

CM/ECF ADMINISTRATIVE PROCEDURES

**FOR FILING, SIGNING, AND VERIFYING DOCUMENTS
BY ELECTRONIC MEANS**



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Authorization for Electronic Filing

The Local Rules of the Middle District of Georgia authorize electronic filing in conjunction with Rule 5 and Rule 83 of the Federal Rules of Civil Procedure and Rule 57 of the Federal Rules of Criminal Procedure.

Training and Technical Assistance

These procedures govern electronic filing in the Middle District of Georgia and are not intended as a technical guide. While CM/ECF is designed to provide access 24 hours a day, participants are strongly encouraged to file documents in advance of filing deadlines and during normal business hours when clerk's office staff is available to assist. Information regarding technical requirements, training and computer-based tutorials can be obtained from the court's website at www.gamd.uscourts.gov.

Technical Failure & Maintenance

A technical failure of CM/ECF occurs if the Middle District of Georgia CM/ECF system is unable to accept filings continuously or intermittently over the course of any period of time greater than four (4) hours. In the event of a technical failure, a participant must file a declaration seeking relief from the court for not meeting a deadline as a result of the failure. The declaration must be filed prior to 12:00 noon on the first day the court is open for business following the original deadline. If the court's local CM/ECF system fails or becomes inaccessible for an extended period, the court may provide temporary failover to a replication server. The replication server will allow court staff, attorneys and the public to continue to use CM/ECF in either read-only or read-write mode, depending on the severity of the system failure, until service from the local court can be restored.

Periodic maintenance will be performed during non-work hours as appropriate and may render the ECF site unavailable for periods longer than four (4) hours. Advance notice of routine maintenance will be provided via the court's website and/or email notification to registered participants.

Technical issues with a participant's internet service, hardware or software will not constitute a technical failure under these Administrative Procedures, nor will it excuse an untimely filing. In these exceptional circumstances, a participant must petition the court for permission to file a document in paper format. A *Declaration of Technical Difficulty* sample is attached as [Appendix A](#), available on the court's website at www.gamd.uscourts.gov or from any division office. The *Declaration of Technical Difficulty* must accompany **ANY** document filed in paper due to technical issues. If a participant is unable to file electronically due to technical issues and as a result may miss a filing deadline, the party

must also contact the court immediately via email, phone and/or fax (478-752-3497 voice/478-752-3496 fax) to advise the court of the issue. Additional contact information is available on the court's website.

Repeated paper filings from a participant, may result in an *Order to Show Cause* requiring an appearance before the Chief Judge or designated judicial officer to explain why the party is unable to comply with the mandatory electronic filing requirement.

Changes to Administrative Procedures

The clerk's office or any judge of this court may deviate from these Administrative Procedures without prior notice in an effort to dispense justice in matters before the court in an expeditious and cost efficient manner. The court may also amend these procedures at any time without prior notice. Notice of changes to these CM/ECF procedures will generally be given via the court's website or by email.

Public Access to Documents

Free online access to documents filed in the Middle District of Georgia is available during regular business hours at public computer terminals located in each division office. PACER access to all federal courts is available online from any computer with an Internet connection. A fee will be charged for electronically viewing docket sheets and documents via PACER with the exception of the first viewing through the NEF as described below. Refer to the PACER fee schedule for applicable charges.

Conventional copies and certified copies of electronically filed documents may be obtained through the clerk's office. The fee for copying and certification is governed by 28 U.S.C. § 1914 and 28 U.S.C. § 1930. Refer to the fee schedule located on the Court's website for costs associated with copies.

Electronic Record

Electronic filing is the process by which a participant electronically transfers a PDF document to the court's CM/ECF system. Emailing a document to the court does not constitute filing. A document shall not be considered filed until a Notice of Electronic Filing (NEF) is generated by the CM/ECF system. All documents submitted for filing in civil and criminal cases, regardless of case commencement date, shall be filed electronically using CM/ECF.

The electronic record is the official record of the court and replaces the traditional paper record. The electronic record includes documents filed electronically by participants, as well as documents originally filed in paper format that have been scanned and electronically entered by the clerk's office. Any document in the electronic record has the same legal effect as a paper document.

The clerk will maintain paper originals of documents only as long as is required to ensure that the information has been accurately transferred to CM/ECF or as required by applicable laws or rules.

Unless otherwise ordered by the court, an electronic document is considered filed on the day of the electronic transfer, including weekends and holidays. A filing day is defined as 12:00:00 a.m. to 11:59:59 p.m. EST. Electronic filing must be completed before midnight EST in order to be considered timely filed that day. A judge may specifically require an electronic document to be filed on a specific date and/or by a specific time.

Participants should be aware that deadlines displayed while filing motions or querying, are for case management purposes only and should not be relied upon as an accurate computation of deadlines. Participants are responsible for calculating deadlines correctly based on federal and local rules.

Required Participants

Attorneys appearing in this Court are registered for CM/ECF by the clerk's office upon admittance to practice. Regular and pro hac vice admission procedures are available from the Court's website. Once admitted, attorneys are directed to pay admission fees electronically using Pay.gov. Participation in CM/ECF by receipt of a password from the Court shall constitute a request for service and notice electronically pursuant to Federal Rules of Civil Procedure 5(b)(2)(d) and Federal Rule of Criminal Procedure 49.

Entry of Appearance

As required by Local Rule 83.1.3, any attorney participating in a case, who was not appointed by the court or who has not appeared through a signed pleading in a pending action, must file an entry of appearance. Failure to make an entry of appearance will prevent you from receiving notification of case activity.

Leave of Absence

Letters mailed to the Court by registered participants regarding leaves of absence will not be considered and will not be entered into the electronic record of the Court. Pursuant to Local Rule 83.1.5, *Notices of Leave of Absence* must be e-filed, but **only if the attorney has been notified by the court to appear** during the time he or she wishes to be absent.

Pro Se Participants

A *pro se* party must become familiar with the district's [Guide for Self-Represented Litigants](#), and

comply with all applicable rules, including but not limited to the district's local rules. The *Guide for Self-Represented Litigants* and local rules are available on the court's website at www.gamd.uscourts.gov or from any division office. A *pro se* party meeting the participant requirements below may file documents electronically in a particular action. The mandatory e-filing requirements apply to *pro se* parties registered for CM/ECF. A *pro se* party may not receive the benefit of electronic notice without electronically filing documents. Registration for CM/ECF by a *pro se* participant constitutes consent to service of all documents by electronic means.

Participant Requirements

To become a participant in the court's CM/ECF system, an individual must secure and maintain a free National PACER account for viewing documents at <http://www.pacer.uscourts.gov>; and maintain an Internet e-mail address where notice and service will be made

Authorized Users – User ID & Password

The CM/ECF password issued for electronic filing is considered the participant's official signature and must be used exclusively by the participant to whom the password is assigned or by his or her authorized agent(s). No participant may knowingly permit a password to be used by anyone who is not authorized and no person may knowingly use the password of a participant unless such person is so authorized. If a participant's agent is no longer authorized to use the password, or if the participant has reason to believe that the security of the password has been compromised, it is the participant's responsibility to change the password. The participant must immediately notify the clerk's office if a password is compromised.

In the event that a CM/ECF password is forgotten, the participant should request a password reset at the CM/ECF login screen by entering the user ID. Generally the user ID is the participant's initials follow by bar number. For a forgotten PACER password, contact the PACER Service Center.

Change of Address & Contact Information

The Middle District of Georgia allows participants to modify the CM/ECF user id and password as necessary. Participants are also responsible for updating CM/ECF account information with current email address, mailing address, and telephone/fax using the Maintain User Account utility menu in CM/ECF. For a physical address change only, participants must electronically file a *Notice of Change of Address* in each case pending with the court and serve it on other parties in the case. *Notices of Change of Address* must be filed electronically. After filing a *Notice of Change of Address*, the participant must update the information in CM/ECF using Maintain User Account.

Electronic Signatures

The CM/ECF login ID and password used to electronically file a document constitutes the Participant's electronic signature for all purposes under the Federal Rules. All electronically filed documents must include a signature block and must set forth the filer's name, address, telephone number and e-mail address. The name of the ECF user under whose login and password the document is submitted must be preceded by "s/" in the space where the signature would otherwise appear. Ex. s/John Doe. The s/ name on the document and the name associated with the participant's login ID must be the same.

Government attorneys, including US Attorneys and Federal Public Defenders, may file pleadings on behalf of other government attorneys using their *own* CM/ECF login and password. The document shall contain the filing attorney's s/ signature and must include a reference to the attorney of record in the case on whose behalf they are filing. Ex. s/John Doe for Jane S. Doe. The s/ name on the document and the name associated with the Participant's login ID must be the same.

Any party who disputes the authenticity of an electronically filed document must file an objection to the document within ten (10) days of the date of the NEF.

A document that is not electronically filed may not contain an s/ signature. A document filed in paper must be wet signed.

Multiple Signatures

The filing of any document requiring more than one signature must list thereon all the names of other signatories, preceded by "s/" in the space where the signature would otherwise appear. By submitting such a document, the filing participant certifies that each of the other signatories has expressly agreed to the form and substance of the document and that the filing attorney has their actual authority to submit the document electronically. The filing attorney shall retain any records evidencing this concurrence for future production, if necessary, until two (2) years after the expiration of the time for filing a timely appeal.

Affidavits

Affidavits shall be filed electronically. The electronically filed version must contain the typed name of the signatory, preceded by "s/" in the space where the signature would otherwise appear indicating that the paper document bears an original signature. Alternatively, the original signed document may be scanned and filed electronically. The filing attorney shall retain the original paper document for future production, if necessary, for two (2) years after the expiration of the time for filing a timely appeal.

Non-Participant Signature

If the original document requires the signature of a person who is not a registered CM/ECF participant, the filing party shall obtain the wet signature, scan the original document and electronically file the document in CM/ECF.

Service and Notice

Whenever a pleading or other document is filed electronically, CM/ECF will generate a Notice of Electronic Filing (NEF). The NEF will serve as a receipt evidencing that the pleadings or other documents have been filed and docketed. The NEF is the official notice of the filing to all registered participants and includes the text of the docket entry, as well as a link to the filed document. If the recipient is a participant in CM/ECF, generation of the NEF is the equivalent of service by first class mail. Service by electronic means is complete on transmission.

If the recipient is not a participant in CM/ECF, service must be made under the Federal Rules of Civil and Criminal Procedure. Whenever a document is filed in paper form or in a sealed case, the filer must serve conventional copies on all parties to the case. To determine whether another party is a registered user, the filer should select *Mailings* under the *Utilities* category in CM/ECF. *Mailing Information for a Case* will present the filer with a Manual Notice List including the mailing address for parties who are not registered. NEFs are not sent from e-filings generated by the court in sealed cases.

Upon receipt of a NEF, the case participant has one opportunity to view, save and print the document without incurring PACER fees. Participants may specify additional email addresses to receive the electronic notification of filings. Each of these addresses will also be entitled to one free look. The free look period expires 15 calendar days from the date of the NEF.

Preparing Documents for Electronic Filing

Documents in their native format such as Word or WordPerfect must be converted into text-searchable PDF before filing. Most word processing applications allow publishing or converting to PDF within the application. There are also commercial and free PDF converters available for use. Participants **must not** print and scan electronic documents for submission into CM/ECF. Documents **must not** be scanned prior to e-filing unless the original documents are unavailable in electronic format or require original signature.

Attachments not available in electronic format shall be scanned by the filer into PDF format for electronic submission. Non-electronic documents must be scanned using the lowest possible scanner resolution in order to minimize file size. It is recommended that scanner settings be configured at

150dpi in black and white only. The participant is responsible for the legibility of the uploaded image. For assistance with conversion or scanning, contact the CM/ECF Helpdesk.

Hyperlinks

Electronically filed documents may contain hyperlinks to other portions of the same document; hyperlinks to other documents in CM/ECF in this court or any other CM/ECF court; and hyperlinks to a location on the Internet that contains a source document for a citation.

Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document. Neither a hyperlink, nor any site to which it refers, shall be considered part of the record. Hyperlinks are simply a convenient mechanism for accessing material cited in a filed document. The court accepts no responsibility for, and does not endorse any product, organization or content at any hyperlinked site or at any site to which that site may be linked. The court accepts no responsibility for the availability or functionality of any hyperlink.

Large Attachments

Large attachments that exceed the allowable document size must be divided into logical segments for filing as attachments, with each segment clearly labeled. While there are commercial applications available, such as Adobe Acrobat, a free utility to automatically divide large scanned or electronic documents into preset file sizes is available under E-Filing on the court's website. Any document or other material that can be scanned **must be** filed electronically, regardless of the number of pages.

Voluminous documents **shall not** be submitted to the court for conventional filing unless specifically ordered by the court.

Payment of Fees & Credit Card Transactions

Payment for CM/ECF transactions requiring a fee must be made online the same day that the transaction is electronically filed. VISA, MasterCard, American Express, and Discover credit cards are accepted. Debit cards that contain a credit card logo and do not require a "PIN" code are also accepted. Failure to timely submit fees may result in an *Order to Show Cause* requiring an appearance before the Chief Judge or designated judicial officer.

Should a filing fee paid through Pay.Gov be duplicated or erroneously charged, the registered participant must contact the court immediately via phone or email to request a refund. All refunds will be credited back to the credit card used during the payment process.

Civil Case Opening

Civil case initiating documents, such as a complaint, petition, or notice of removal, should be filed via CM/ECF as outlined in the [Guide for Attorney Case Opening](#). Applicable filing fees are paid by credit card through Pay.gov during case opening. A civil case cover sheet (JS44) should be made an attachment to the initiating document. When filing a notice of removal, copies of the documents which were filed in state court, should be made attachments to the main document. **Each document should be attached separately.**

Additional pleadings such as motions, corporate disclosure statements, etc. should not be attached to the complaint or other case initiating documents, but rather should be electronically entered via CM/ECF as a separate entry.

Miscellaneous case filings such as motions to quash and registrations of a foreign judgment are entered into a temporary case dependent upon the divisional office selected (i.e, "1" for Albany; "3" for Athens; "4" for Columbus; "5" for Macon; or "7" for Valdosta). Once a permanent case is opened by the clerk's office, participants will receive electronic notification of the permanent case number and the assigned judge.

Civil Summonses

When initiating a new civil proceeding, if a participant chooses service by summons, a standard *Summons in a Civil Action* should be prepared and made an attachment to the complaint or other initiating document. The clerk will thereafter, issue the summons and e-file the issued summons which will be received electronically via the NEF. Federal Rule of Civil Procedure 4 requires that service be perfected within 90 days of filing the case. If a summons is requested subsequent to the filing of the complaint or other initiating document, the participant should complete an online summons form and e-mail it to the appropriate division as indicated below. The summons will then be issued and e-filed by the clerk.

Albany Division	albany.ecf@gamd.uscourts.gov
Athens Division	athens.ecf@gamd.uscourts.gov
Columbus Division	columbus.ecf@gamd.uscourts.gov
Macon Division	macon.ecf@gamd.uscourts.gov
Valdosta Division	valdosta.ecf@gamd.uscourts.gov

A civil case summons may be signed, sealed and issued electronically, although a party may not serve any summons electronically. The court may issue a criminal case warrant or summons electronically, but it must be served in accordance with Fed.R.Crim.P.4(c).

Corporate Disclosure

Pursuant to Local Rule 87, any nongovernmental corporate party to an action must file a statement identifying all parent and subsidiary corporations and listing any publicly held company that owns 10% or more of the party's stock. All corporate parents and/or affiliates must be added by the filing party at the time of filing the Corporate Disclosure Statement. Failure to add parties identified in the Corporate Disclosure Statement will result in a request to re-file the disclosure. The Style Guide for Electronic Case Filing must be followed when adding parties to CM/ECF.

Certificate of Service Requirement

A certificate of service on all parties is required even when a document is filed electronically by a CM/ECF participant. The certificate must state the manner in which service was accomplished on each party and must appear as the last page of the document being electronically filed.

Correction of Docket Entries & Deficiency Notices

The CM/ECF system will not permit a Participant to withdraw an incorrectly filed document or to change the form of an incorrect docket entry once the transaction has been completed. Participants **must not** attempt to re-file a document incorrectly filed unless requested by the Court.

If a document is filed incorrectly, the clerk's office may enter a Notice of Deficiency, notifying all parties and chambers of the error and directing further action. A Notice of Deficiency may be entered if the document requires leave of court or other follow-up action is required. Participants are expected to make corrections within 2 business days of receiving the Notice of Deficiency. If corrections are not made in a timely manner, the matter will be referred to chambers and may result in an *Order to Show Cause*.

Some errors, such as errors within the docket text or incorrect linking of documents may be corrected by the clerk's office without further action by the participant. In these situations the participant may be notified of the error via phone or email.

No substitution or deletion of documents by clerk's office staff is permissible. If an entry is stricken by the judge, the clerk's office will seal the document(s) and add a remark to the docket noting the entry has been stricken.

If an electronically filed document inadvertently contains sensitive information, the filing party may request that electronic access to the document(s) be temporarily limited to court personnel, until he or she can petition the presiding judge for permanent restriction of the document or other relief as appropriate. The clerk's office may restrict access to incorrectly filed documents as necessary, but the

original docket entry will remain.

Leave of Court

If filing a document requires leave of the court (e.g., an amended complaint, a document to be filed out of time, or a document exceeding the page limit), the participant shall include the proposed document as an attachment to the motion or request for leave to file. If the motion or request is granted, the participant shall then file the document electronically with the court.

Exhibits

Participants shall not attach as an exhibit any pleading or other paper already on file with the Court in the case. but may only refer to the document or document number.

If exhibits are submitted as evidentiary materials for a motion that has been filed, only those that are directly germane to the motion should be filed as attachments to the motion being filed, along with a list of exhibits. Each exhibit must be filed and identified as a separate attachment to the exhibit list and must be labeled with an exhibit identifier **and** a brief category or narrative description. A generic identifier such as Exhibit A or Exhibit 1 is not acceptable. The description must be of sufficient detail to make the attachment readily identifiable to the court. The use of PDF bookmarks is strongly encouraged when filing exhibits.

Exhibits not electronically filed, but received into evidence at trial or hearing (such as models, diagrams, books, etc.) remain in the custody of the clerk until after final disposition of any appeal.

Motions and Related Documents

A motion and any supporting documents filed concurrently with that motion (e.g., memorandum in support, statement of material facts, exhibits, affidavits) should be filed in a single docket entry. Likewise, a response or reply brief and any concurrently filed supporting documents should be filed as a single docket entry. The motion, response, or reply should be the main document, and the supporting documents should be filed as attachments. For example, a summary judgment motion docket entry should look as follows:

[#] Motion for Summary Judgment
Attachment 1 Memorandum In Support
Attachment 2 Statement of Undisputed Material Facts
Attachment 3 Declaration of John Smith, Exhibit List
Attachment 4 Exhibit A – Letter from E. Bennet to C. Lucas
Attachment 5 Exhibit B – Letter from F. Darcy to C. Bingley

A docket entry for a response to motion for summary judgment should look as follows:

[#]Response Brief to [#] Motion for Summary Judgment
Attachment 1 Response to Statement of Undisputed Material Facts
Attachment 2 Statement of Disputed Material Facts
Attachment 3 Affidavit of Mary Jones, Exhibit List
Attachment 4 Exhibit A – Letter from A. Hamilton to A. Burr
Attachment 5 Exhibit B – Letter from A. Adams to J. Adams

Later-Filed Supporting Documents. A brief (including a reply brief), exhibit, or affidavit filed in support of a previously filed motion should state the name and docket number of the original motion. The later-filed supporting document should be linked to the original motion during e-filing. The original motion must not be re-filed.

Responses. A response brief or any other response to a document that is already in the record should state the name and docket number of the motion or document to which it is responsive. The response should be linked to the original motion or document during e-filing.

Separate Response and Motion Required. Motions and responses must always be filed as separate documents. For example, a Cross-Motion for Summary Judgment must never be combined with a Response to a Motion for Summary Judgment. It is critical that the motion be filed separately so that it will appear on the judge's pending motions report and can be properly linked to any subsequent responses, replies, notices, or orders.

Motions with Multiple Reliefs Requested. When a motion requests multiple or alternative reliefs, it is especially important to select multiple reliefs when filing. For instance, with a combined motion to dismiss and motion to strike, you must select both reliefs "to dismiss" and "to strike". You do this by holding down the "Ctrl" key during selection so that you may select more than one relief. You cannot select only the motion "to dismiss" and then type in the text box "and motion to strike. It is imperative that all relief categories are specifically selected. The Case Management/Electronic Case Filing system will then track each relief as a separate request for action. This helps the court ensure that all matters are properly addressed. Failure to comply with this requirement may result in a request for relief that is not tracked on the pending motion reports used in case management.

Discovery

Pursuant to Local Rule 5, Disclosures under F.R.Civ.P.(26)(a)(1) or (2) and discovery requests and responses including depositions, interrogatories, requests for production of documents, and requests for admission **must not be filed** unless they are used in the proceedings or the court orders filing. Neither should notices nor certificates regarding discovery be filed. Use of discovery materials in court

in connection with a motion, a pretrial conference under Rule 16 or otherwise may require the filing of discovery materials. Prior to filing depositions or other discovery material, counsel must electronically file a *Certificate of Need to File Discovery*, certifying that the discovery documents to be filed have been used in the proceedings, in connection with a motion, or have been ordered filed by the court.

Depositions

Depositions read in open court during trial and thus reflected in the transcript of proceedings should not be filed with the court electronically or in paper. If appropriate under Local Rule 5.1, depositions received by counsel in a “sealed” envelope from a court reporter or transcriber should be opened by the recipient, scanned and e-filed. Alternatively, the participant may request electronic copy from the court reporter or transcriber for e-filing. Depositions not containing personal data identifiers must be e-filed using the event “Unrestricted Deposition” located under Discovery Documents.

If personal data identifiers or other protected items are included in the deposition, the participant must e-file a redacted copy for public access using the event “Unrestricted Deposition.” If an existing protective order is in place, the participant should also file an un-redacted copy of the deposition using the event “Restricted Deposition.”

For cases without an existing protective order, a redacted copy must be filed using the event “Unrestricted Deposition.” An un-redacted copy, accompanied by a Motion to Seal, must also be sent electronically to the court at the appropriate division address below. The participant may electronically file the “Restricted Deposition” only after an Order Granting Motion to Seal has been entered. (Please refer to Restricted Documents and Sealed Entries instructions below.)

A participant shall not electronically file a restricted document, pursuant to a protective order or otherwise, in order to avoid the redaction requirement.

Proposed Documents

A participant submitting a proposed document with an electronic filing shall include the proposed document as a separate PDF attachment to the filing. Upon request, the proposed document shall also be emailed as a word processing document to the division address as follows:

Albany Division	albany.ecf@gamd.uscourts.gov
Athens Division	athens.ecf@gamd.uscourts.gov
Columbus Division	columbus.ecf@gamd.uscourts.gov
Macon Division	macon.ecf@gamd.uscourts.gov
Valdosta Division	valdosta.ecf@gamd.uscourts.gov

The subject line of each e-mail must include the case number and a brief description of the proposed

document.

Court-Issued Documents and Text-Only Entries

All orders, decrees, judgments, and proceedings of the court will be filed electronically by the court. Any order or other court-issued document filed electronically without the original signature of a judge or clerk has the same force and effect as if the judge or clerk had signed a paper copy of the order and it had been entered on the docket in a conventional manner.

Disposition of routine matters such as notices of hearing or orders on unopposed or routine motions may be entered on the docket by using a text- only entry. **TEXT-ONLY ENTRIES HAVE THE SAME FORCE AND EFFECT AS IF A SIGNED PAPER DOCUMENT OR AN E-FILED DOCUMENT HAD BEEN ENTERED ON THE DOCKET.**

If a text-only entry is made, no PDF document will be associated with the entry. The text of the entry constitutes the Court's only action on the matter. Each text-only docket entry will be clearly labeled to convey that it is a text-only entry and that no documents are attached. The CM/ECF system will generate a NEF for text-only entries.

Restricted Documents and Sealed Entries

CM/ECF allows for various levels of restricted access to documents filed with the court. It is the participant's duty to ensure the appropriate event is selected for the document being filed and that permission of the court for a restricted filing has been granted.

Participants must electronically file a Motion to Seal in order to request any document be filed with the Court under seal. A PDF copy of the document(s) to be filed under seal must be emailed to the court after entry of the Motion to Seal. Electronic files too large to be sent via email may be mailed or hand-delivered to the court on CD or other electronic device) Email addresses for each division are indicated below:

Albany Division	albany.ecf@gamd.uscourts.gov
Athens Division	athens.ecf@gamd.uscourts.gov
Columbus Division	columbus.ecf@gamd.uscourts.gov
Macon Division	macon.ecf@gamd.uscourts.gov
Valdosta Division	valdosta.ecf@gamd.uscourts.gov

Sealed documents in paper form may only be submitted to the court if unavailable in electronic format and if accompanied by a *Notice of Conventional Filing*. A *Notice of Conventional Filing* sample is attached as Appendix B, available on the court's website at www.gamd.uscourts.gov or from any division office.

Participants must pay careful attention to user prompts while e-filing to ensure that restricted documents are filed correctly. In the event that a document is filed with an incorrect restriction level, the participant should contact the clerk's office immediately. The clerk's office will make every attempt to assist the participant in correcting the error.

Access to certain documents filed in social security and alien detainee cases are restricted to court users, attorneys of record, and at public terminals. However, judgments, opinions, and orders filed in these cases are accessible through PACER.

To view restricted documents in CM/ECF, click on the document number in the NEF, enter your MDGA CM/ECF login and password (**NOT** PACER) at the login screen, click on the *View Document* button on the warning screen, and save or print the document. You will not be able to access the document if you use your PACER login and password.

Additionally, you may set your default PACER login to match your CM/ECF login. Log into CM/ECF using your MDGA CM/ECF log-in and click on the Utilities menu. Under the Your Pacer Account category, click *Change Your PACER Login*. You can change the default PACER login by checking the box *Make this my default PACER login*. After checking this box and entering your PACER login information (for the last time), you will only need use your MDGA CM/ECF log-in information for filing or viewing documents, including restricted documents.

Electronic Filing Exceptions

The following documents may be filed in paper:

- All pleadings and documents filed by pro se litigants who are incarcerated or who are not registered participants in CM/ECF;
- The charging document in a criminal case, such as the complaint, indictment or information;
- Affidavits for search and arrest warrants and related papers;
- Any pleading or document in a criminal case containing the signature of a defendant, such as a waiver of indictment, plea agreement or mandatory plea agreement supplement; and
- Documents or exhibits that cannot be scanned or otherwise converted to electronic format such as maps, charts, video tapes, or other items illegible when scanned.

Any other document(s) submitted to the court in paper must be accompanied by a *Notice of Conventional Filing*. All documents submitted in paper form **must** contain an original signature. Electronic signatures are only applicable to e-filed documents.

Privacy Policy

In compliance with the Privacy Policy of the Judicial Conference of the United States and the E-Government Act of 2002, sensitive information should not be included in any document filed with the court unless such inclusion is necessary and relevant to the case. Any personal information not otherwise protected will be made available over the Internet via PACER.

All e-filers should review the Judicial Conference Privacy Policy and applicable court rules. Filers must familiarize themselves with the rules governing mandated redaction, exceptions from the redaction requirement, sealed pleadings and protective order options, and waiver of privacy protections. It is the sole responsibility of counsel and the parties to redact personal identifiers. The clerk will not review documents for compliance with this rule, or redact documents, whether filed electronically or in paper form.

Parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the court:

- Minors' names (redact to initials only);
- Social security numbers (redact to the last four digits);
- Dates of birth (redact to the year only);
- Financial account numbers (redact to the last four digits);
- Home addresses (redact to city and state in criminal cases only)

The following are exempt from the redaction requirement:

- In a forfeiture proceeding, a financial account number or real property address that identifies the property alleged to be subject to forfeiture;
- The record of an administrative or agency proceeding;
- The official record of a state-court proceeding;
- The record of a court or tribunal whose decision is being reviewed, if that record was not subject to redaction when originally filed;
- A filing covered by Rule 5.2(c) or (d);
- A filing made in an action brought under 28 U.S.C § 2241, 2254, or 2255;
- A criminal filing made under Rule 49.1(d);
- A court filing that is related to a criminal matter or investigation and that is prepared before the filing of a criminal charge or is not filed as part of any docketed criminal case;
- An arrest or search warrant; and
- A charging document and an affidavit filed in support of any charging document.

Participants are reminded that in addition to personal data identifiers, other sensitive information may

be prohibited or restricted from disclosure by federal or state statutes or rules. Participants must exercise caution when filing documents that contain such information, including but not limited to proprietary or trade secret information, national security information, or sensitive security information as described in 49 U.S.C. § 114(s).

Where the inclusion of sensitive information is relevant and necessary to the case, participants should redact such information before submitting the document for the public record. A participant shall not electronically file a restricted document, pursuant to a protective order or otherwise, in order to avoid the redaction requirement. A participant may request that an un-redacted document or a reference list containing complete personal data identifiers be filed under seal. (Please refer to Restricted Documents and Sealed Entries)

Transcript Redaction Procedures

Upon filing of a transcript, each party's attorney is required to review the transcript for information that should be redacted under the Judicial Conference's Privacy Policy. Transcripts will be available (but not for copying) at the public terminal in the clerk's office as soon as they are filed. They will also be available for purchase from the court reporter or transcriber within 90 days of the filing date. Transcripts purchased from the court reporter or transcriber will be made electronically available to the purchaser. The complete Transcript Redaction Policy is available on the court's website.

The Judicial Conference Policy on Privacy and Public Access to Electronic Case Files states that documents in criminal cases containing identifying information about jurors or potential jurors shall not be included in the public case files, and shall not be available to the public. Transcripts of proceedings may become public record; therefore, counsel is advised to use juror numbers instead of juror names during court hearings.

SAMPLE FORMAT
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
_____ DIVISION**

Plaintiff(s)

Case No.

vs

Defendant(s)

DECLARATION OF TECHNICAL DIFFICULTY

Please take notice that I was unable to file in a timely manner due to technical difficulties. The deadline for filing was _____. The reason(s) that I was unable to file in a timely manner and the good faith efforts I made prior to the filing deadline to both file in a timely manner and to inform the court and the other parties that I could not do so are set forth below.

[Statement of reasons and good faith efforts to file and to inform]

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

Respectfully submitted,

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

SAMPLE FORMAT

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
_____ DIVISION**

Plaintiff(s)

Case No.

vs

Defendant(s)

NOTICE OF CONVENTIONAL FILING

(Title of document here) is submitted to the court and is being electronically filed under seal or restriction by the clerk's office pursuant to the order filed on _____. Said document has been manually served on all parties.

OR

(Title of document here) cannot be filed electronically due to _____
_____ and is being submitted to the court in paper form.
Said document has been manually served on all parties.

Respectfully submitted,

s/[Name of Password Registrant]

Name of Password Registrant, Bar No. xxxxxx

Address

City, State, Zip Code

Phone: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

E-mail: xxx@xxx.xxx