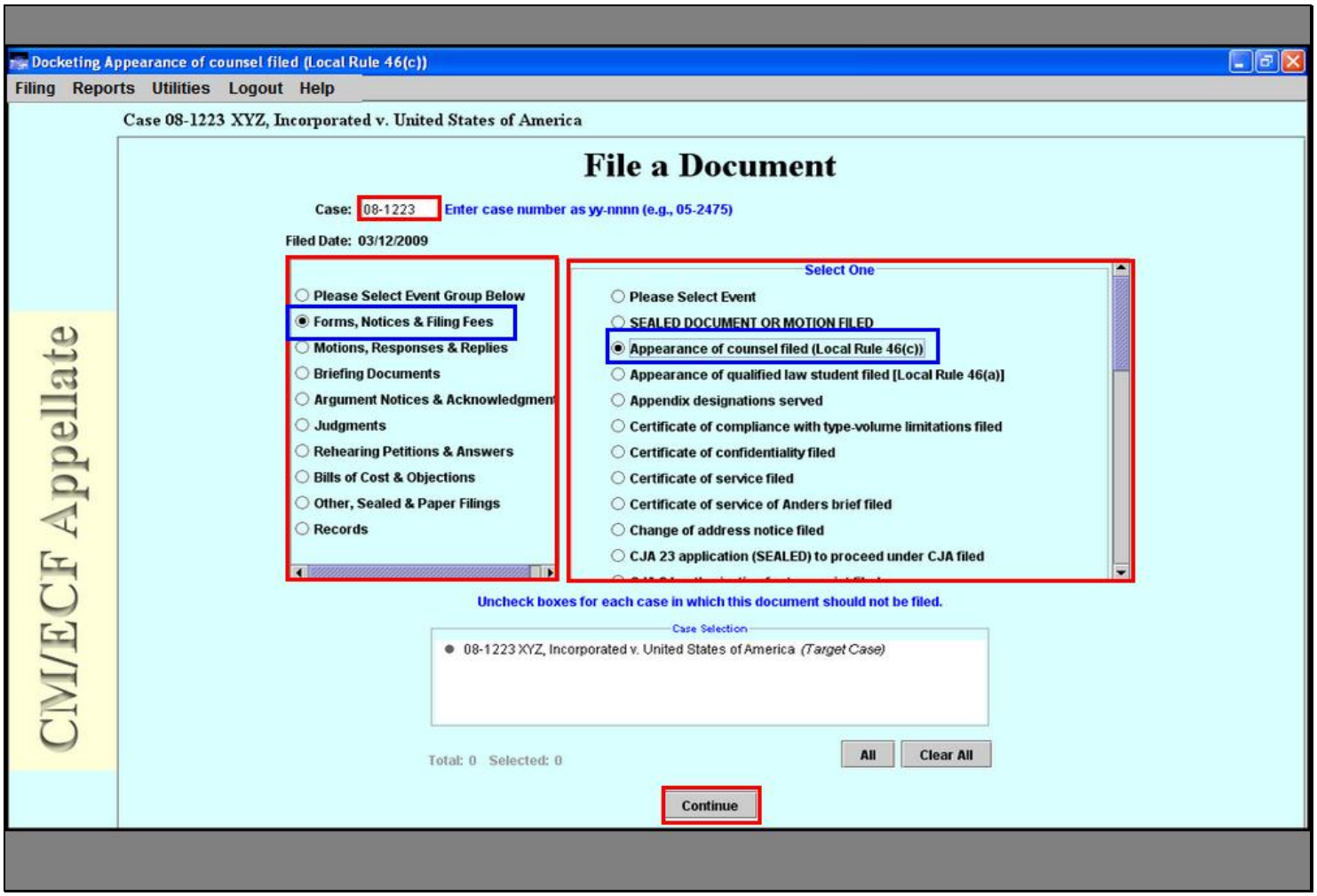
Counsel may include hyperlinks in documents filed electronically. Hyperlinks do not replace standard citations. If you need assistance with creating hyperlinks, please review the learning modules available on our web site.

START UP PAGE

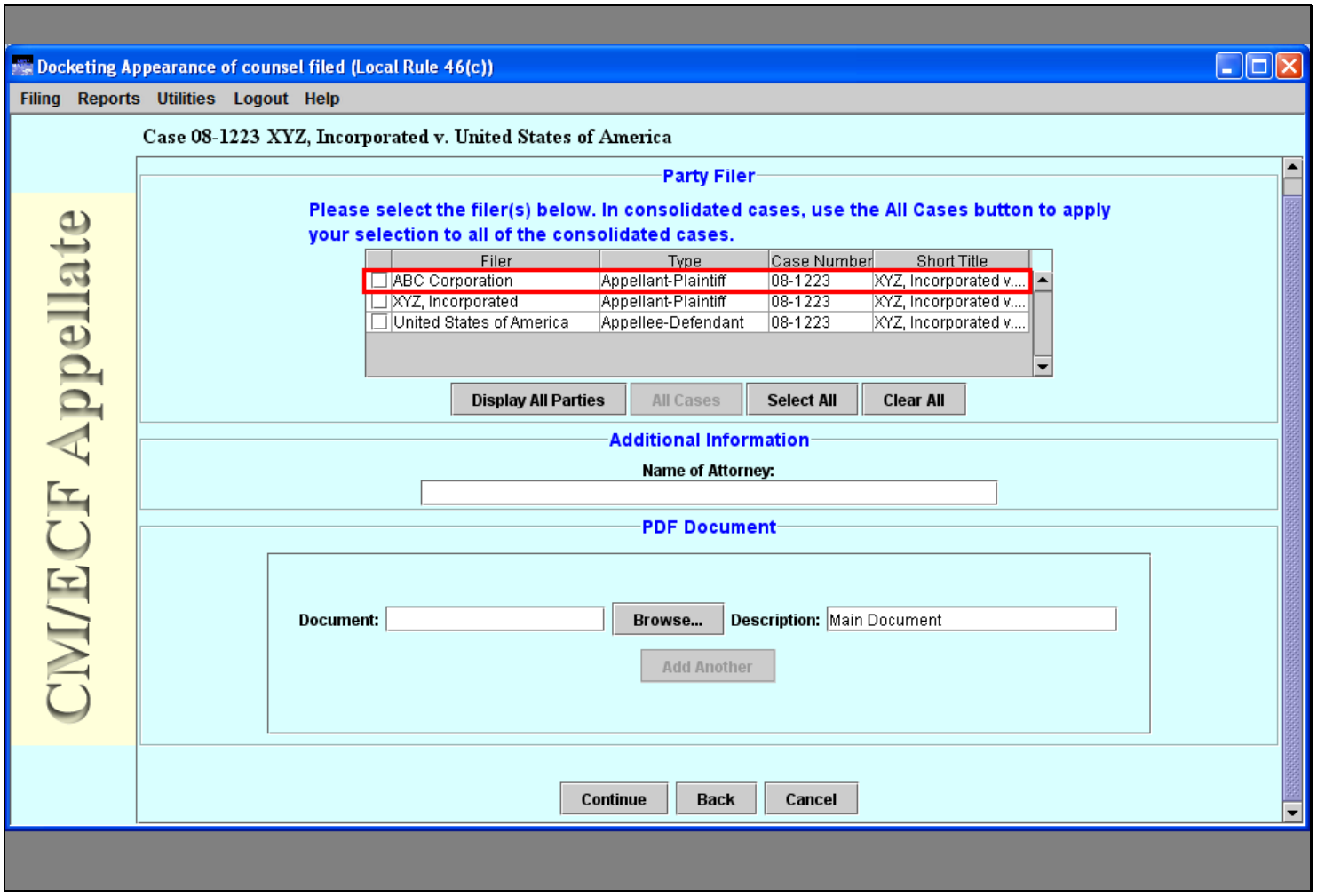
Now that we've reviewed the Fourth Circuit ECF policies, let's look at how to complete an ECF filing. This is a demonstration of the ECF application, so you don't need to click or type to advance the presentation. This is the ECF Start-up page. Select Filing from the menu to begin.

APPPEARANCE OF COUNSEL

Next, File a Document is selected.



On the first page in docketing, we'll type in the case number we want to docket to, then select the Event Group. Once an Event Group is selected, the Events for that category will appear in the right-hand box. In this example, the event group Forms, Notices and Filing Fees has been selected, and we will be docketing the event Appearance of Counsel Filed (Local Rule 46(c)). After selecting the event, clicking the Continue button moves us to the next screen.

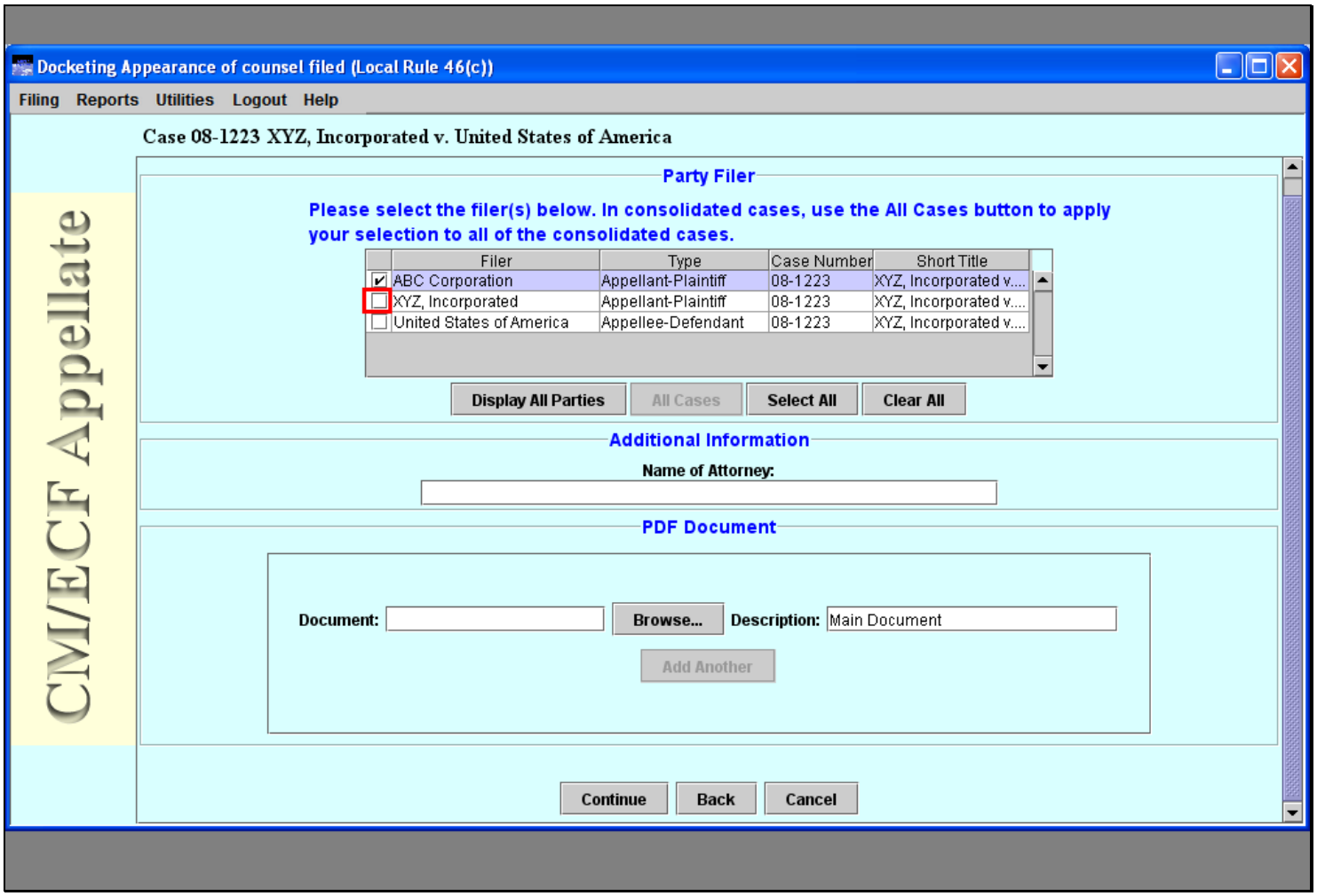


In every ECF entry, you'll have to indicate which party or parties you are filing on behalf of.

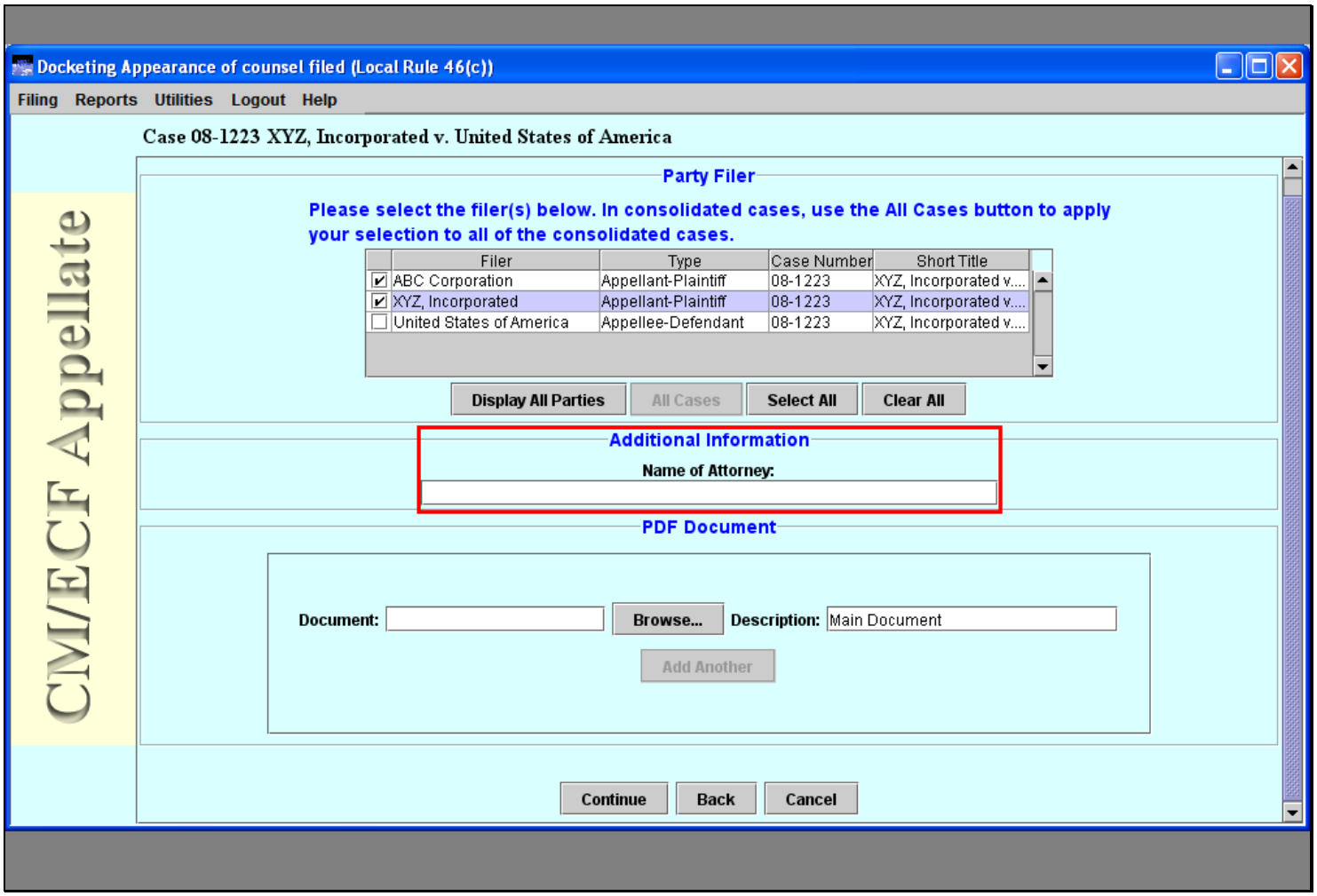
This filing is made by the appellants, so first the check box for ABC Corporation is selected.

In every ECF entry, you'll have to indicate which party or parties you are filing on behalf of. This filing is made by the appellants, so first the check box for ABC

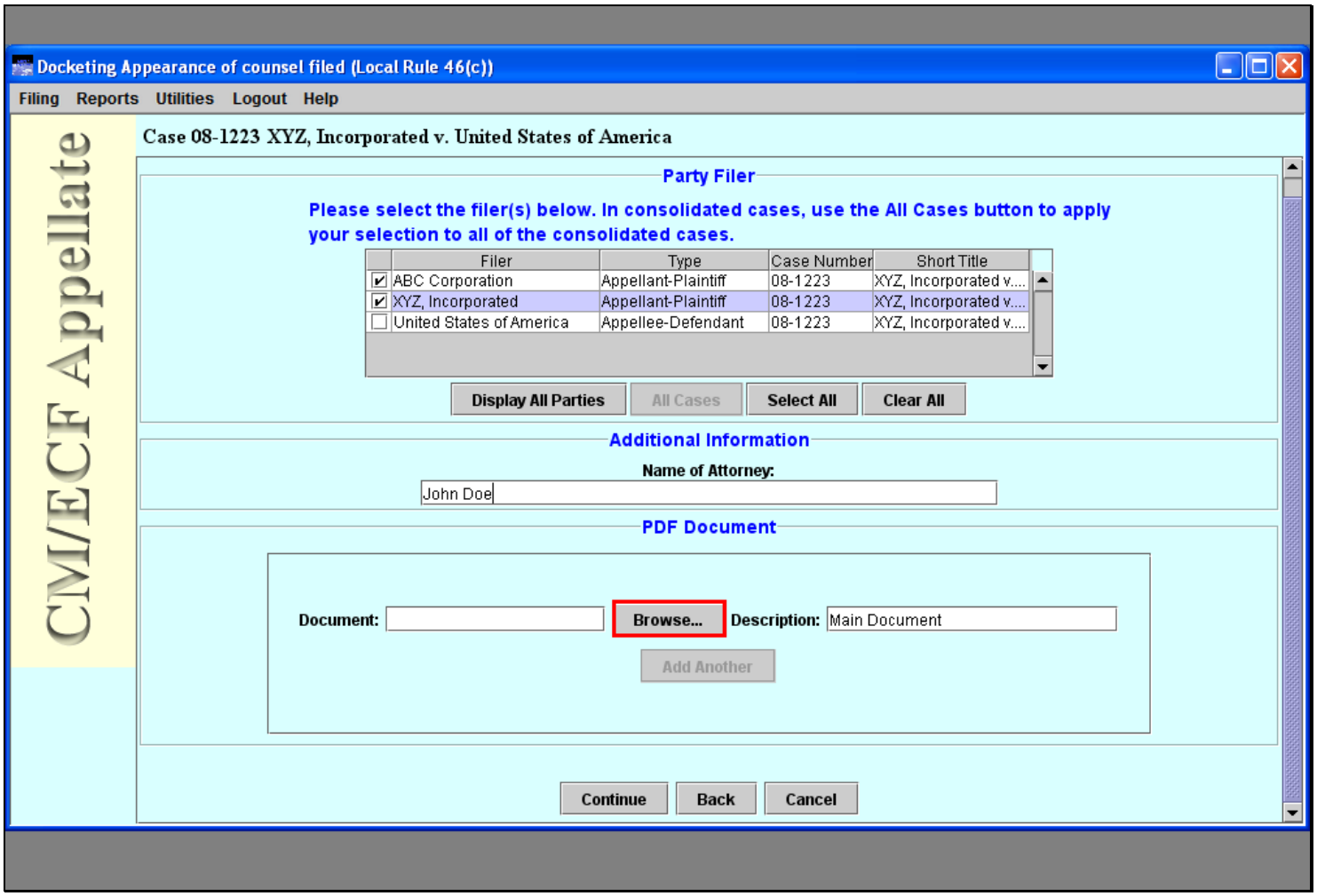
Corporation is selected.



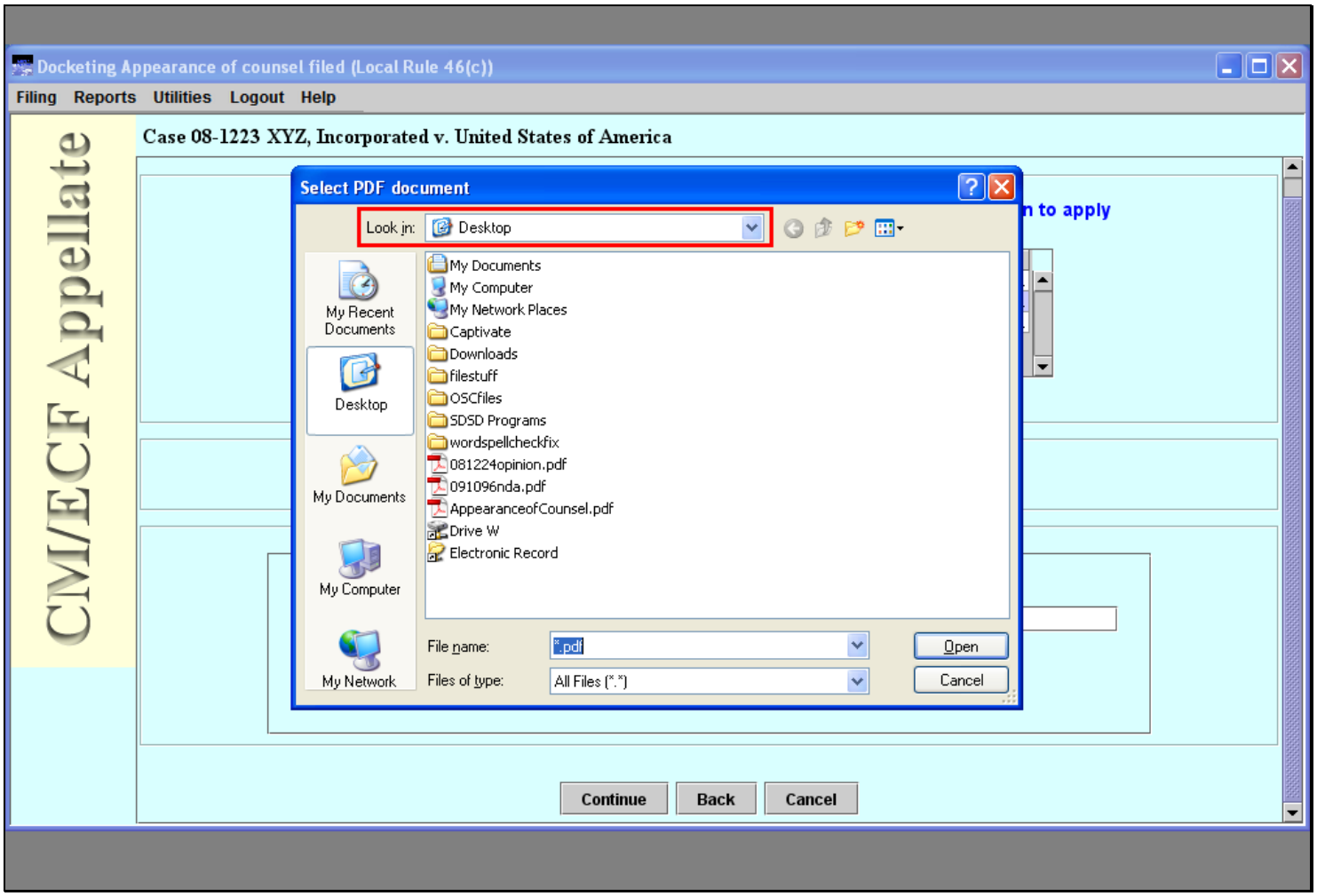
Next, the check box for XYZ, Incorporated is selected.



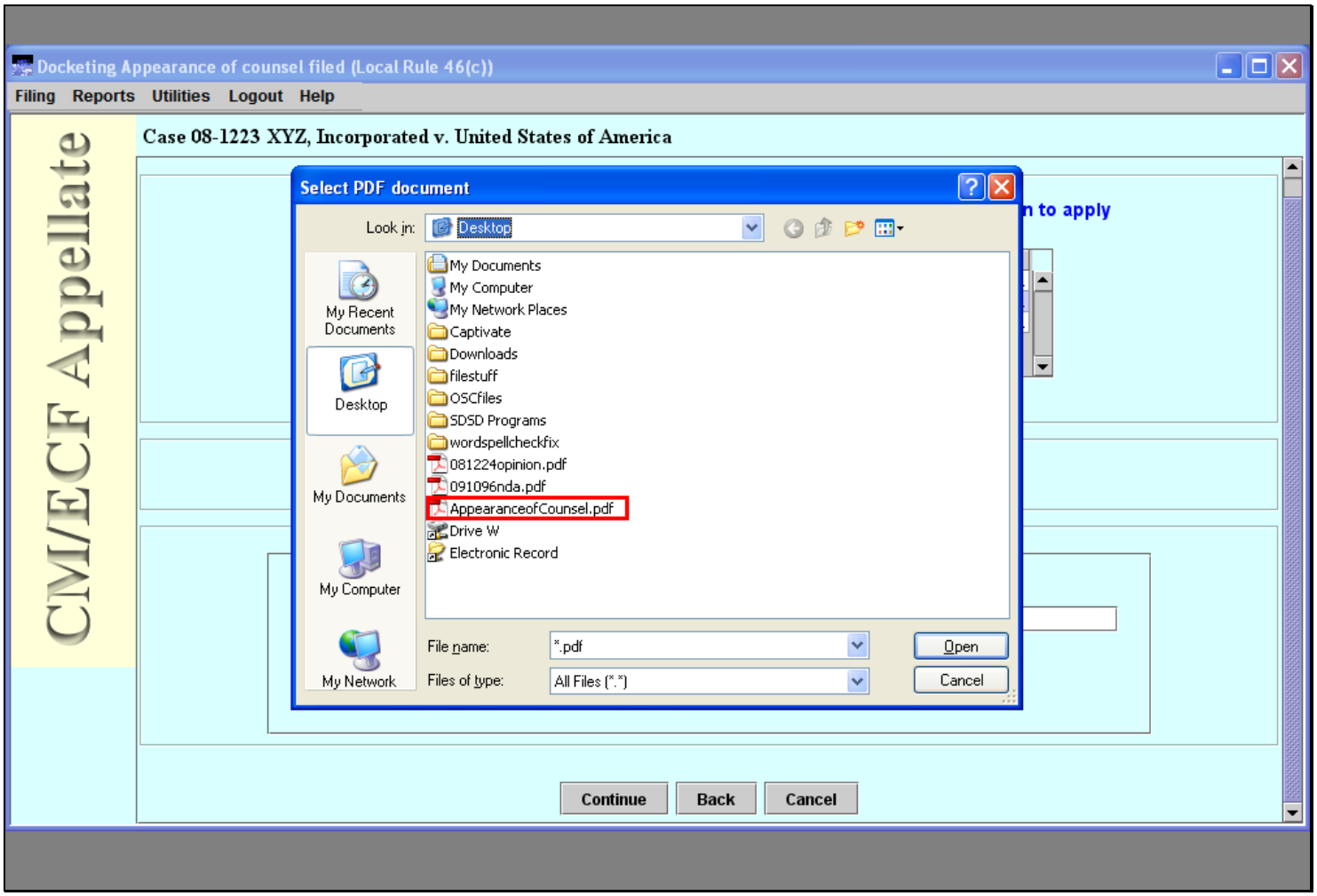
Now both appellants have been selected. This entry requests additional information, the name of the attorney filing the appearance of counsel form. Most CM/ECF entries include requests for additional information; when you are filing, please read each request and respond appropriately. In this case we'll type the attorney's name, John Doe, in the available text box.



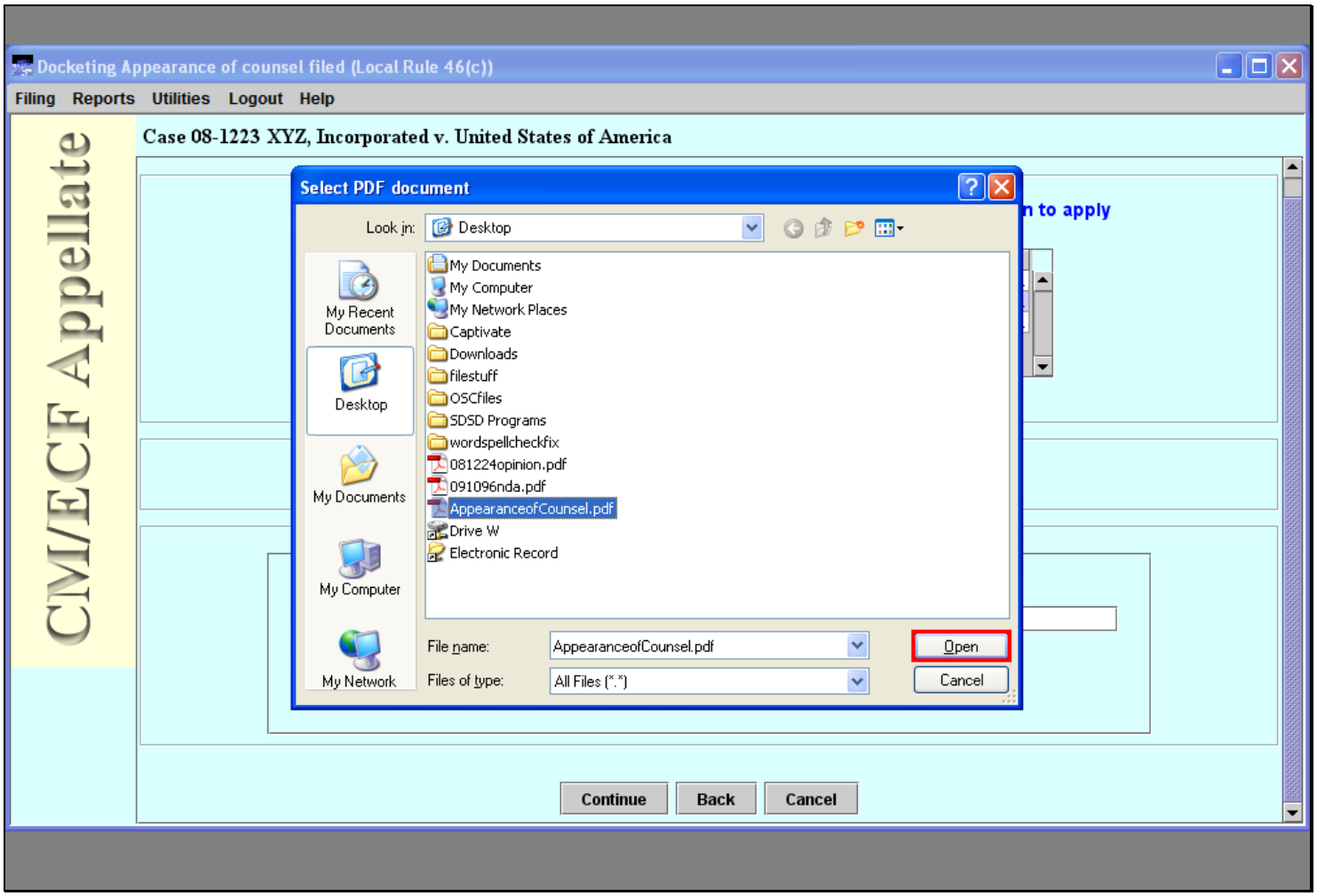
Next, we'll click the Browse button to locate the PDF file we want to attach to this entry. Each document uploaded to CM/ECF must be 50 megabytes or smaller. An error message will appear if you fail to upload a document or the document is over the size limitation.



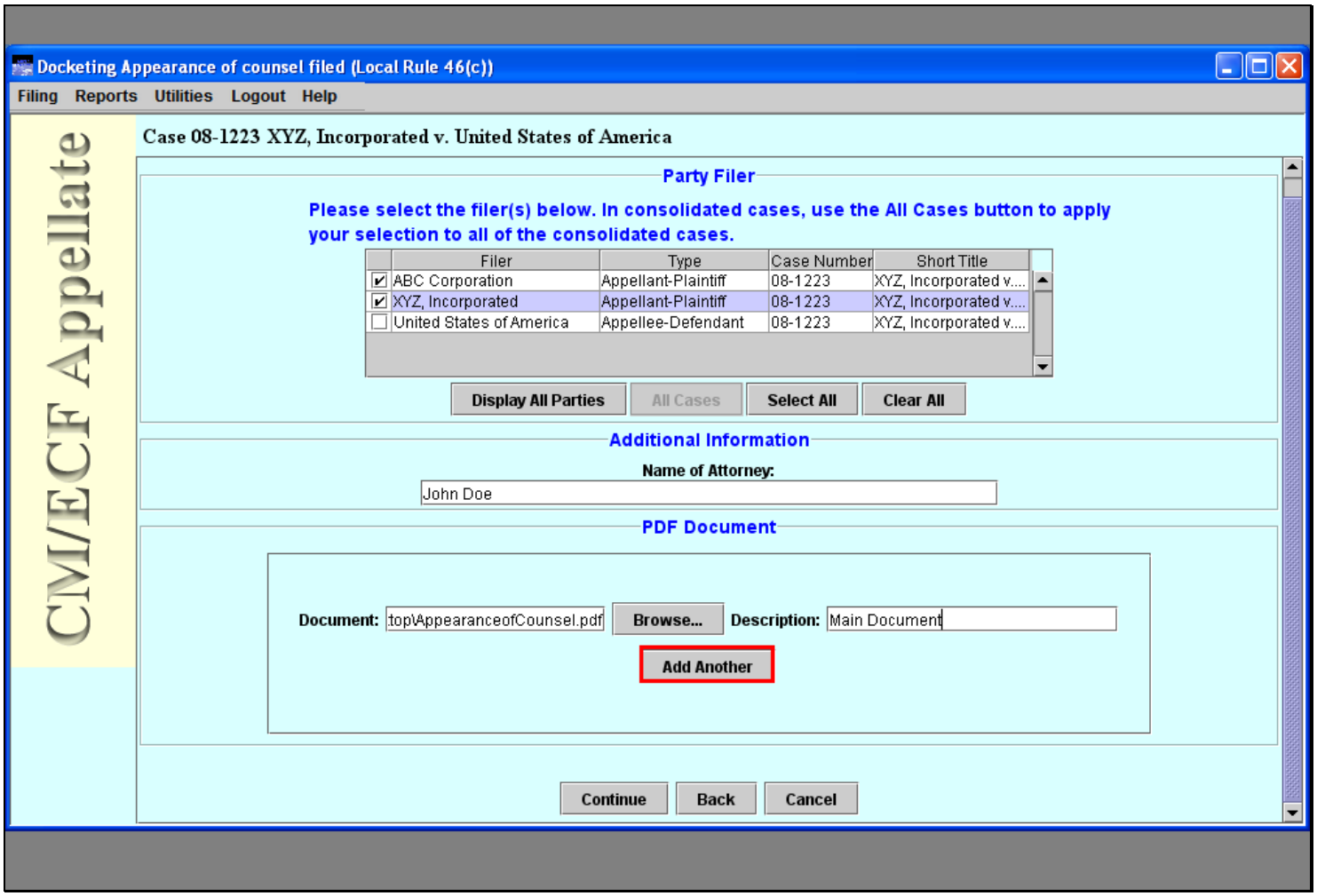
The Select PDF Document dialog box will appear. In this example our document is saved to the Desktop, but you can browse to any available folder to access documents for filing.



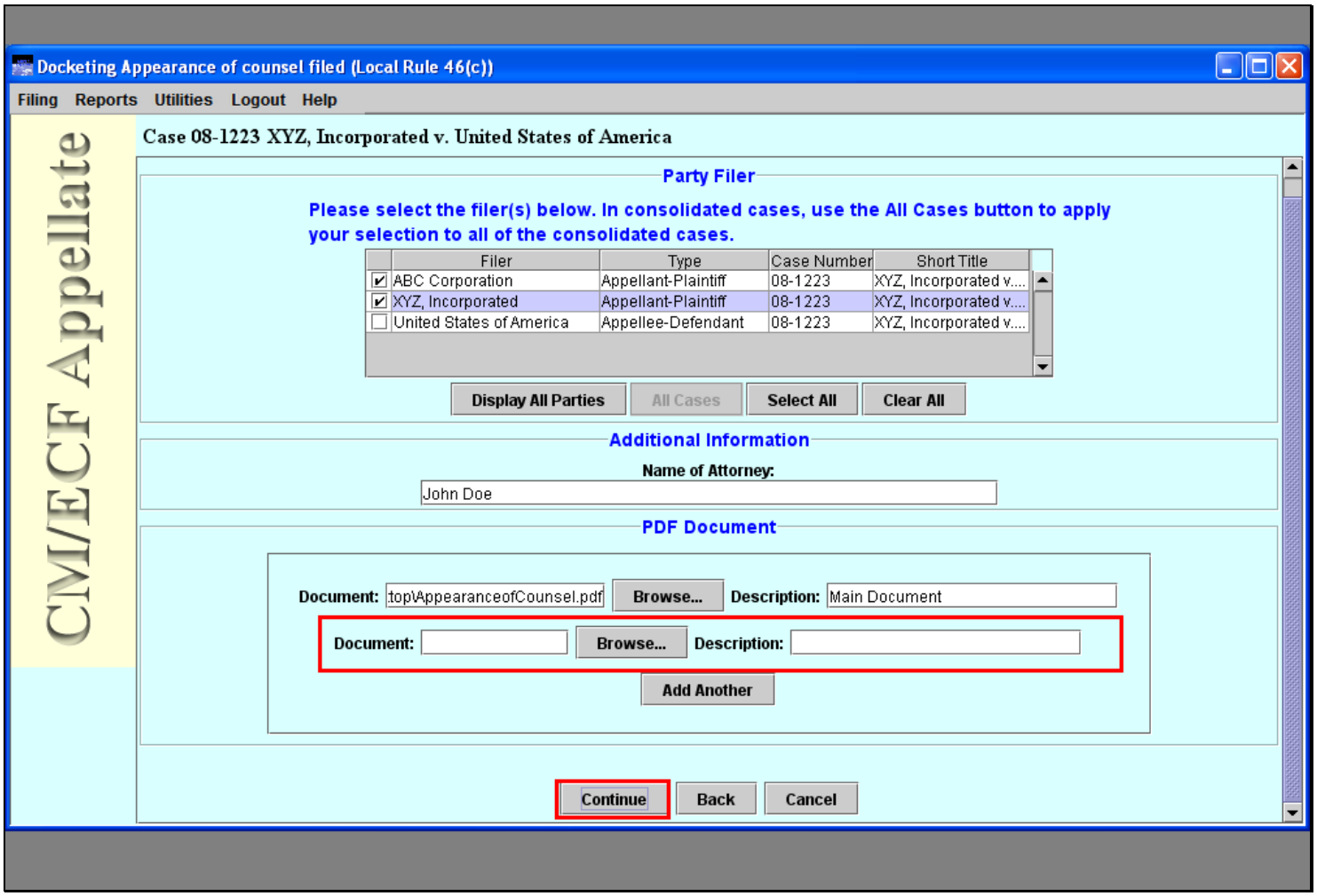
To attach a document to an entry, click the document title, in this case AppearanceofCounsel.pdf.



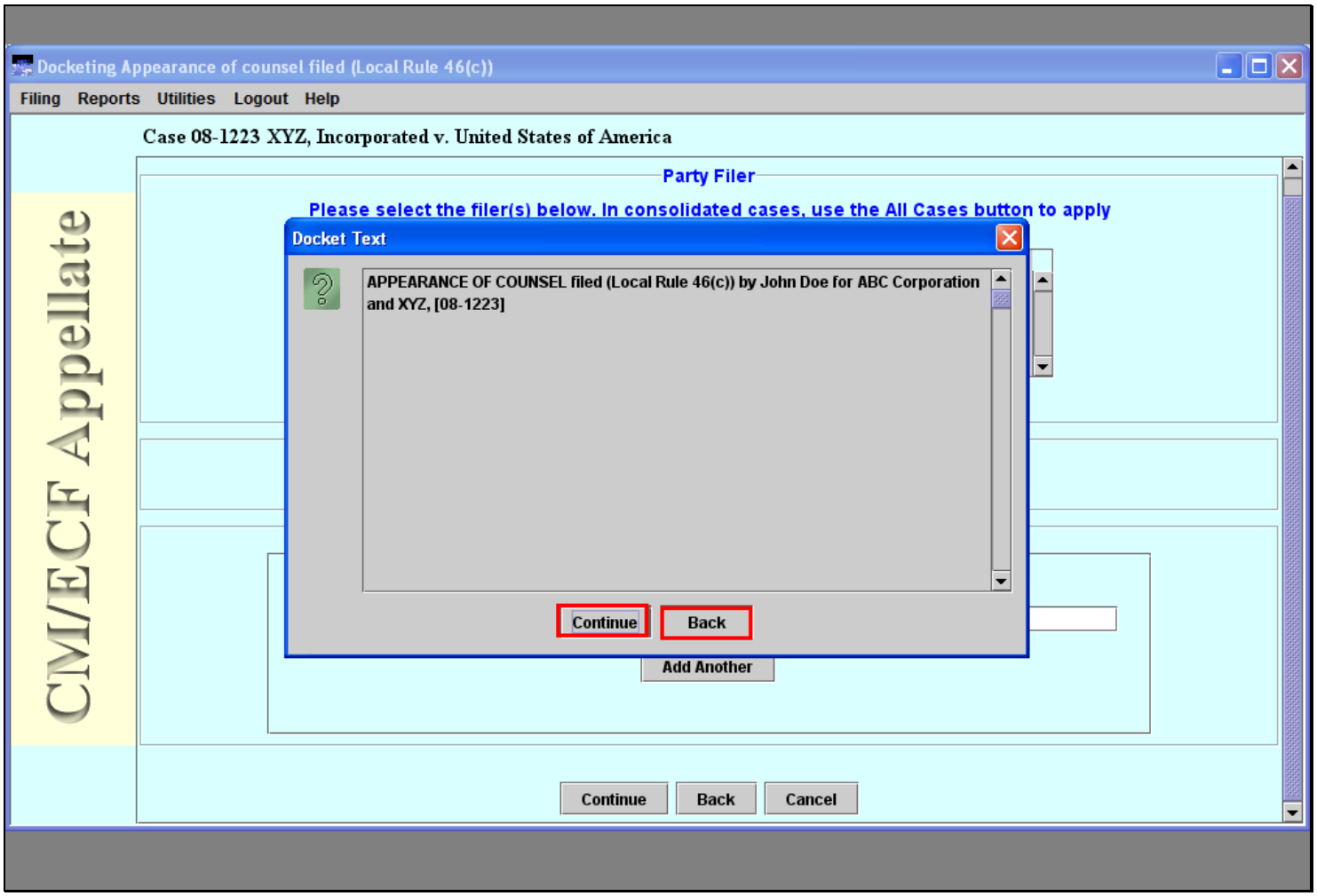
Then we'll click the Open button to upload the selected document to CM/ECF.



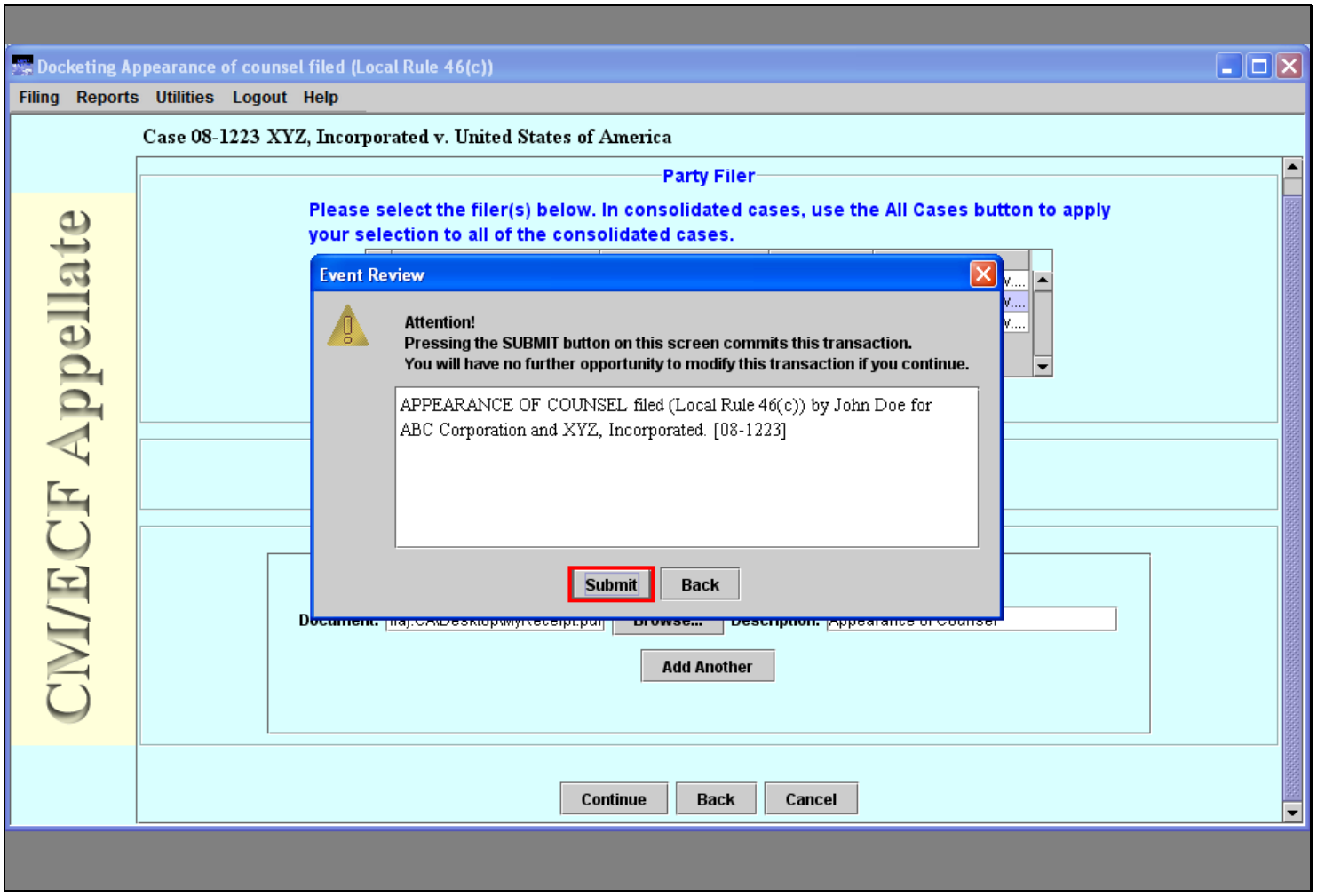
If you have more than one document to attach to an entry, click the Add Another button.



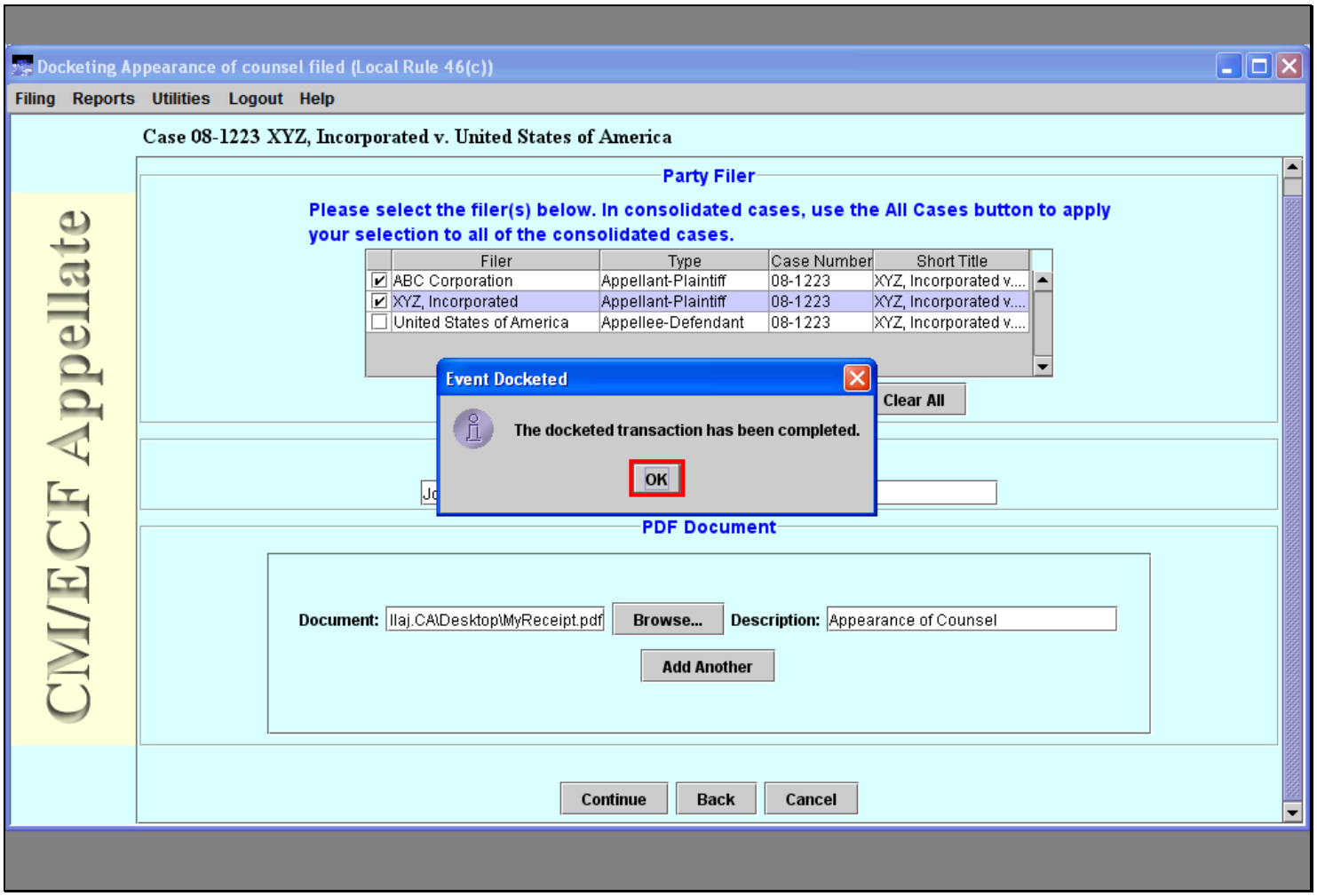
After clicking Add Another, you will have the opportunity to upload a second document. Once all the necessary files are attached to the entry, clicking the Continue button will move us to the next screen.



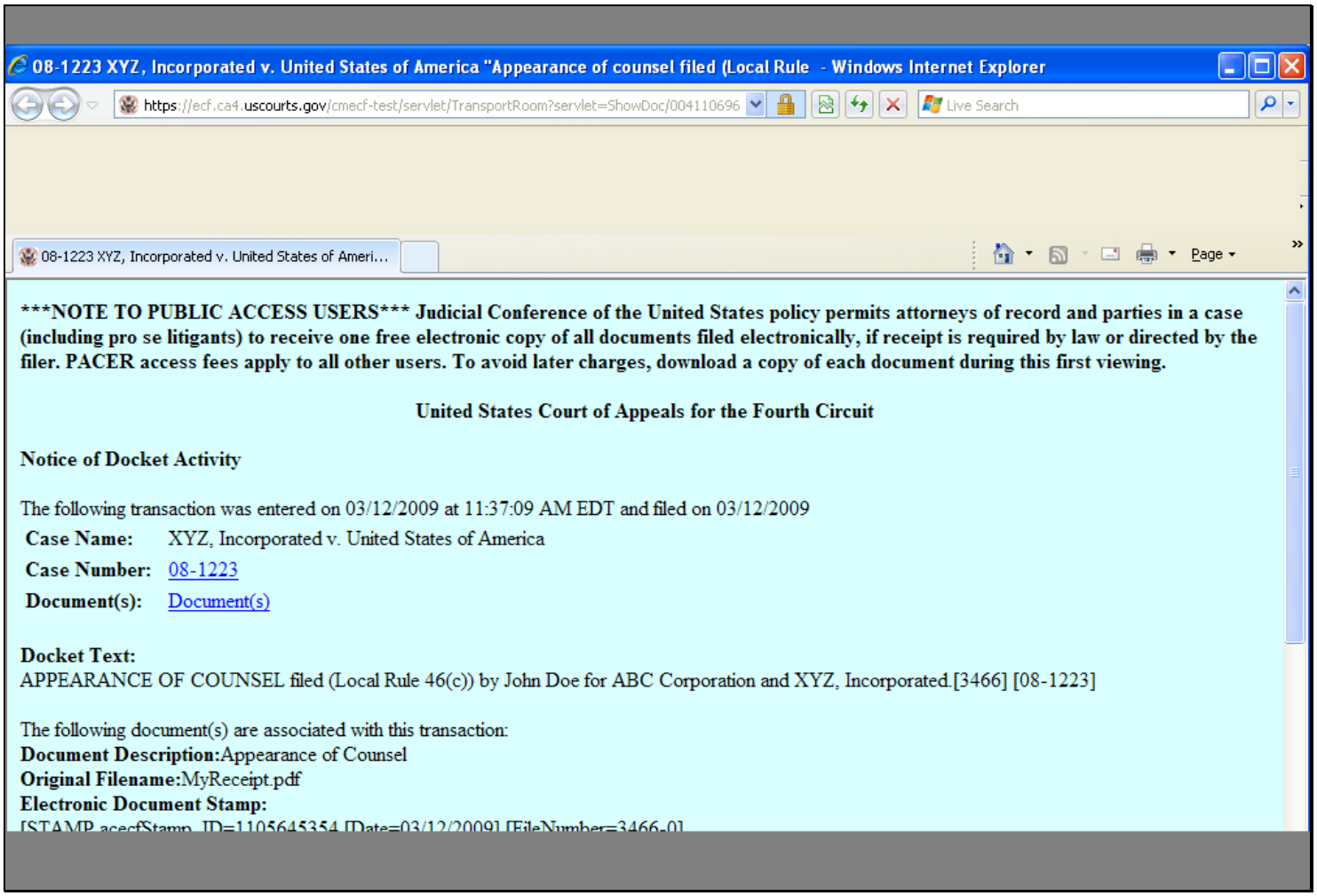
Next, the Docket Text dialog box appears. This is our opportunity to read the text to confirm that we've selected the correct parties and answered all additional information requests appropriately. If any information is incorrect or missing, we would click the Back button to make changes. Our information is correct, so we'll click Continue to proceed.



The system gives us one last chance to review the docket text. Again, if anything was incorrect, we'd click the Back button. To finalize the entry, we'll click Submit.

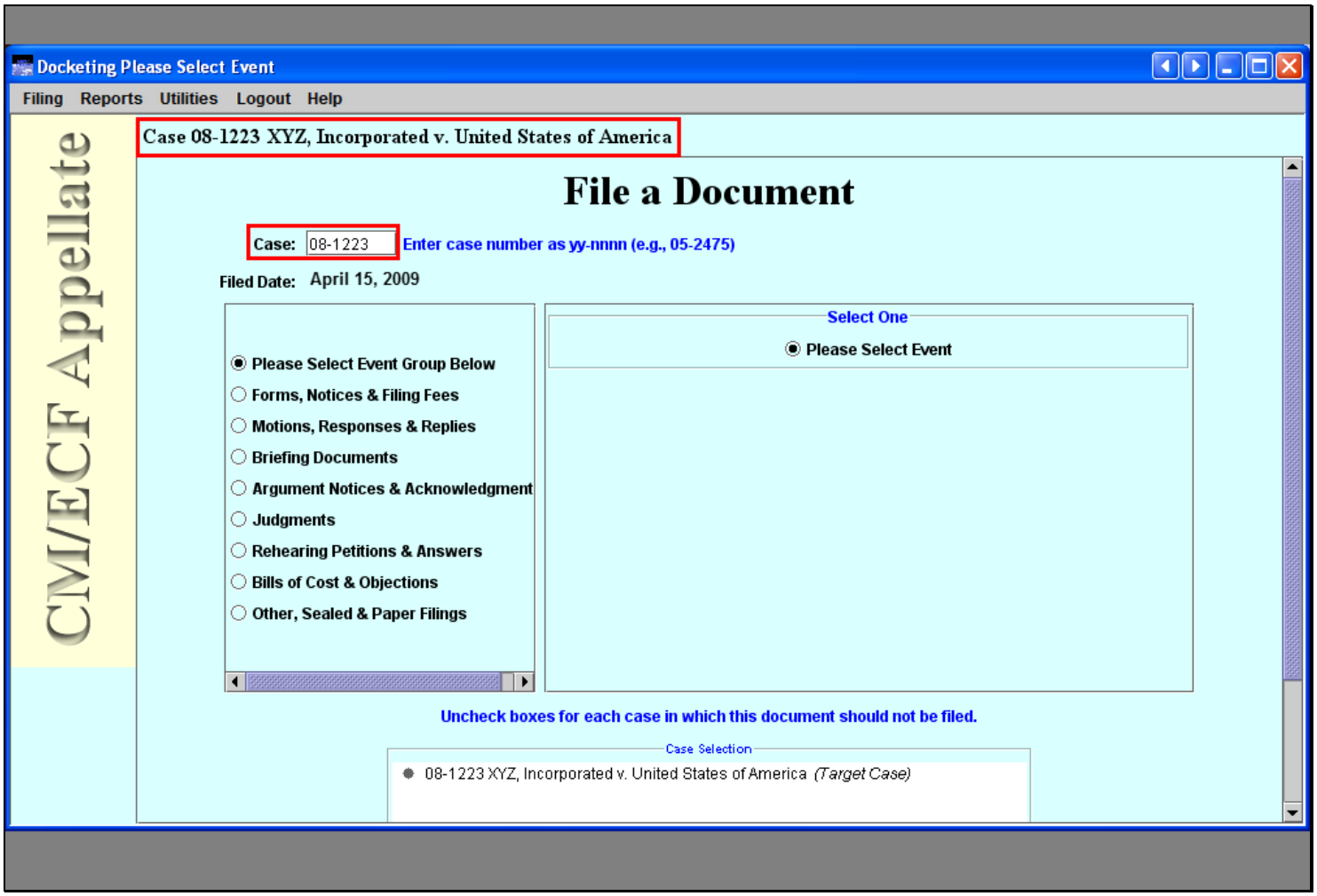


Once the entry has been successfully docketed, the Event Docketed dialog box will appear on the screen. We'll click OK to complete the entry.

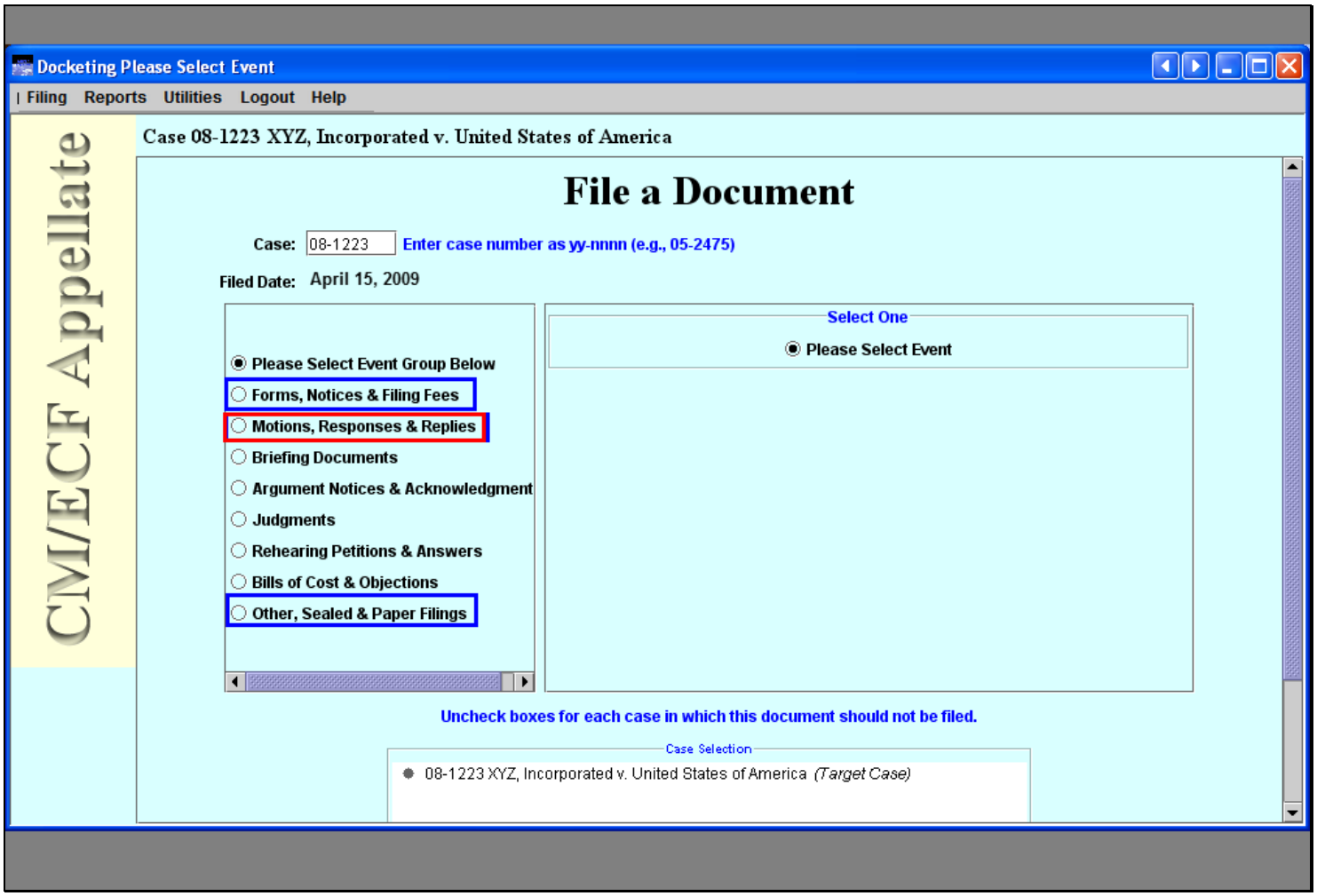


If you have pop-up blockers turned off in your Internet browser, the Notice of Docket Activity will launch on your screen. At the same time, the Notice of Docket Activity will be emailed to the Court and all ECF Users associated with the case, including counsel filing the document.

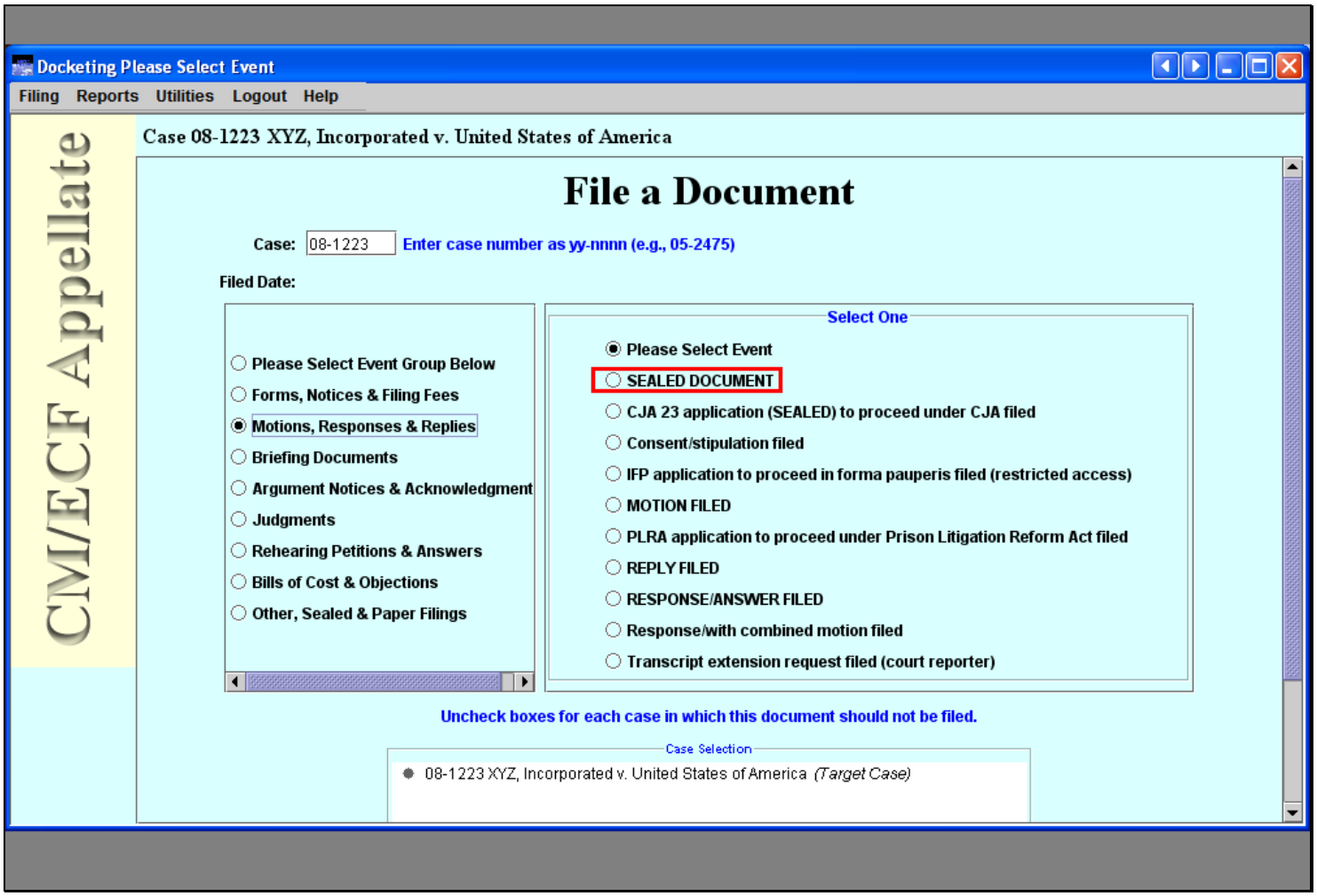
SEALED MOTION



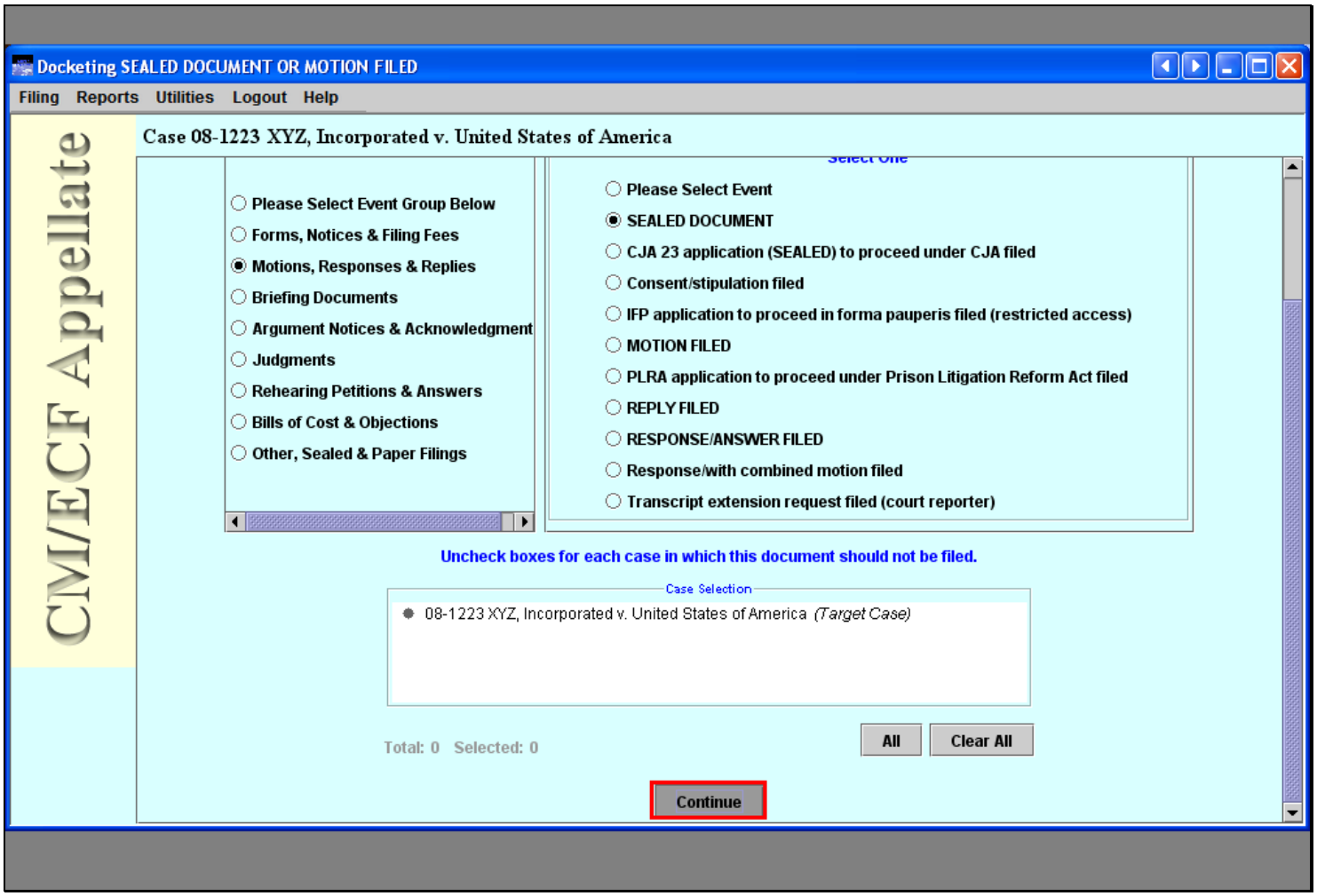
After closing the Notice of Docket Activity for our last filing, CM/ECF brings us back to the File a Document screen with our case already selected. Next, we are going to file a Motion for Extension of Time that includes sealed material. Remember, any document containing sealed material must be filed using the appropriate sealed entry, SEALED BRIEF, SEALED APPENDIX or SEALED DOCUMENT.



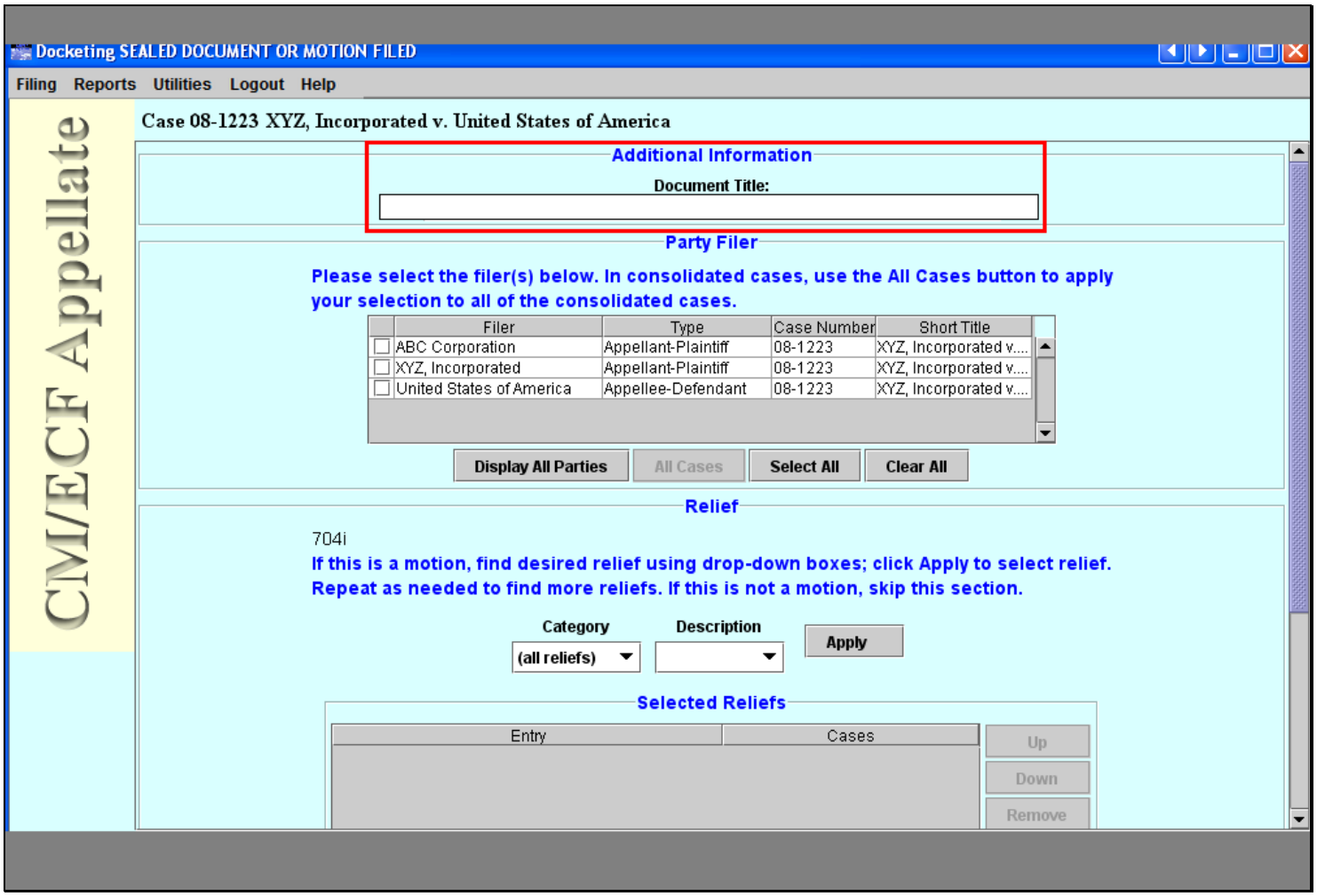
The entry Sealed Document is listed under several event categories including, Forms, Notices & Filing Fees; Motions, Responses & Replies; and Other, Sealed & Paper Filings. Any of these categories can be selected, the key is to select the correct event from the right-hand box. In this example, we'll select the event category Motions, Responses & Replies.



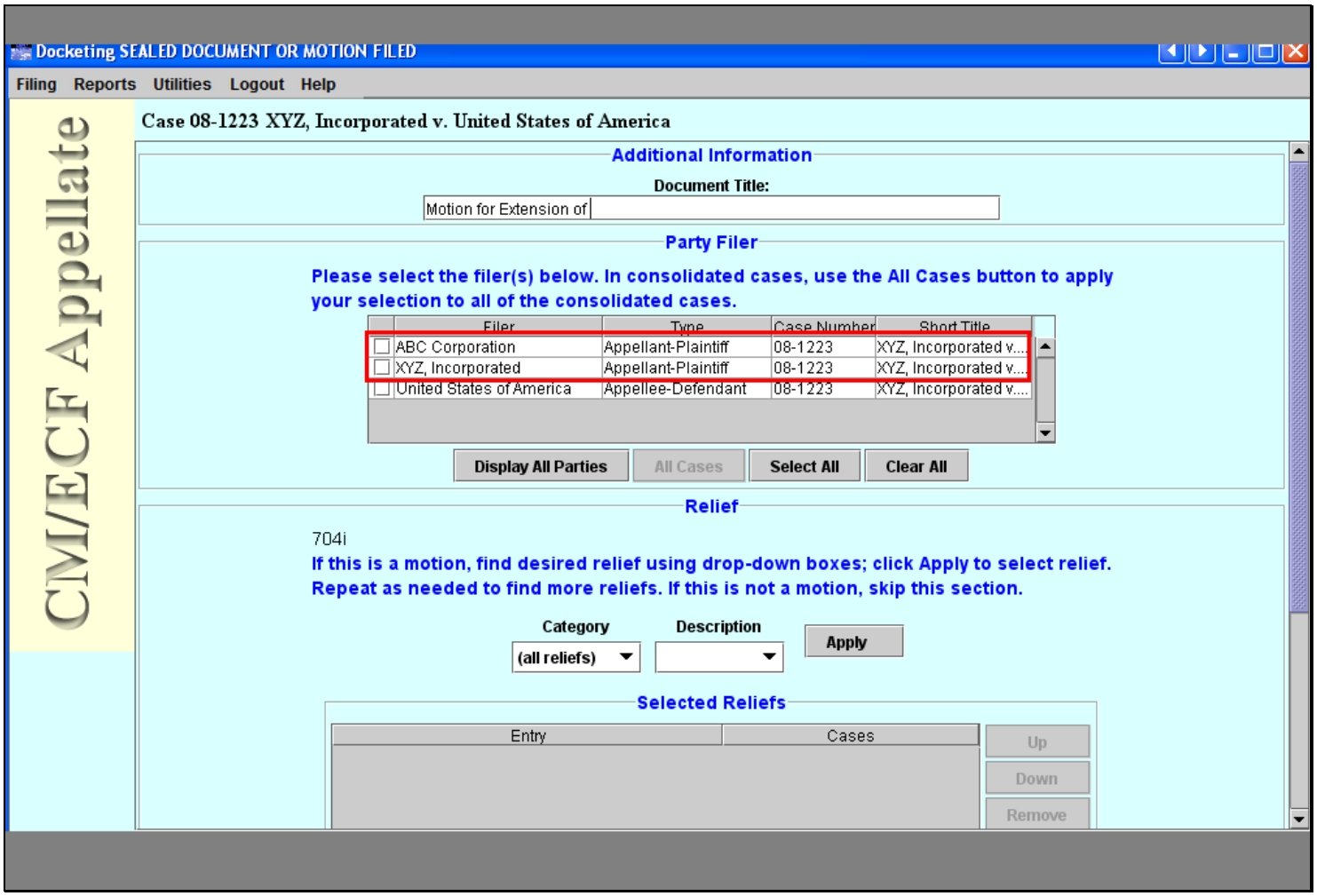
From the event list, we'll select Sealed Document.



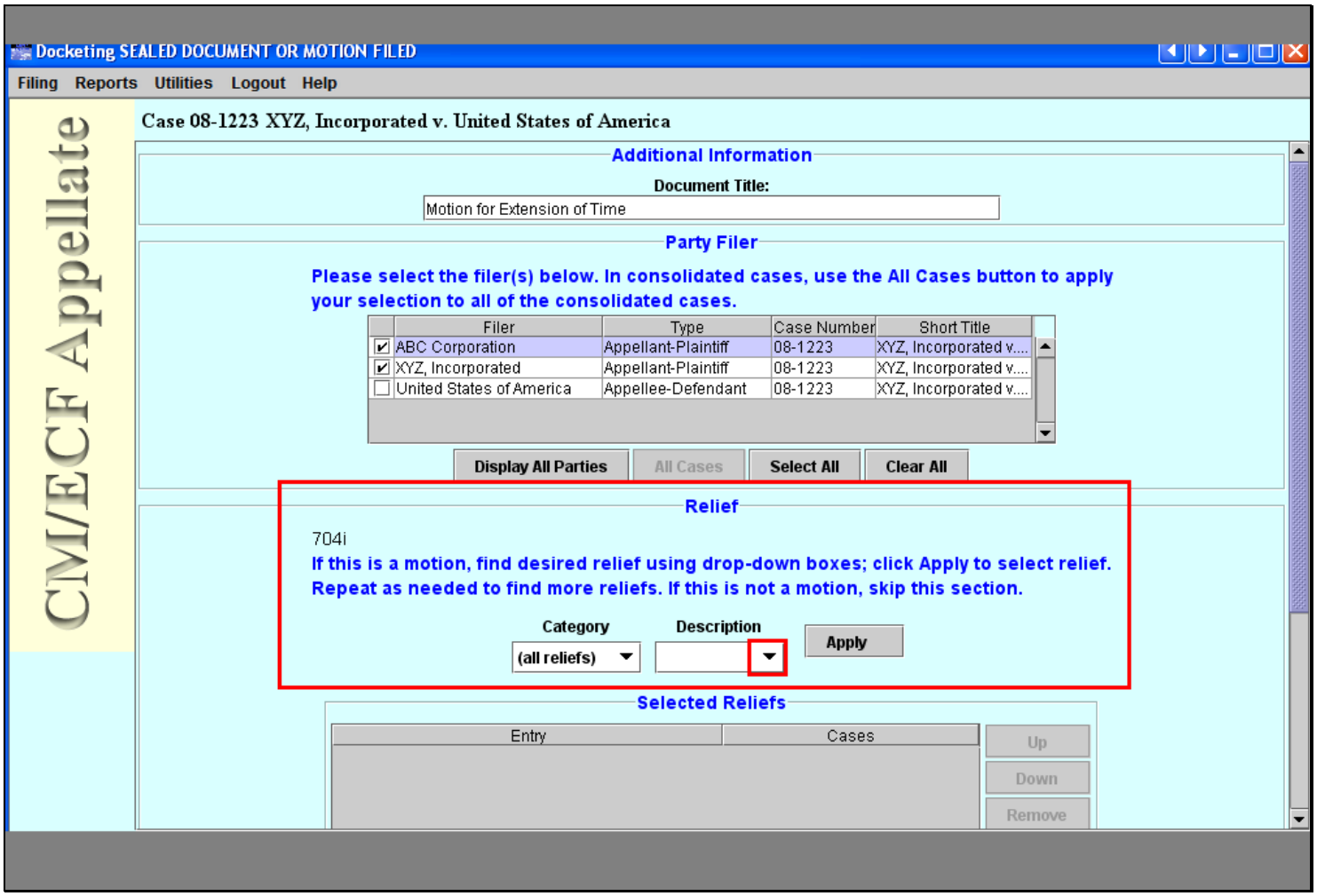
Next, we'll click continue at the bottom of the screen.



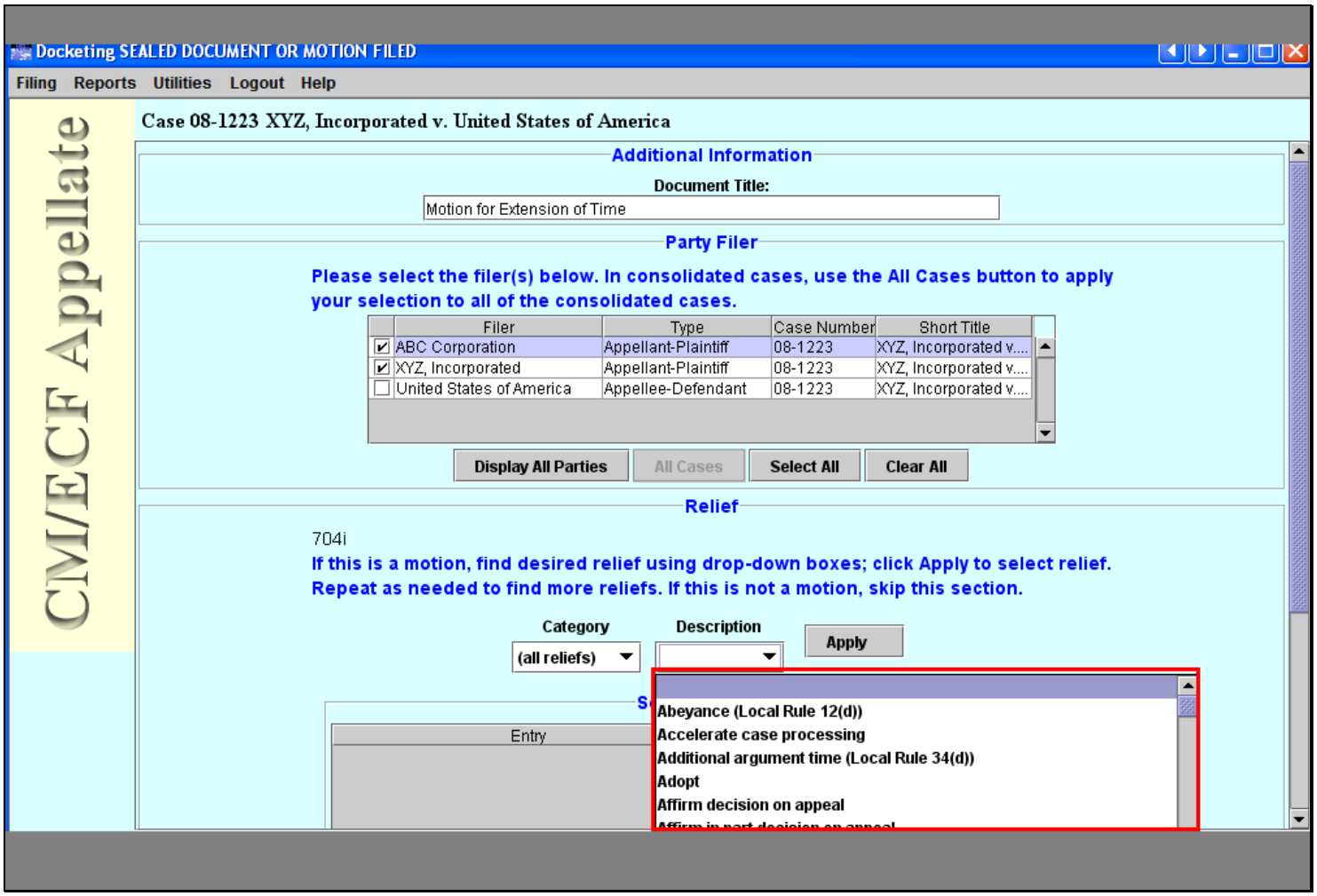
The first additional information request asks us to type in the Document Title. For this example, we'll type Motion for Extension of Time.



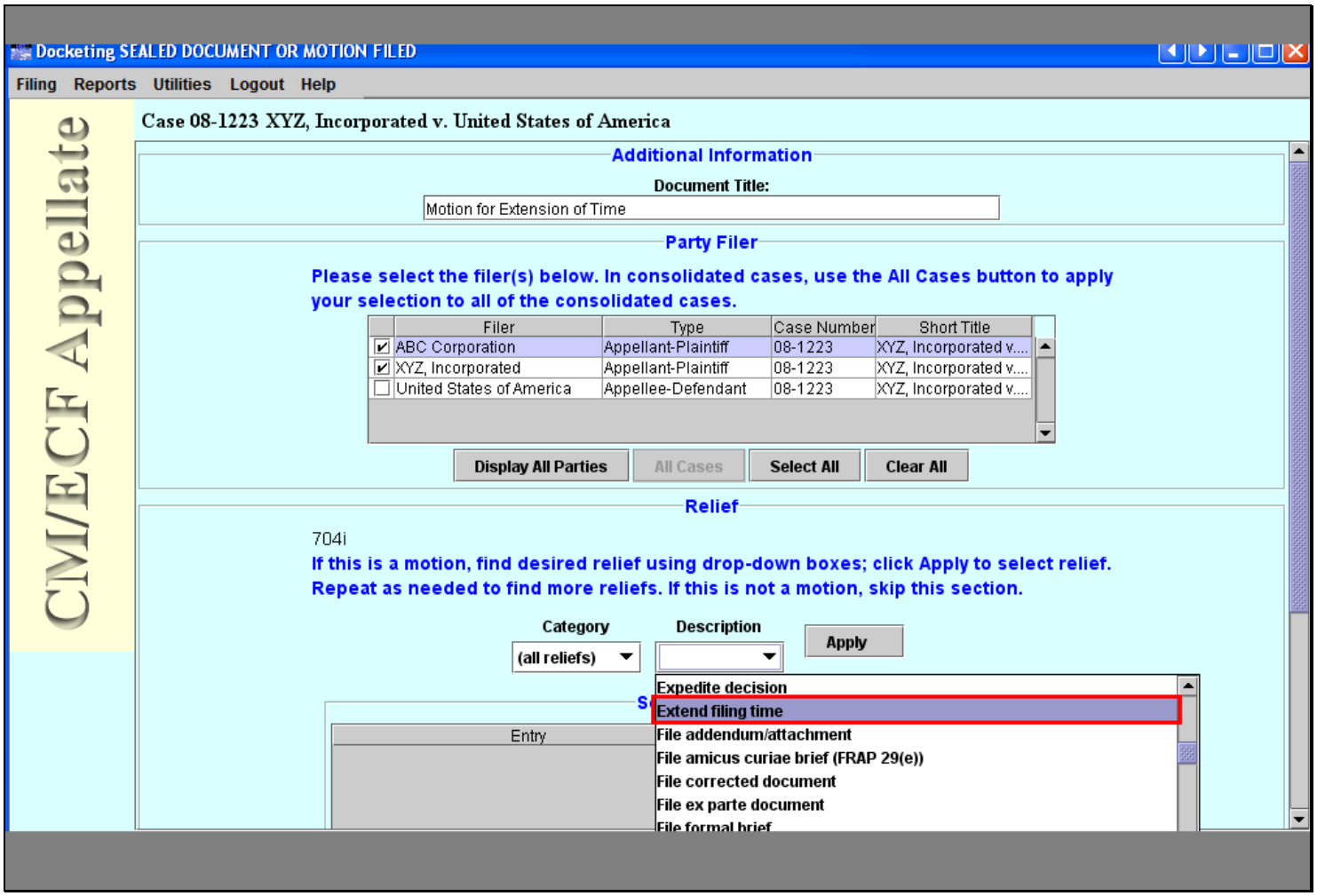
Next, we'll select the parties we are filing on behalf of, appellants ABC Corporation and XYZ, Incorporated.



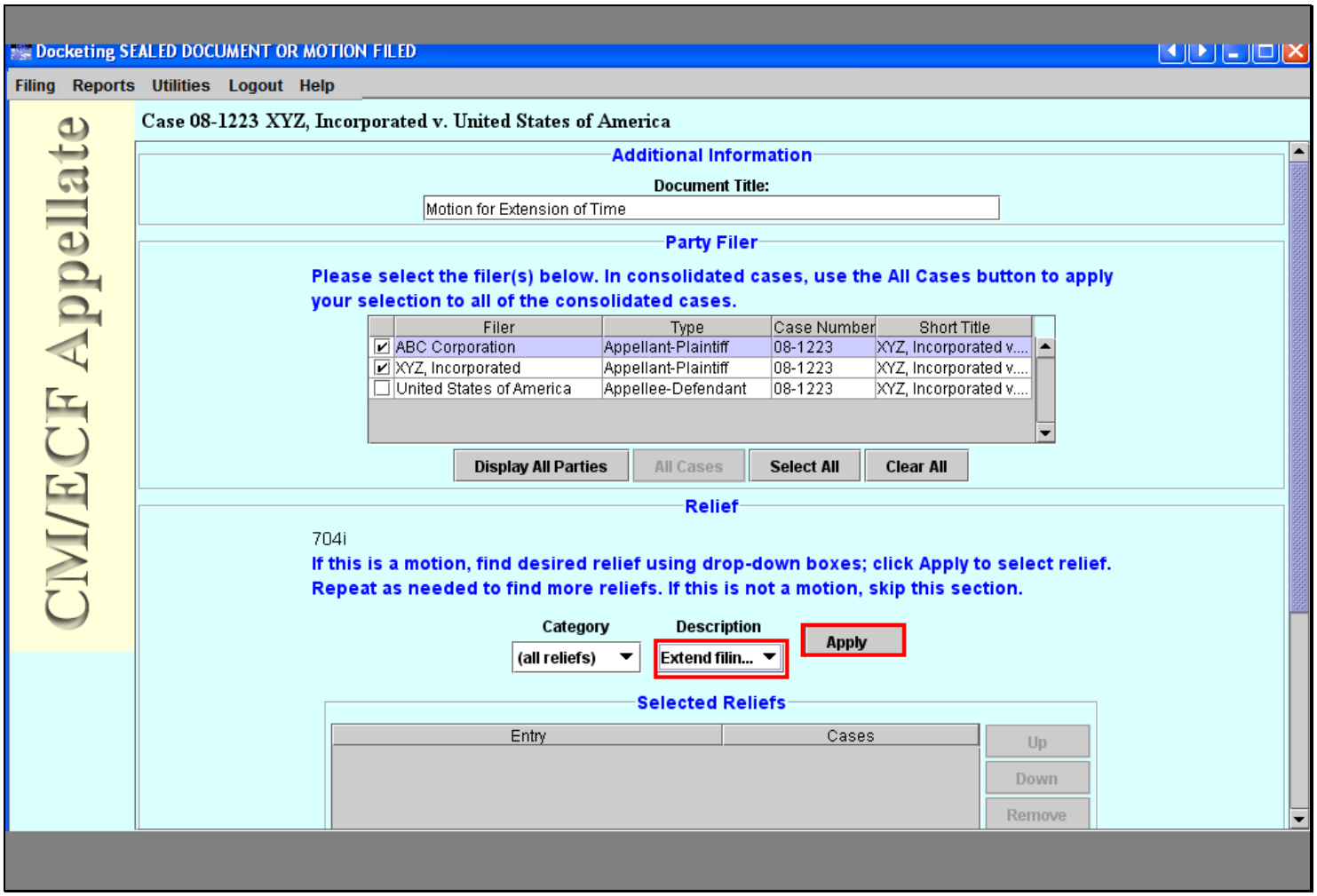
The Relief section of this entry is where we'll indicate what type of motion we are filing. You will always have to select at least one relief each time you file a motion. If we were filing a sealed document rather than a sealed motion with this entry, we would skip the relief section. To select a relief, we'll click the drop down arrow under description.



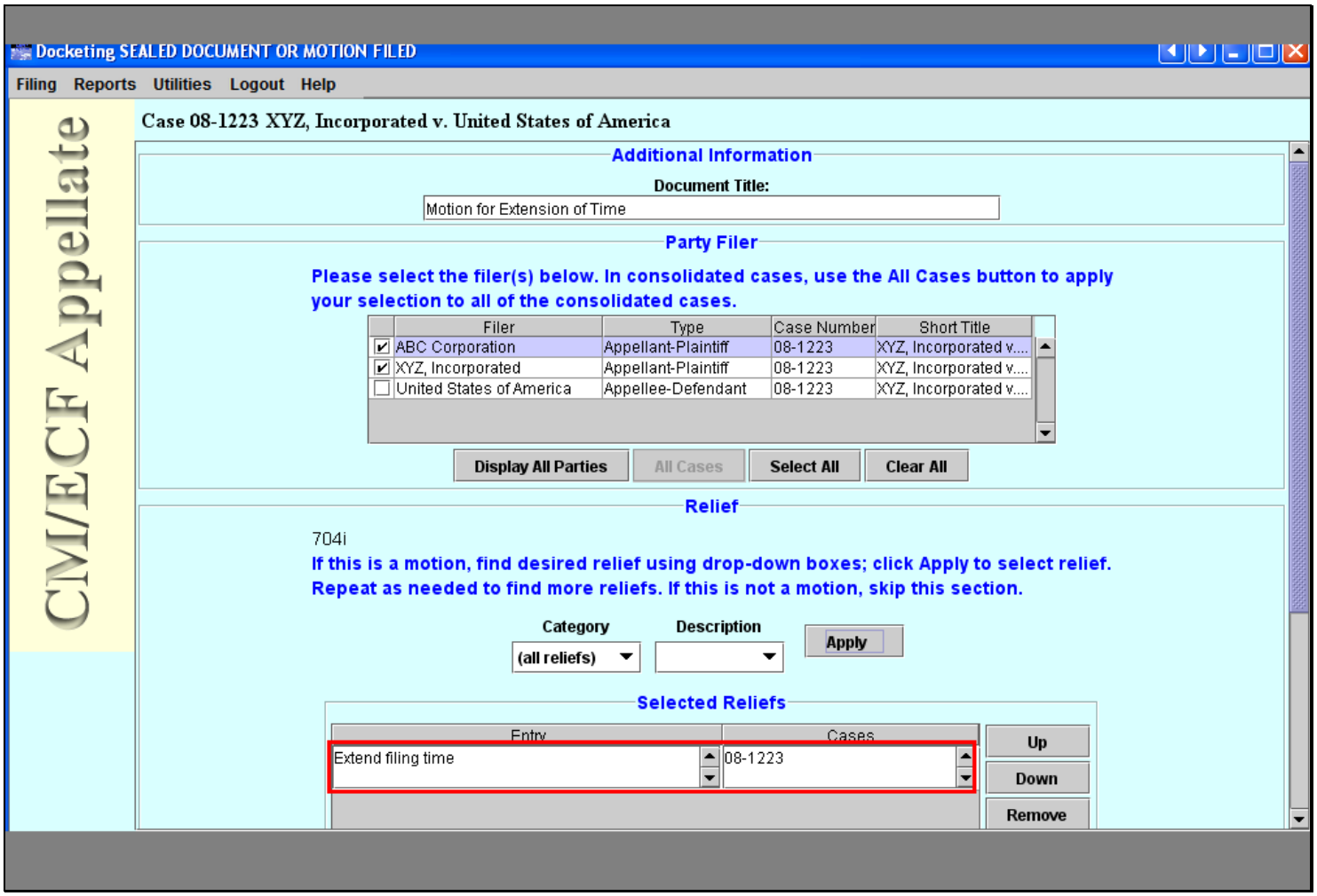
An alphabetical list of all available reliefs appears. We'll scroll down the list until we locate "Extend Filing Time." If you are unsure which relief to select, please contact the Clerk's office for assistance.



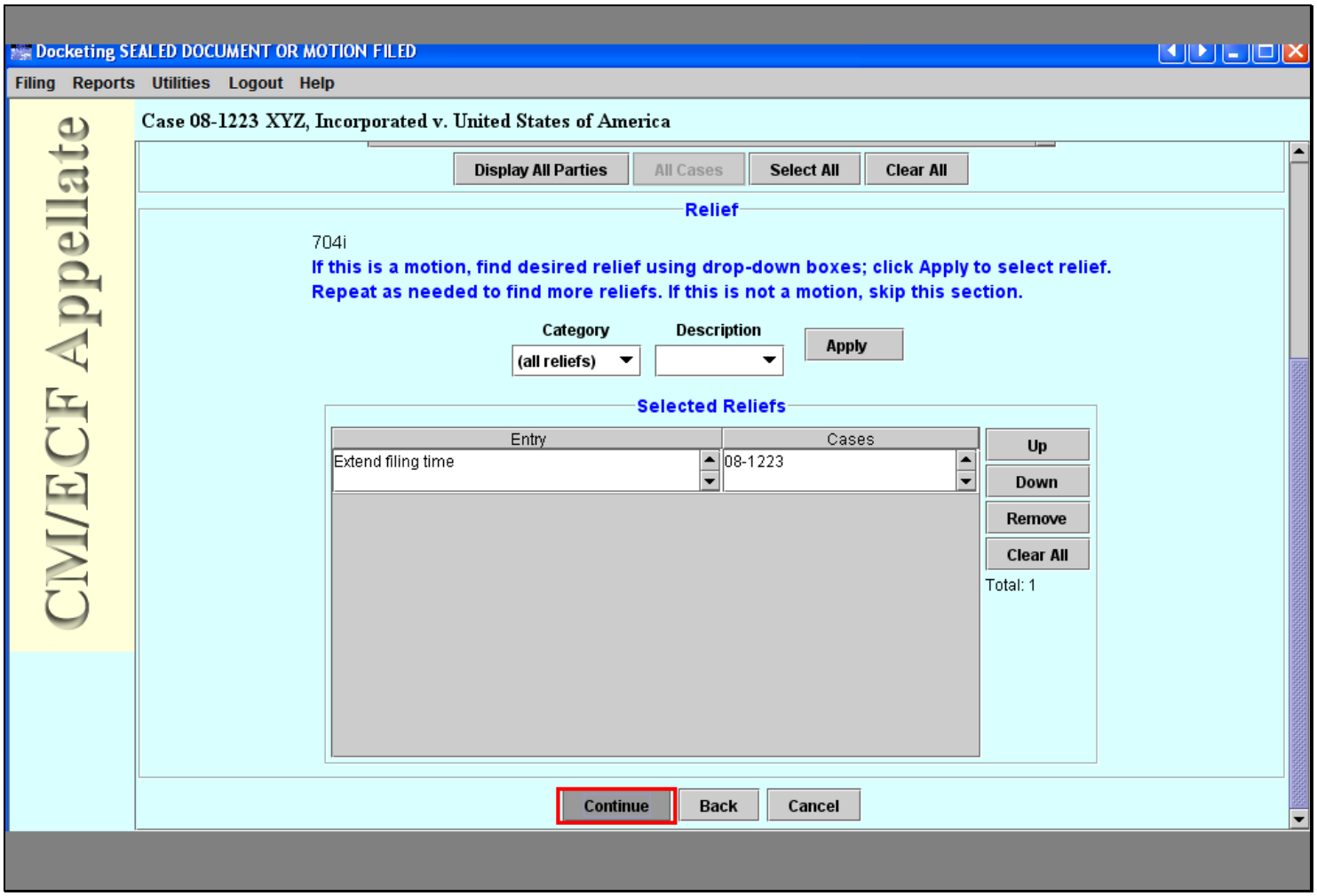
Once the appropriate relief is located, we'll double click to select.



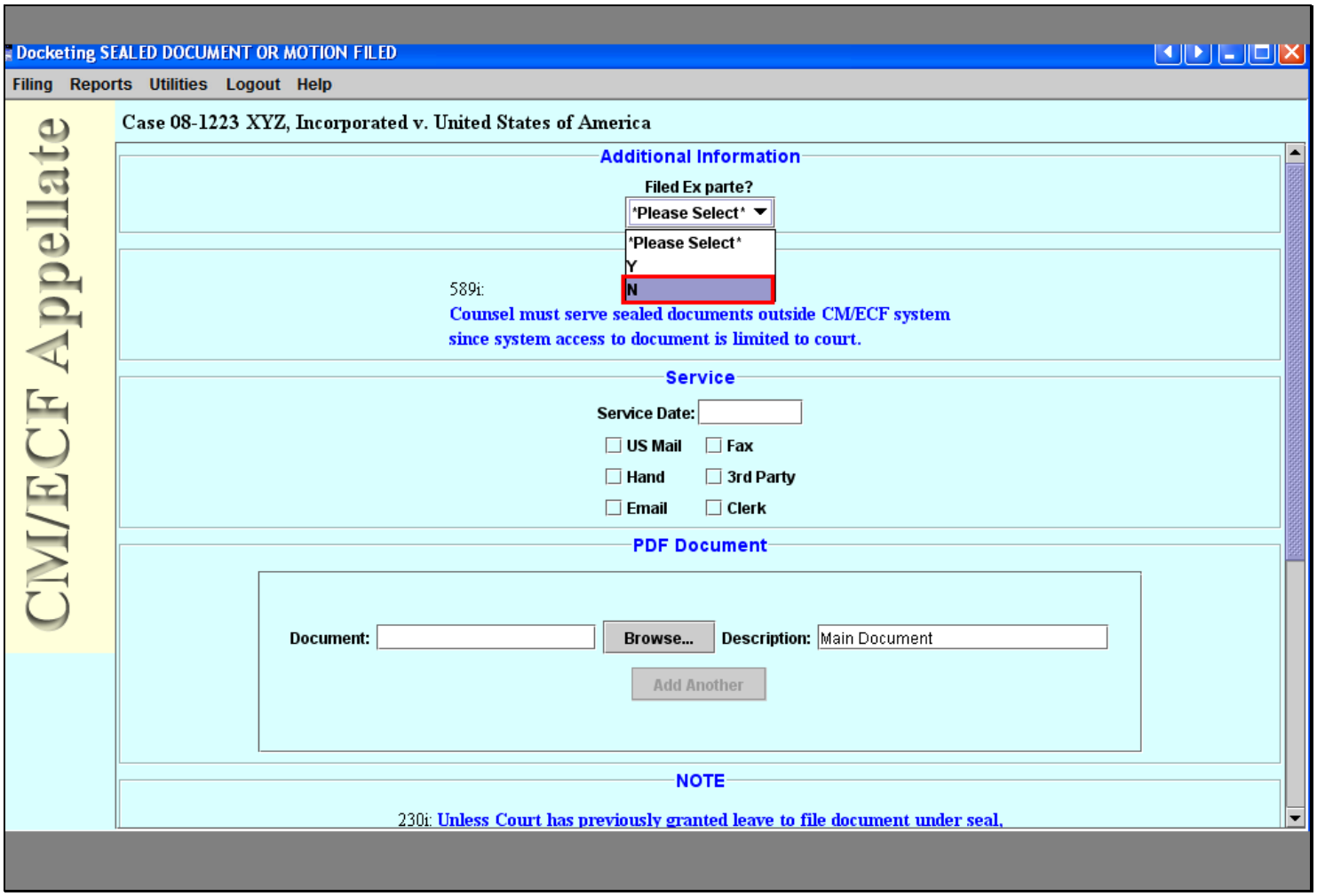
The relief will now appear in the description box. We'll click the Apply button to confirm our selection.



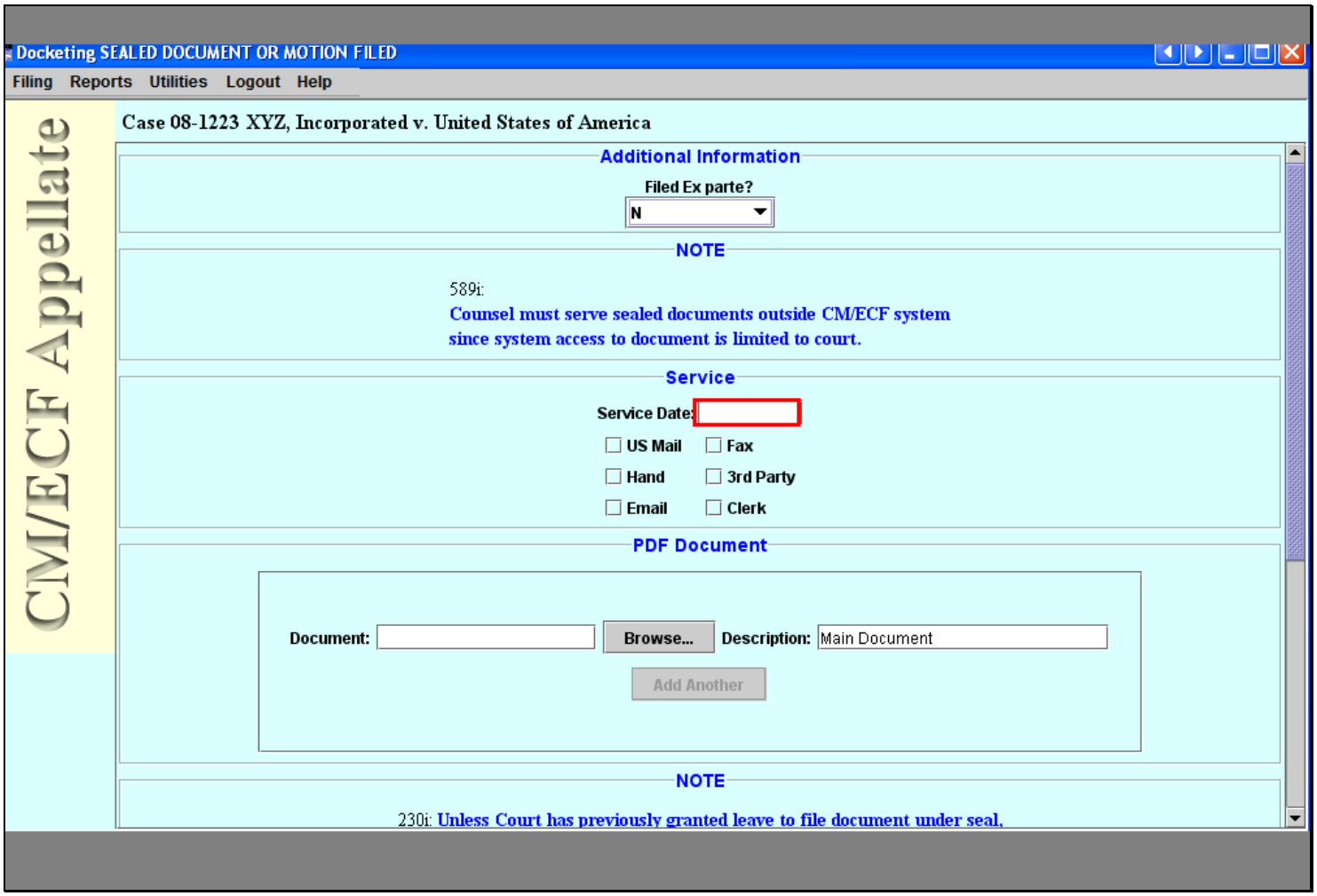
The relief will appear in the Selected Reliefs box.



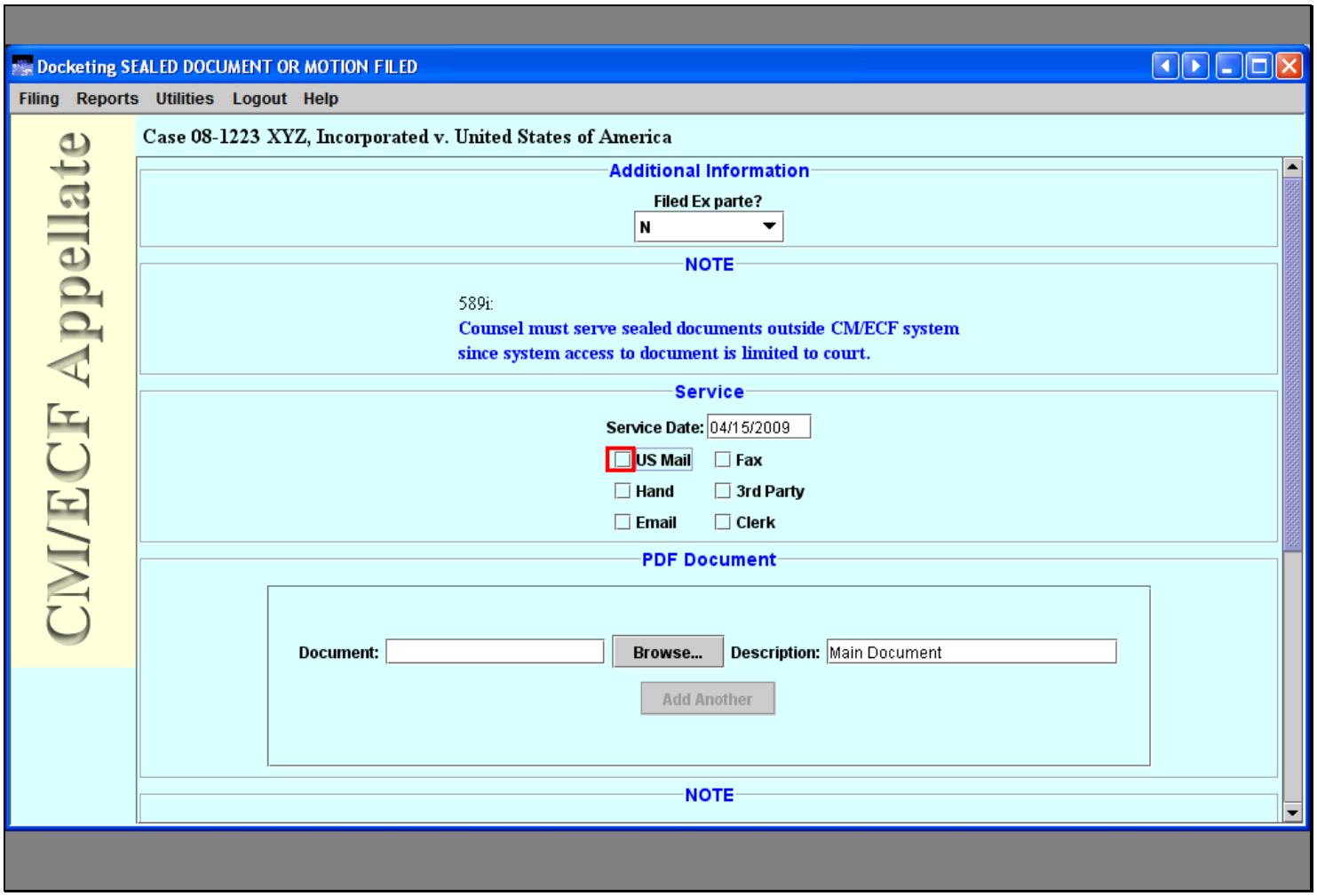
We'll click Continue to proceed.



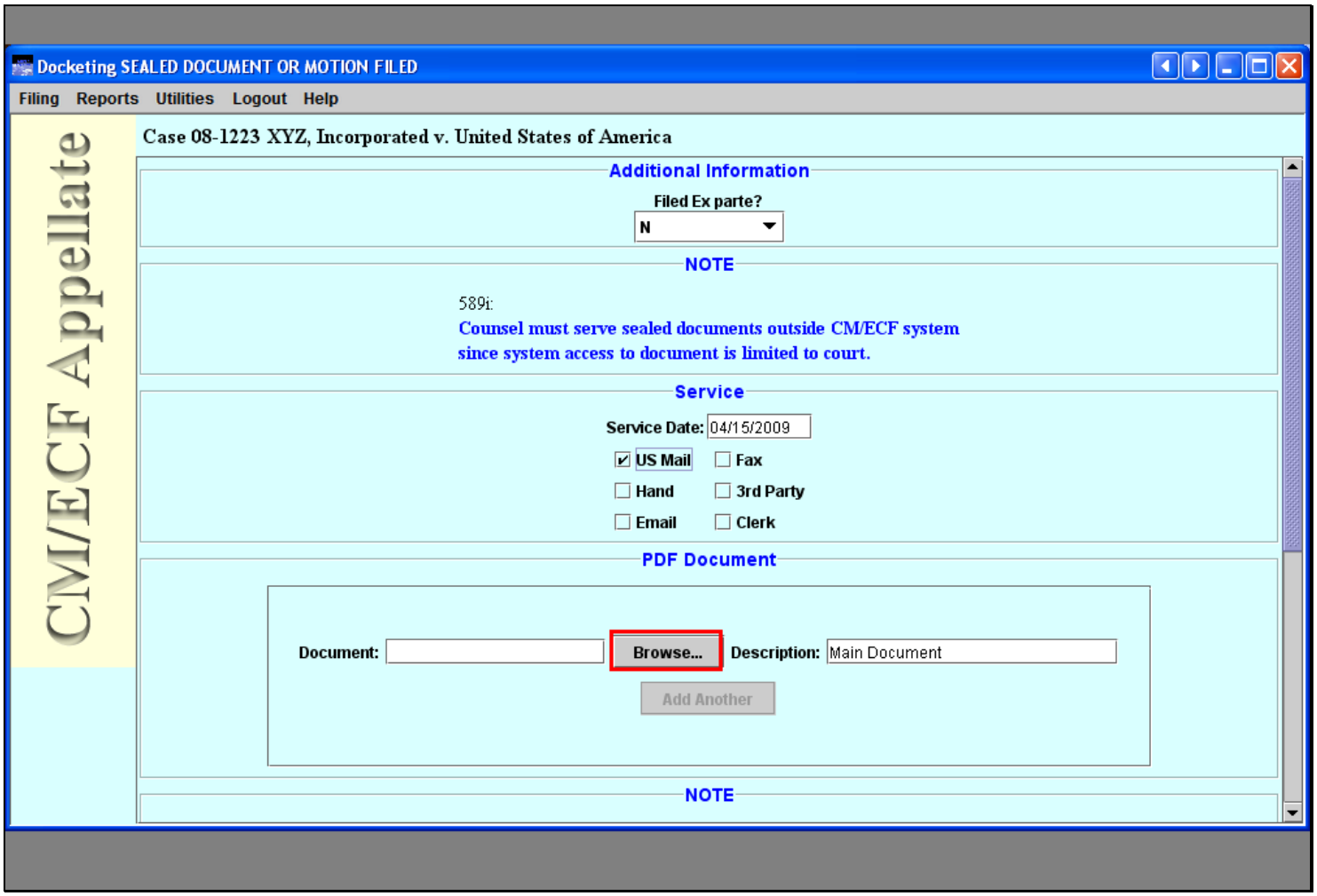
The next screen requires answers to a number of additional information requests and the uploading of our motion in PDF form. First, we'll answer if the motion is being filed ex parte. In this example, we'll select "N" for No.



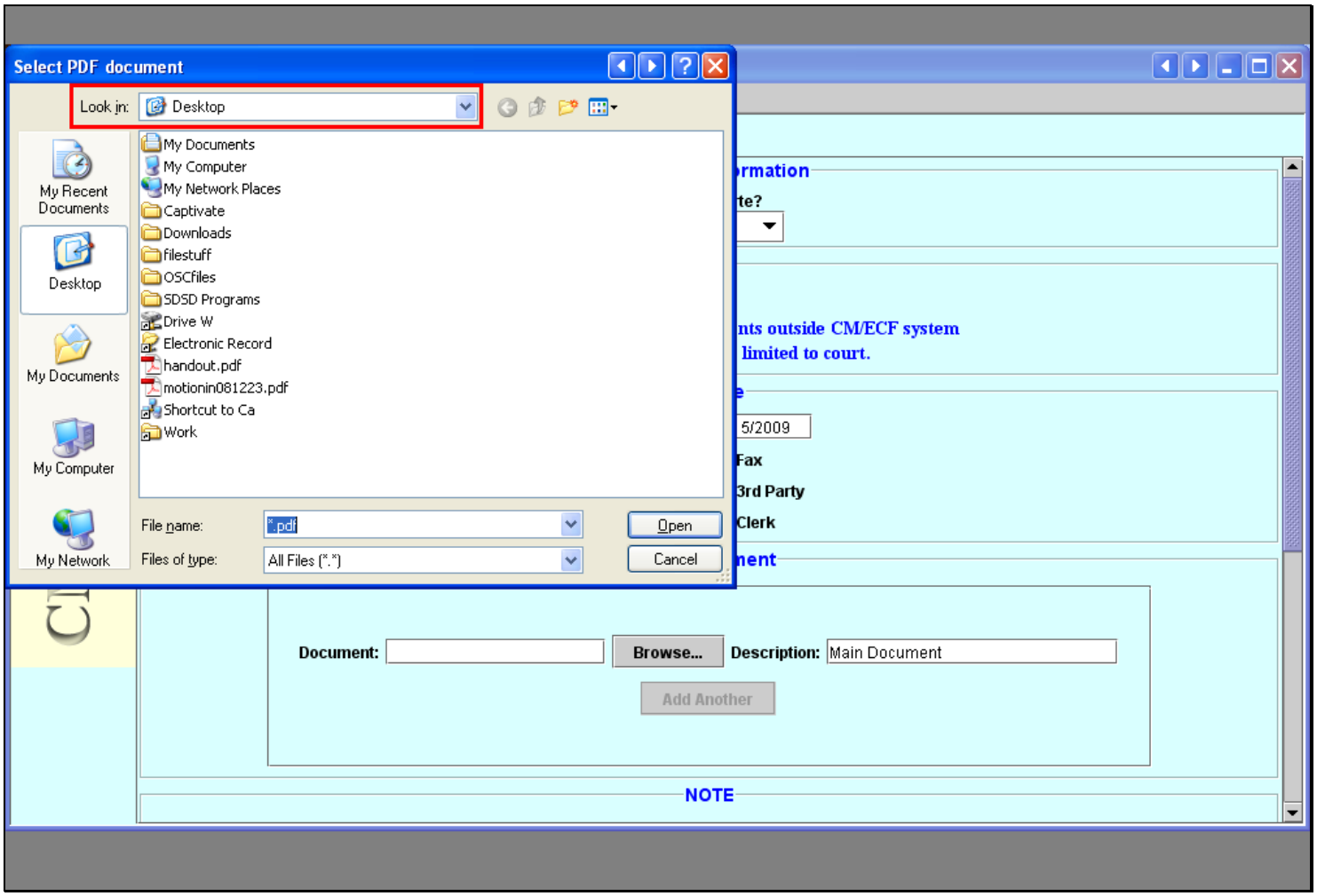
Next, we'll enter the date we are serving the motion on opposing counsel. This should be the same day you are completing the filing. We'll enter 04/15/09.



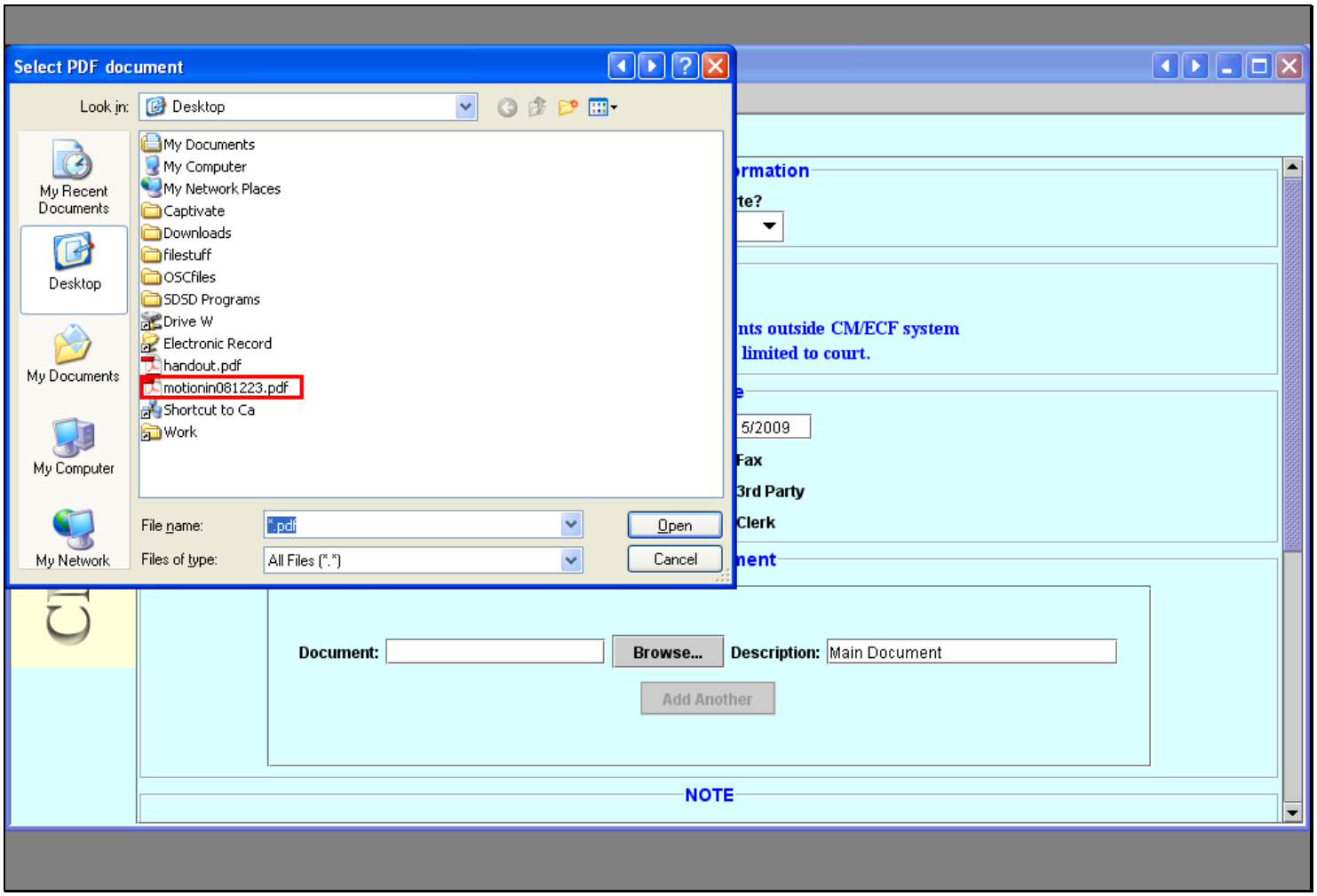
Next, we must indicate how service will be accomplished. Since we are filing a sealed document, service must be made outside of CM/ECF so US Mail or Hand delivery should be selected. We'll choose US Mail.



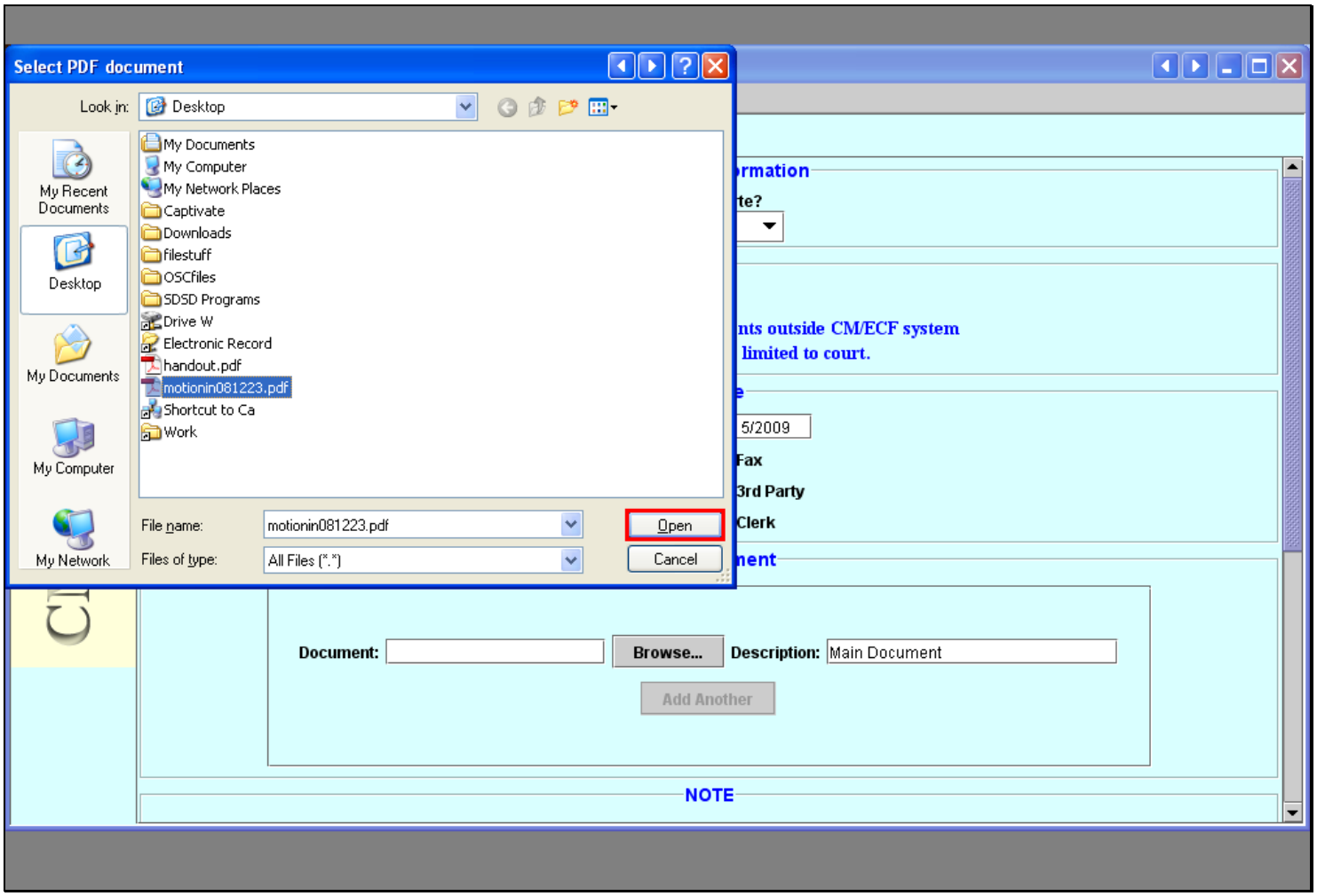
Next, we'll click the Browse button to locate the PDF file we want to attach to this entry.



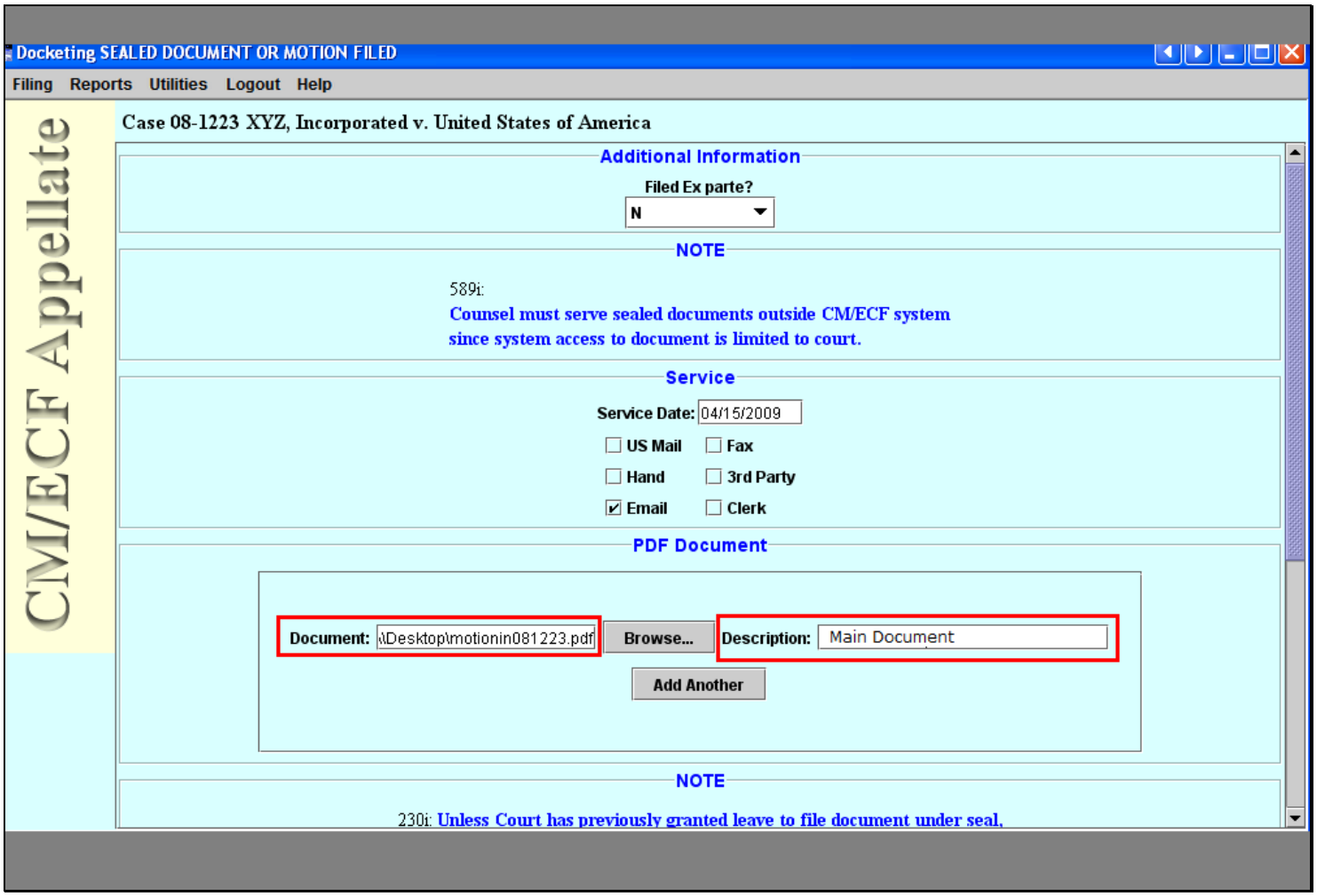
The Select PDF Document dialog box will appear. In this example our document is saved to the Desktop, but you can browse to any available folder to access documents for filing.



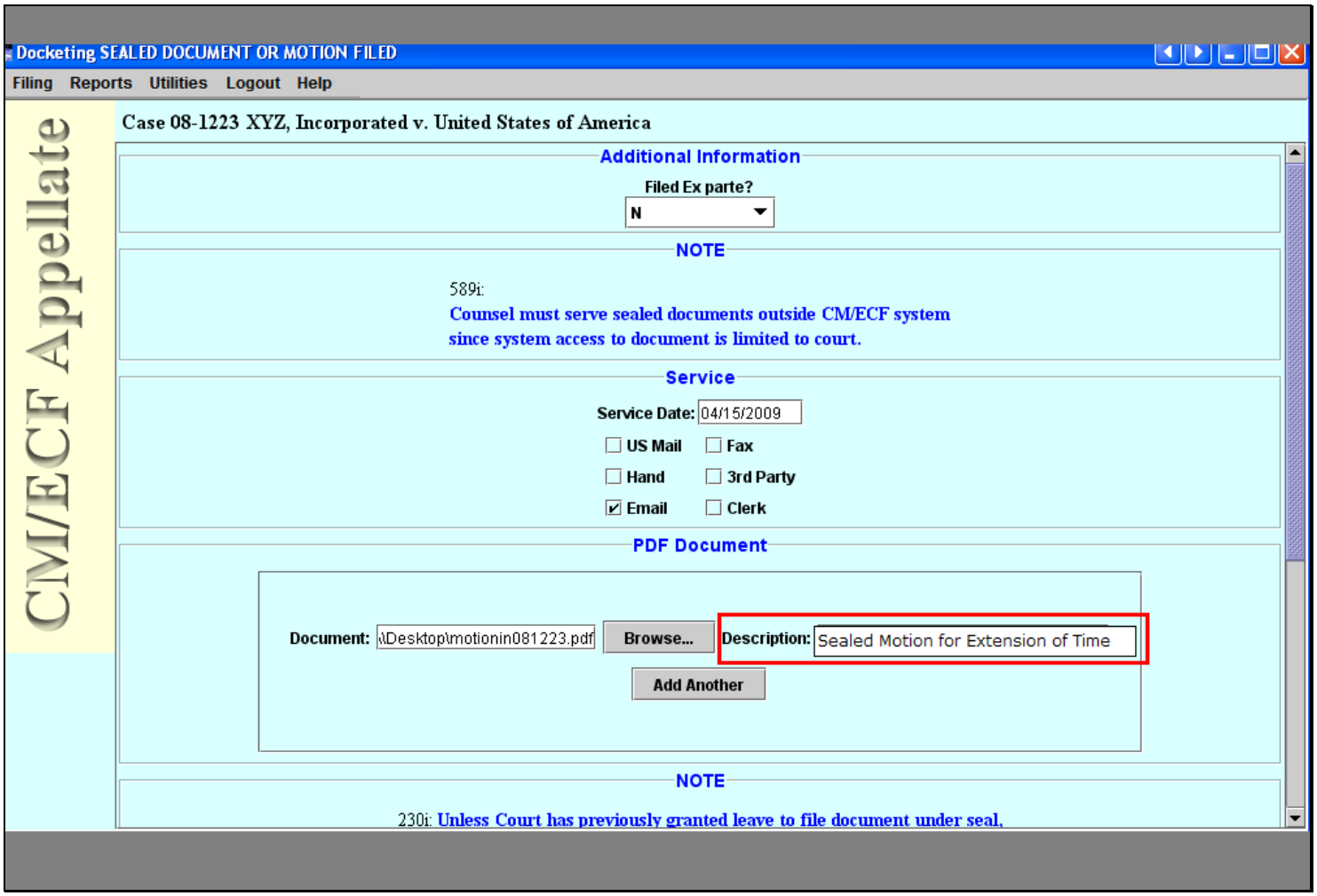
To attach a document to an entry, we'll click on the document title, in this case Motionin081223.pdf.



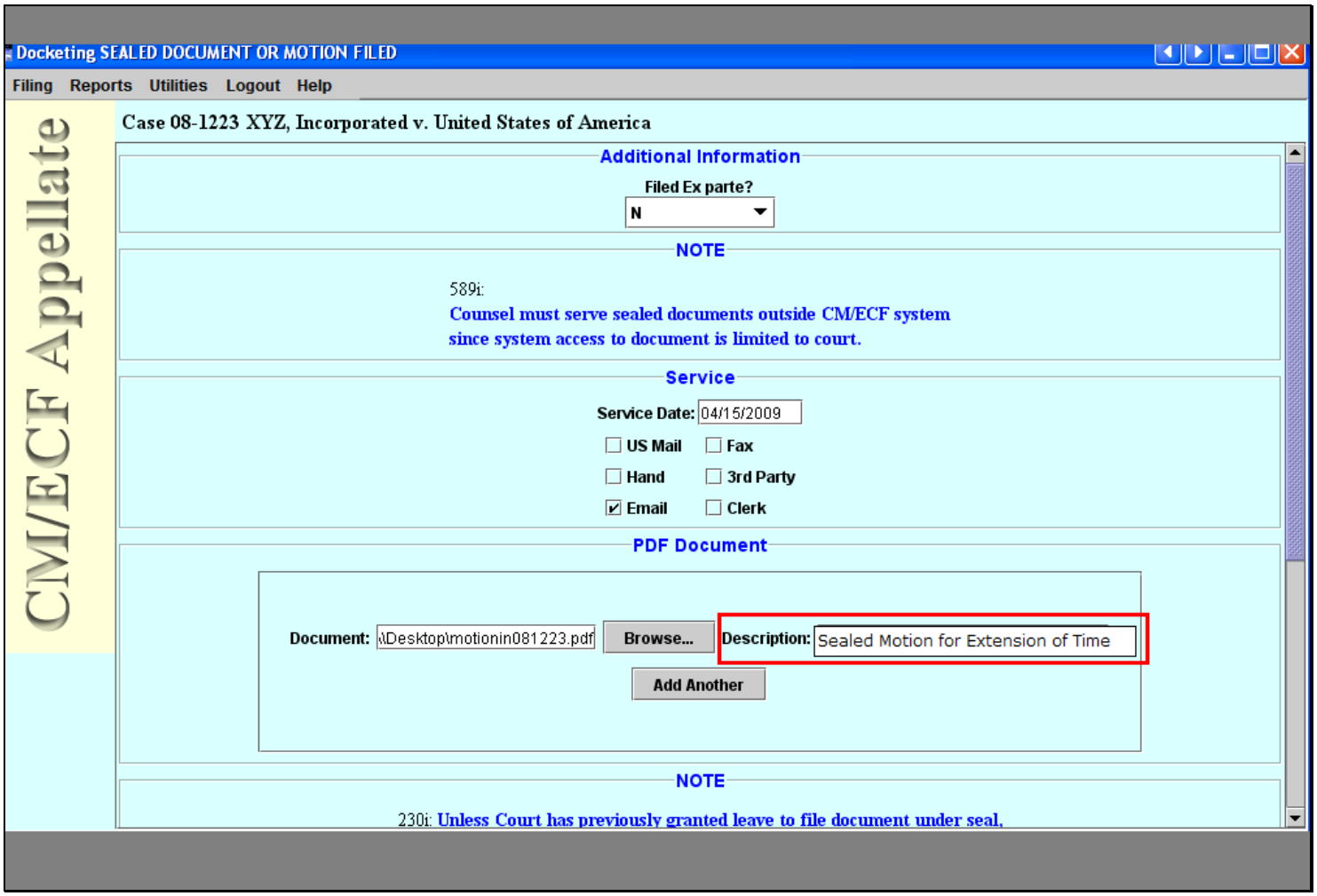
Then we'll click the Open button to upload the selected document to CM/ECF.



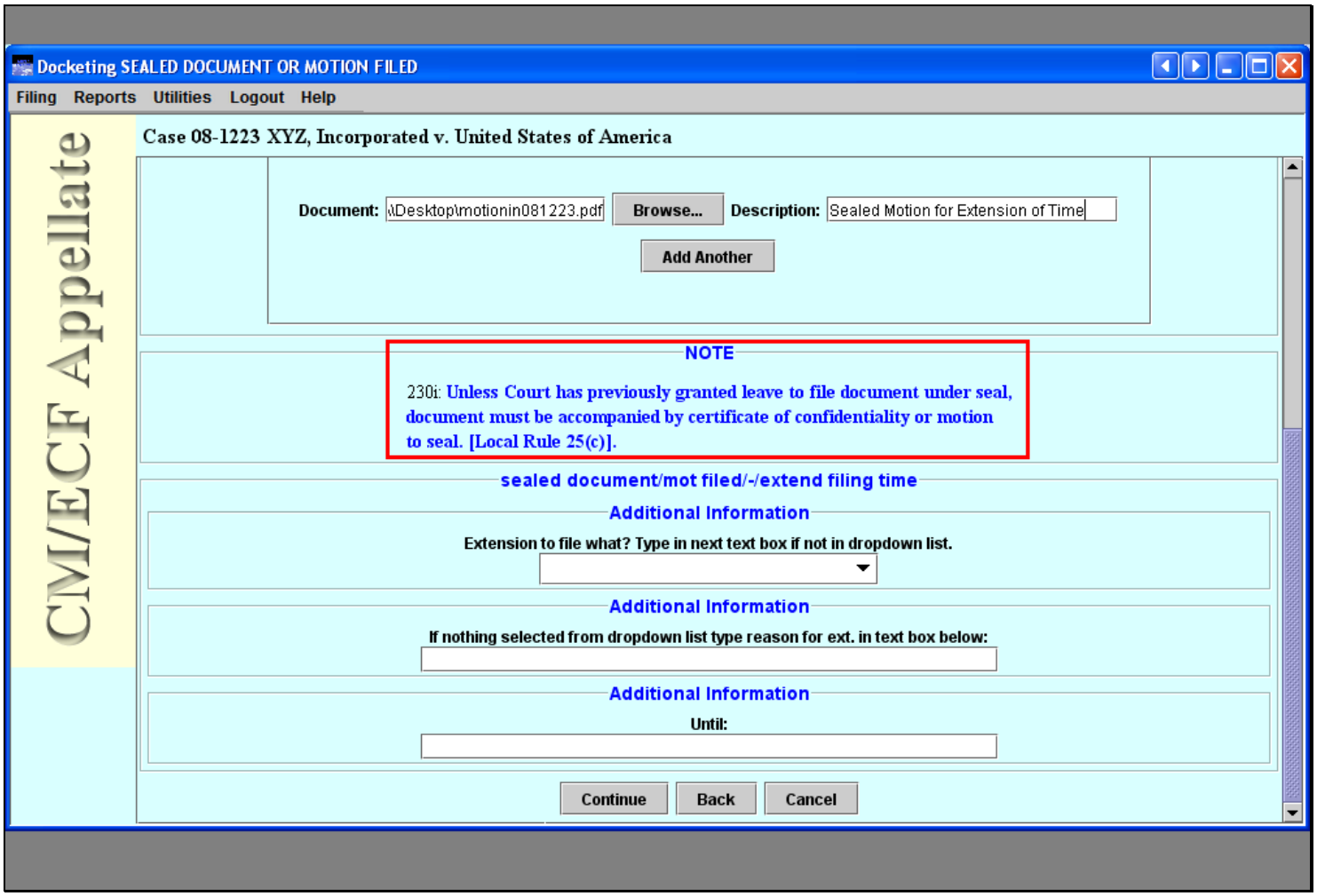
The document path for the selected PDF file appears in the Document text field. By default, the description is listed as Main Document, we can change the description by simply highlighting the text and typing our own description.



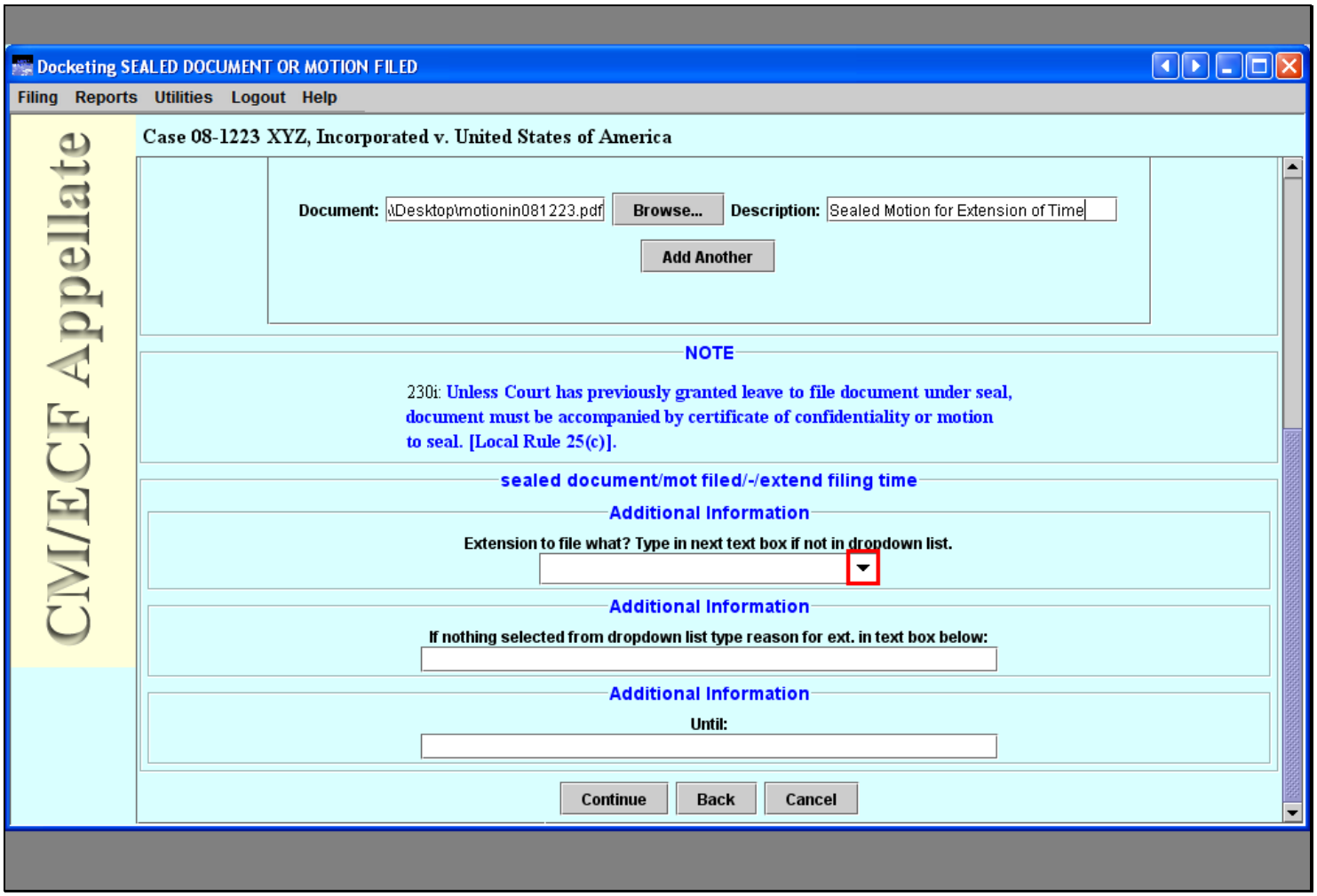
In this example, we'll describe the document as "Sealed Motion for Extension of Time."



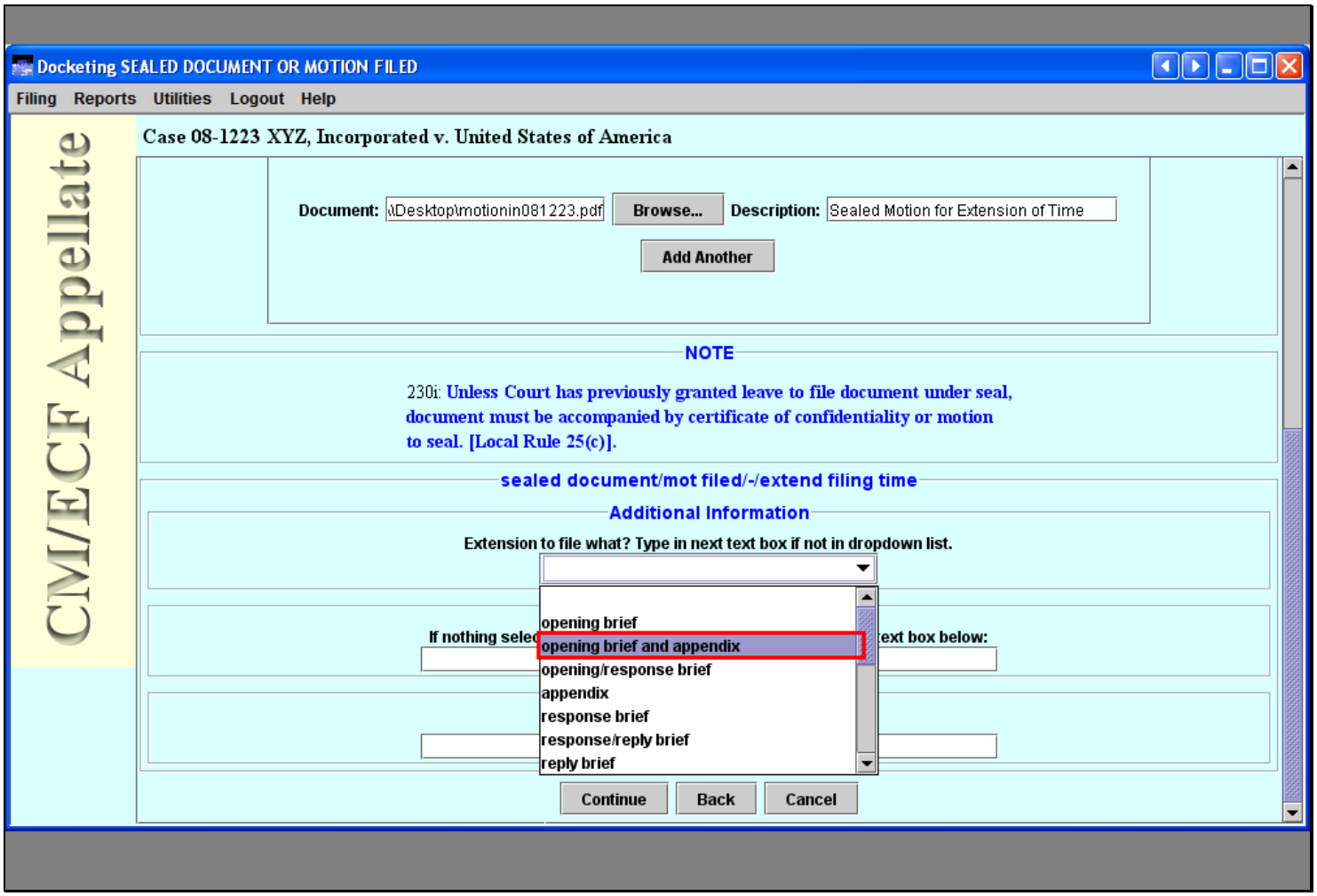
Changing the default description for a document allows users to easily identify documents when they are viewing them from the docket sheet.



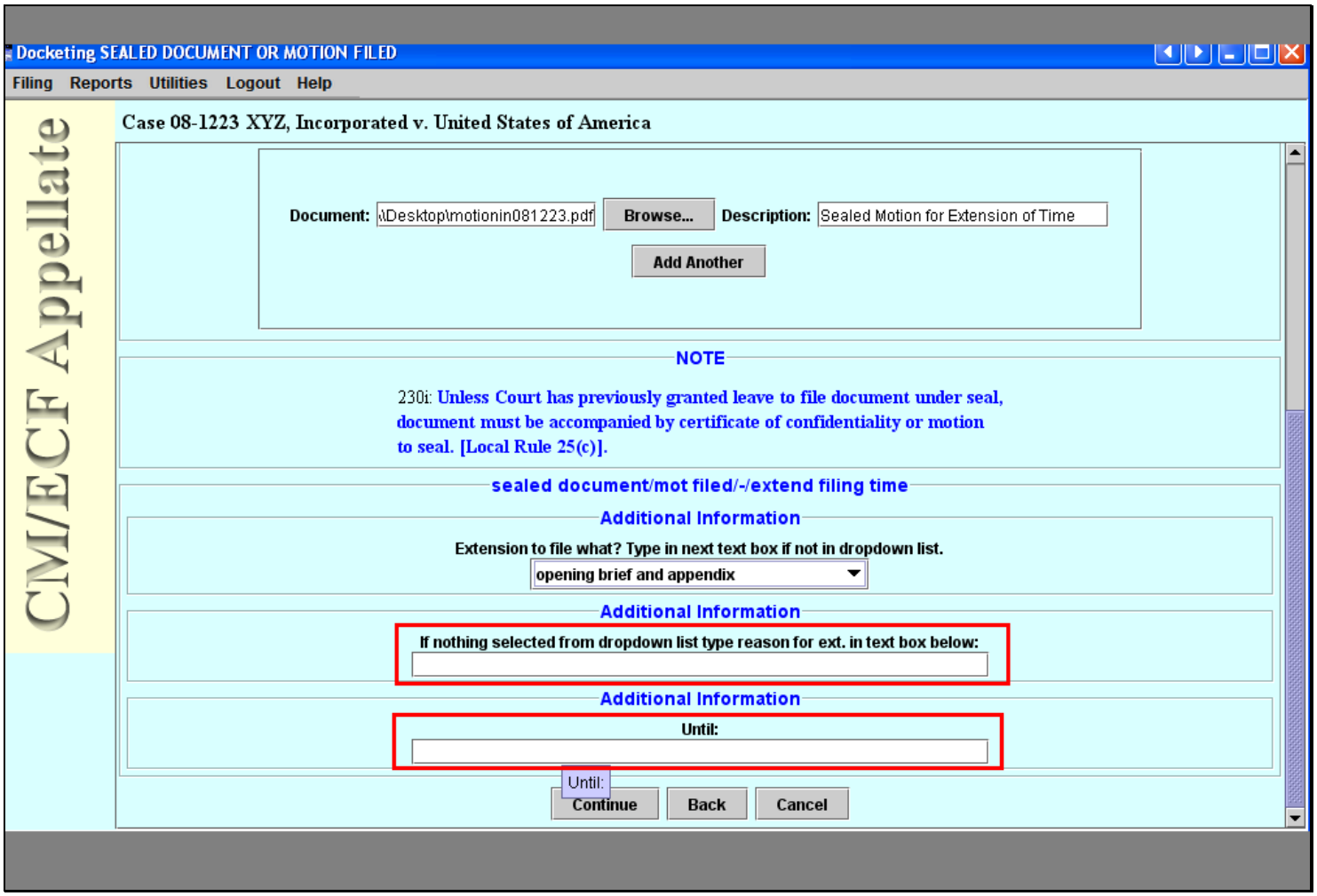
Please read the note included in this entry. You must separately file a certificate of confidentiality or motion to seal whenever you file a sealed motion, document or brief.



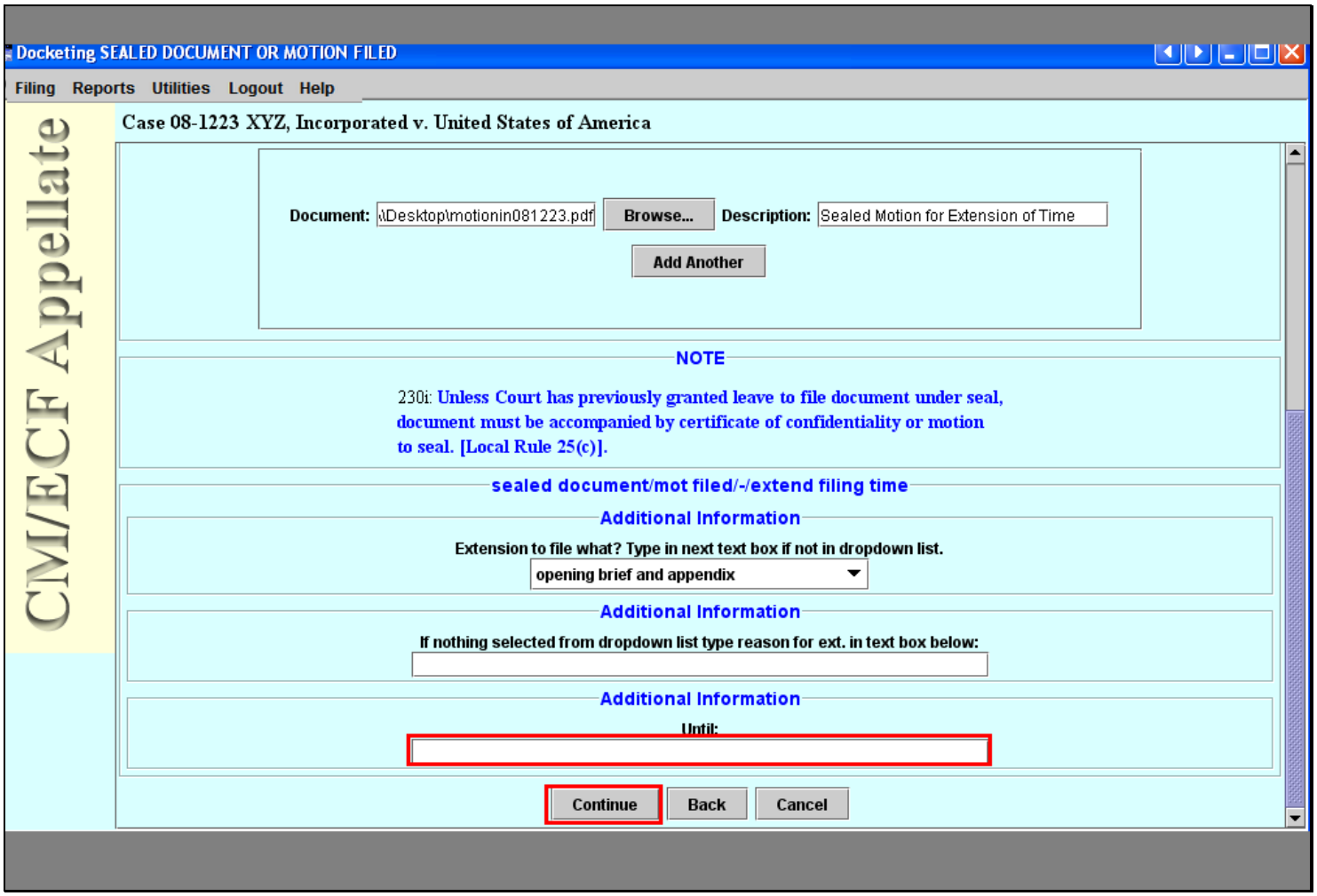
Next, there are more Additional Information questions. First, we must indicate what type of extension we are seeking. By clicking the drop down arrow, we are provided with a list of items that we may choose from.



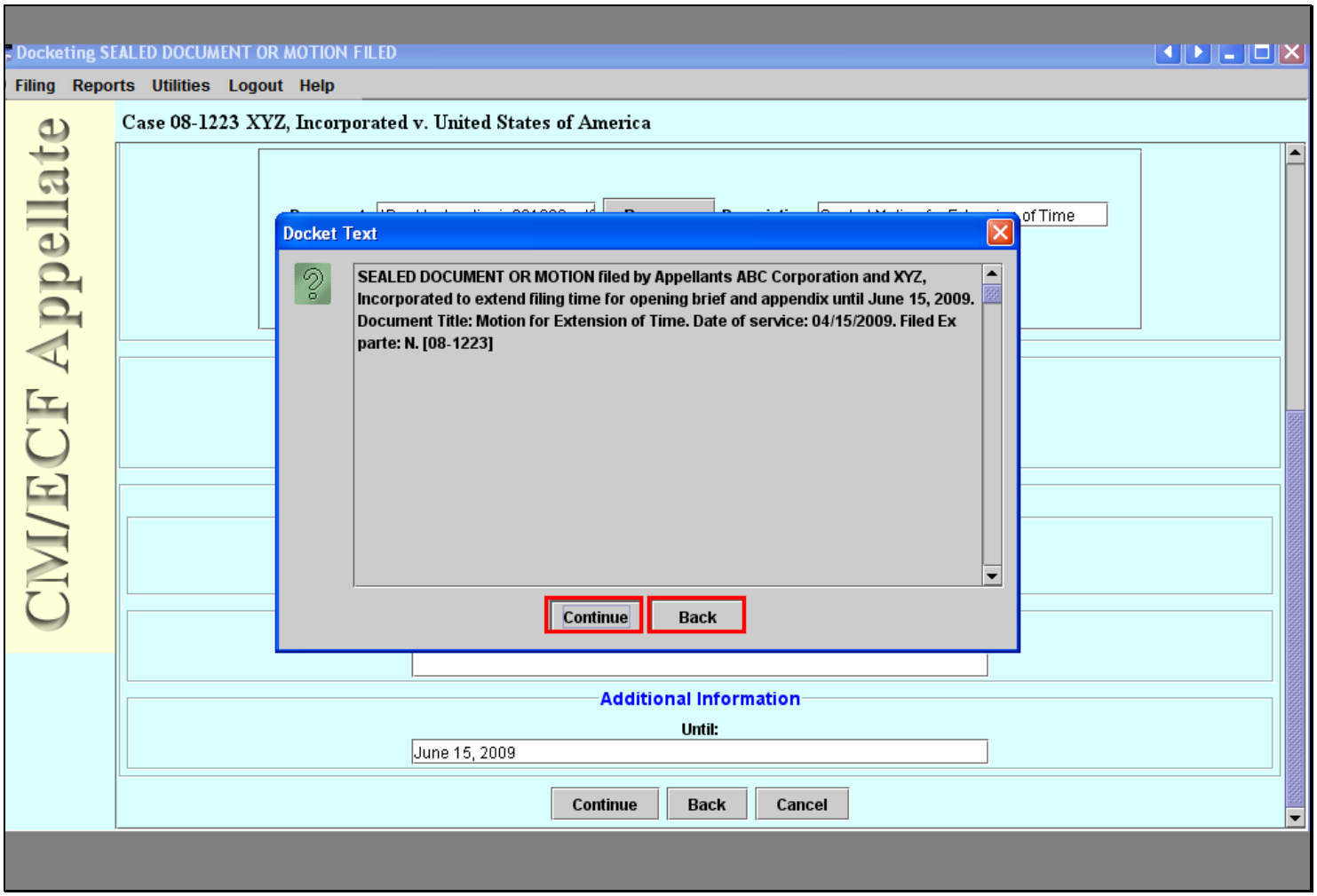
We'll select opening brief and appendix by clicking once.



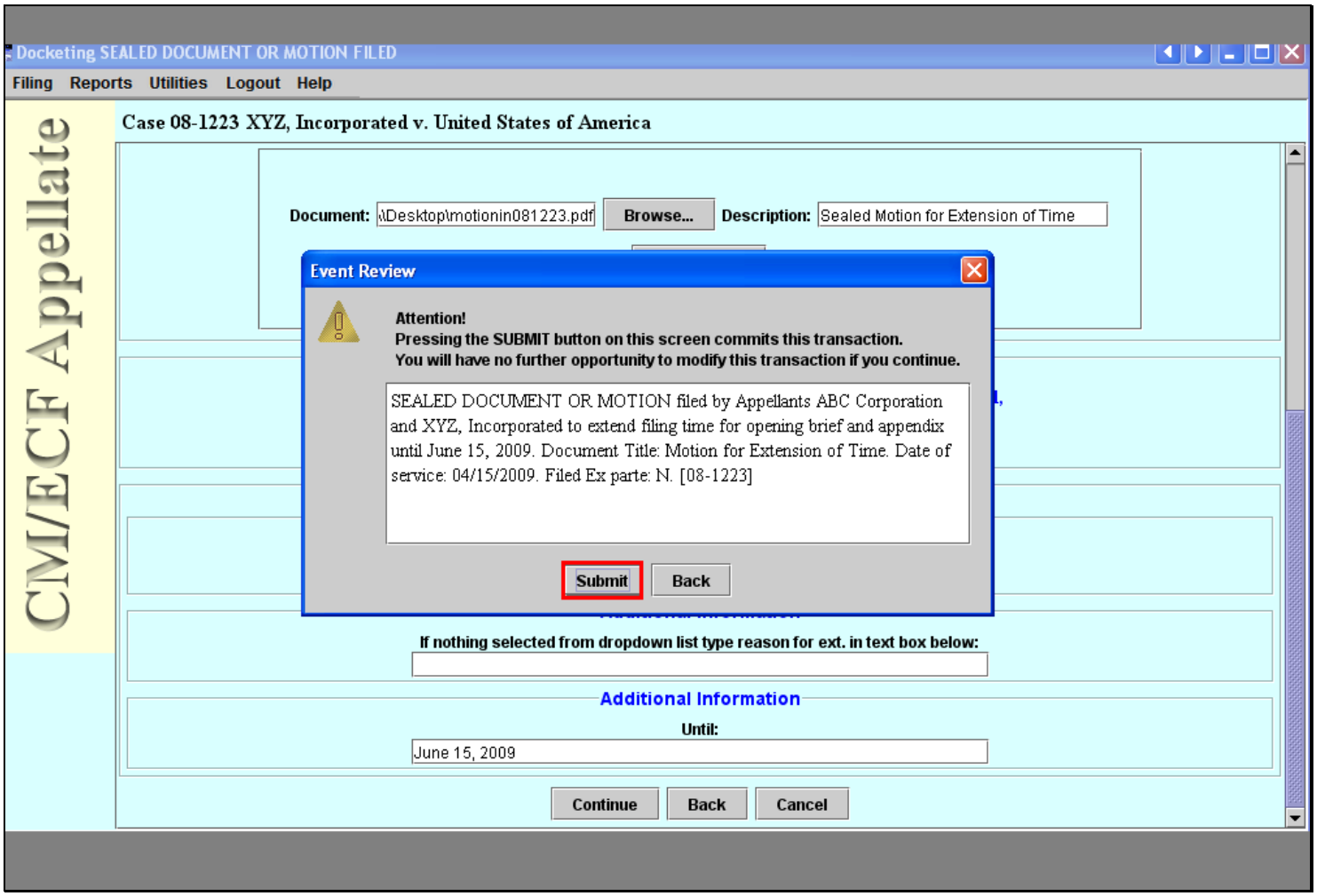
The next additional information request asks us to type in an answer if we did not select something from the drop down menu. Since we selected opening brief and appendix, we can skip this box. Finally we must enter how long of an extension we are seeking.



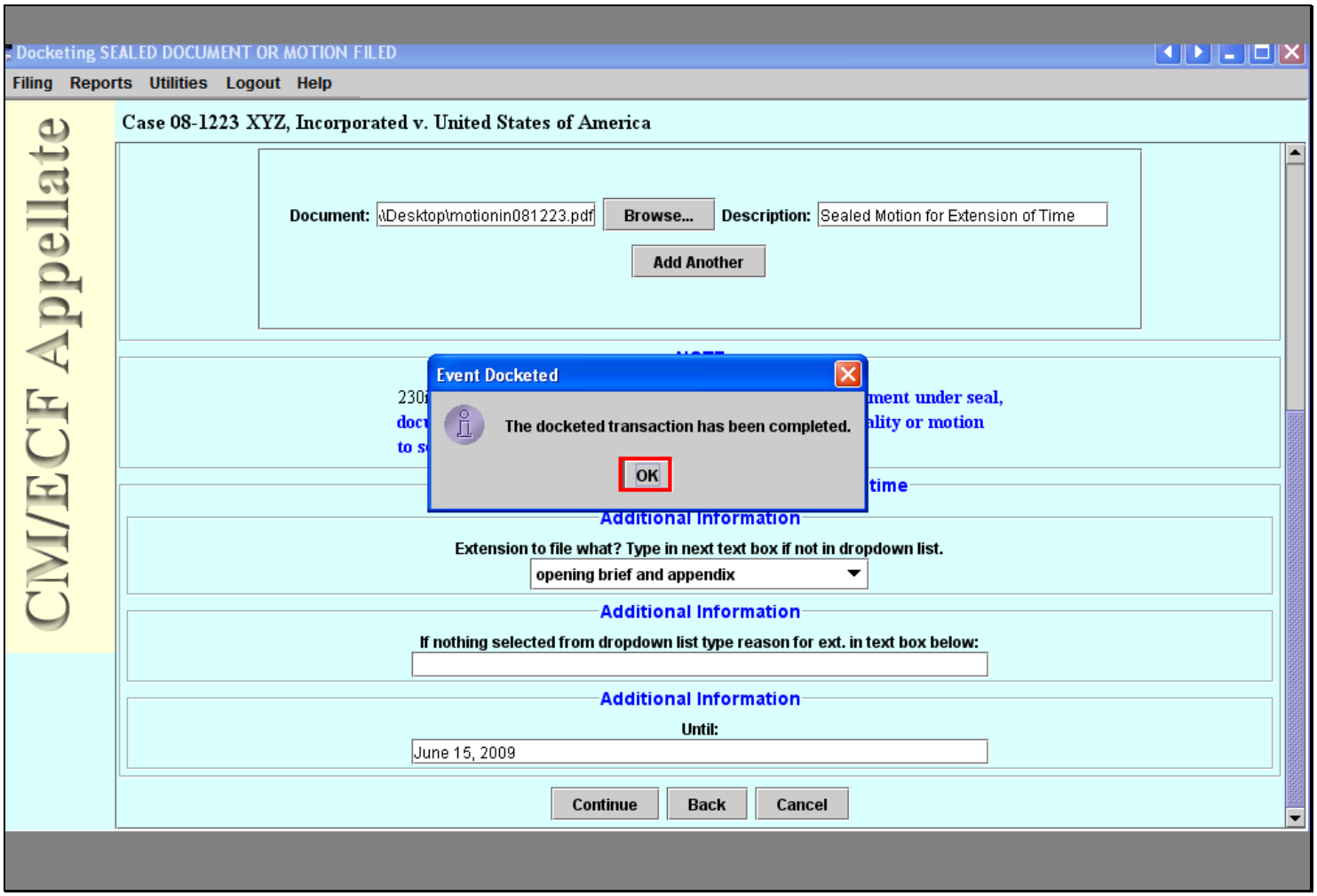
After typing our requested extension date of June 15, 2009, we'll click the Continue button.



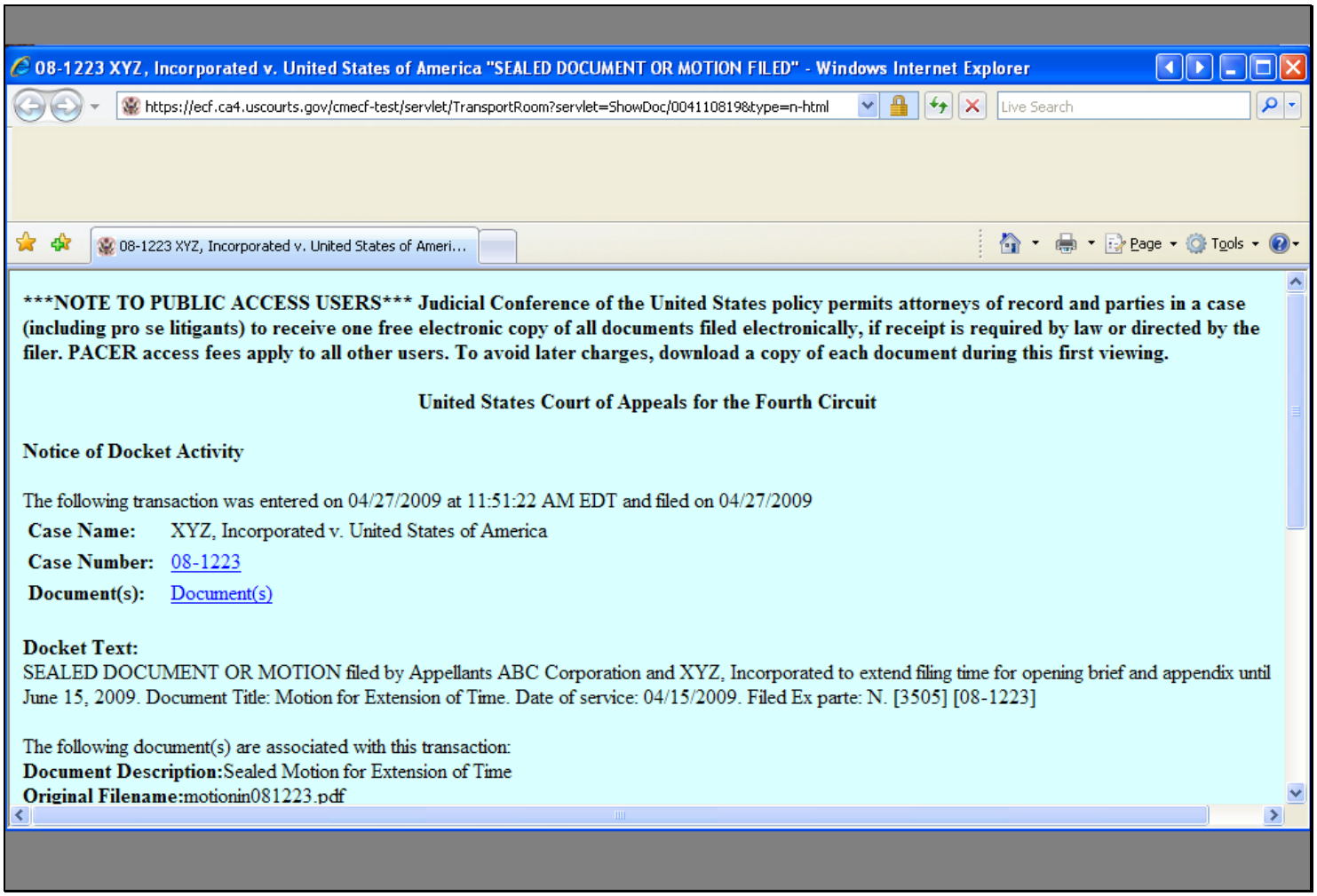
Next the Docket Text dialog box appears. This is our opportunity to read the text to confirm that we've have selected the correct parties and answered all additional information requests appropriately. If any information is incorrect or missing, we would click the Back button to make changes. Our information is correct, so we'll click Continue to proceed.



The system gives us one last chance to review the docket text, again, if anything is incorrect, we'd click the Back button. To finalize the entry, we'll click Submit.

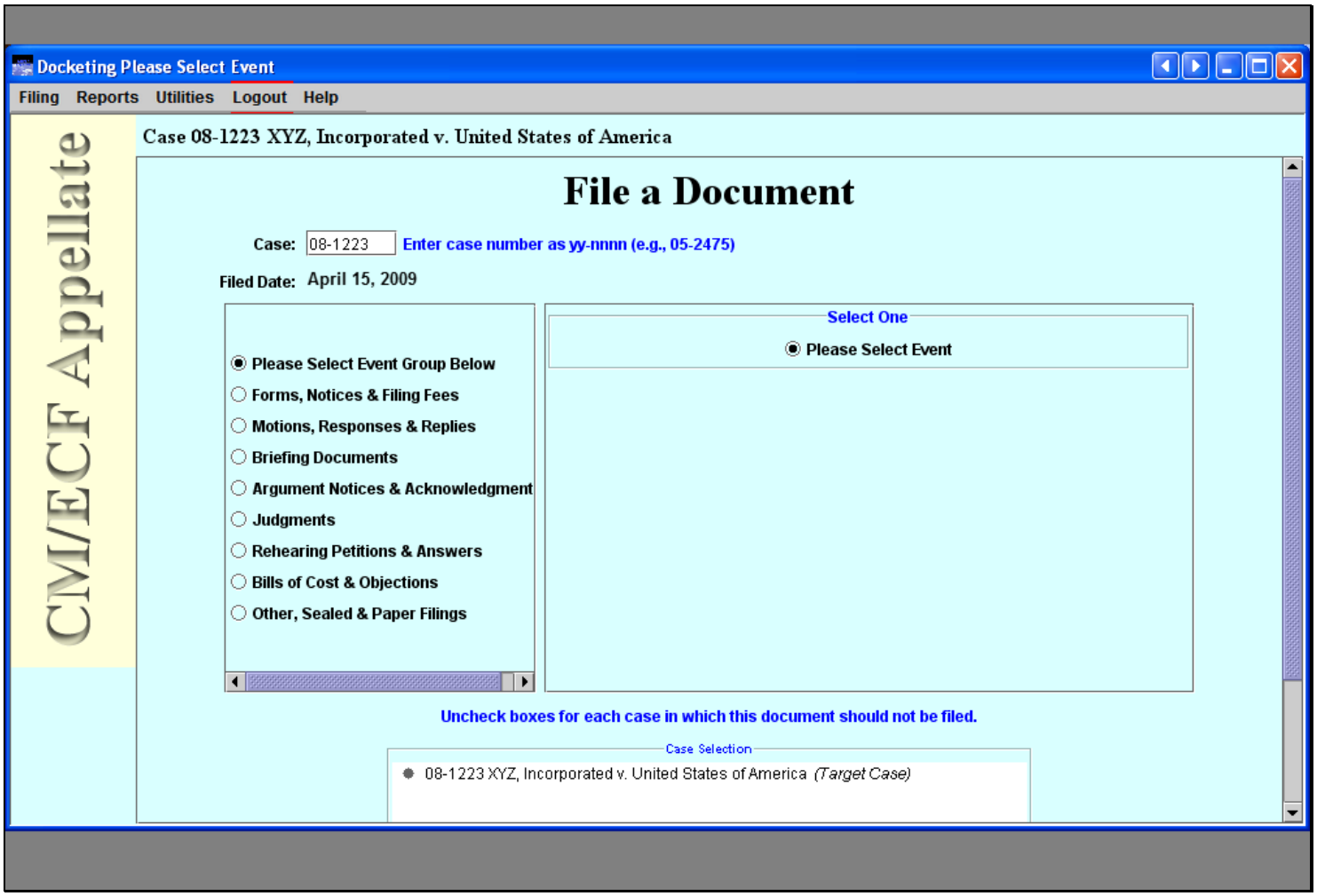


Once the entry has been successfully docketed, the Event Docketed dialog box will appear on the screen. We'll click OK to complete the entry.



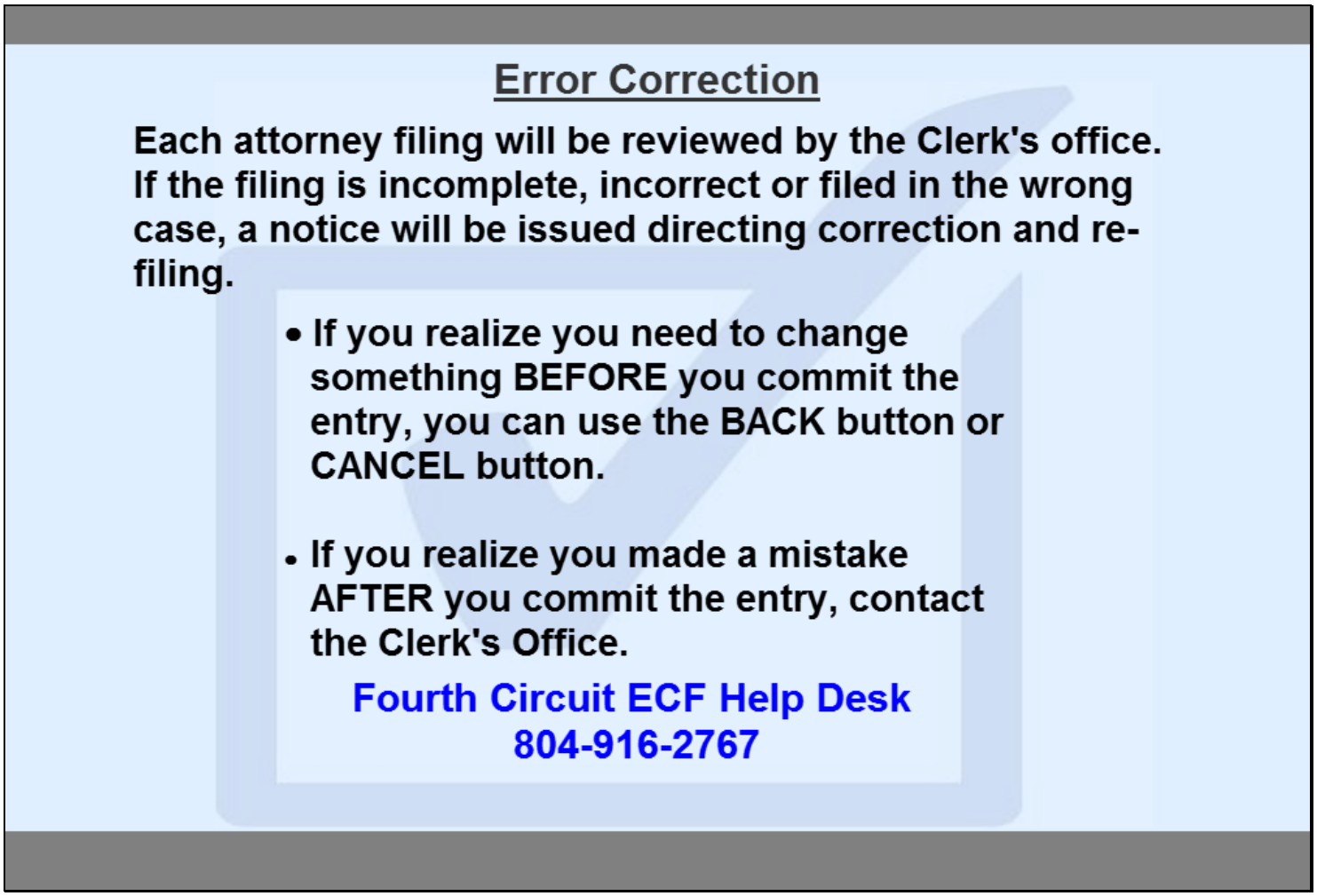
If you have pop-up blockers turned off in your Internet browser, the Notice of Docket Activity will launch on your screen. At the same time, the Notice of Docket Activity will be emailed to the Court and all ECF Users associated with the case, including counsel filing the document.

LOGOUT



After closing the Notice of Docket Activity, CM/ECF brings us back to the File a Document screen. To exit CM/ECF, we'll click Logout from the menu bar.

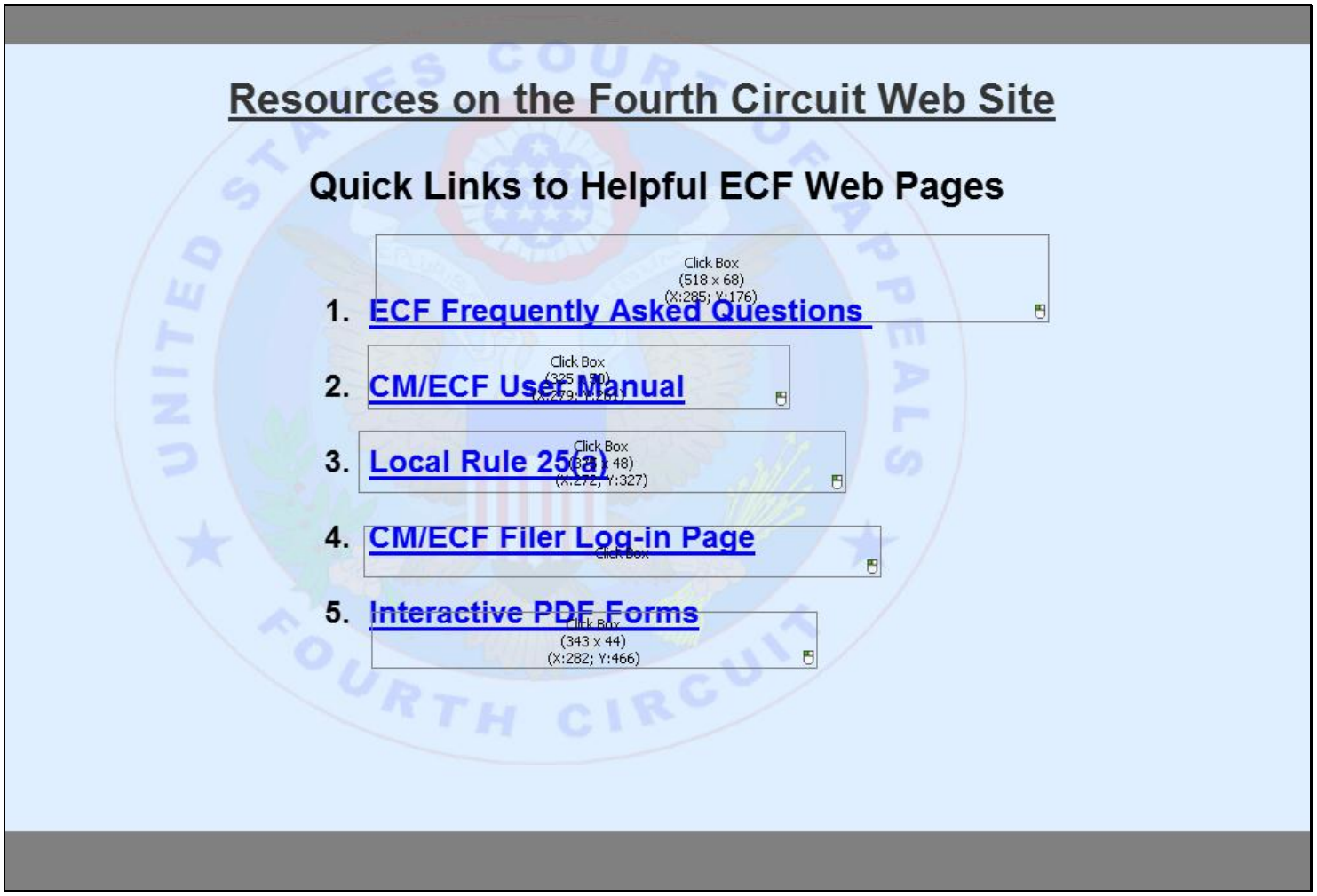
ERROR CORRECTION



All entries made by ECF filers will be reviewed by the Clerk's office. If there is a problem with your filing, a Notice of Docket Correction will be issued, requesting correction within two days.

Please contact the Clerk's office if you realize you've made a mistake after completing a filing. If you have any questions regarding filing, please call the Fourth Circuit ECF Helpdesk at 804-916-2767.

WEBSITE



Also, remember the Fourth Circuit web page has a variety of ECF resources available 24 hours a day. Please visit the site often for updates.

COMPLETE REQUIREMENTS

Now that you have reviewed the Fourth Circuit ECF Policies and Appellate ECF filing, please complete the Electronic Case Filing Application and your Appellate ECF Registration. Use the links on this page to complete each step. You must answer 8 out of 10 questions correctly on the application. Once the Court receives your application, your account will be activated. Click the End button to close this lesson.

EXIT