



## **United States District Court District of South Carolina**

### **Electronic Case Filing - Frequently Asked Questions Technical Questions**

#### **How does electronic filing work?**

To file electronically, attorneys create documents on their computers just as they normally do. However, instead of printing documents on paper attorneys save them in portable document file (PDF) format. This allows documents to be read by others with formatting intact, regardless of the type of computer or word processor used. Attorneys then access the electronic filing system through an Internet provider over the World Wide Web. A Court assigned user login and password along with the attorney's s/typed name serves as the attorney's signature for electronically filed documents. Once connected, the attorney indicates:

- ▶ the case number that their document applies to
- ▶ the party on whose behalf the document is being filed
- ▶ the type of document (answer, motion, etc.) being filed

The document is then sent over the Internet to the Court's server which immediately sends a receipt back to the attorney's screen verifying that the document has been received. The receipt can be printed or saved to disk for future reference. The system automatically creates a docket entry and makes both the updated docket sheet as well as the document itself instantly available to anyone with Internet access. The system also sends e-mail notification of the filing to all the parties who desire electronic notice of the filing.

#### **Will attorneys be able to access the CM/ECF system after the Court's regular business hours to file cases and review documents/docket sheets?**

The system is available 24 hours a day, 7 days a week with the exception of periodic maintenance which is posted on the Court's home page several days in advance. Registered attorneys are also notified by email of scheduled maintenance.

#### **How do I get started?**

In order to file electronically, an attorney must be admitted to practice before the Court, have a PACER account and have previously registered to file electronically. The ECF Registration Form is available over the Internet on the Court's website at

### **What do I need to file electronically?**

Technical requirements are minimal and inexpensive. All that is needed is access to a personal computer running Windows 95, 98, 2000, NT or XP with:

1. the ability to create or convert documents into PDF format. (One or more below)
  - Adobe Acrobat (for converting documents to PDF format)
  - a word processor that can create PDFs
  - a scanner and software to create PDFs
2. an internet connection to access ECF and email. Dial-up connections work, but a faster connection (DSL, high speed cable, etc.) is always better.
3. an approved internet browser. CM/ECF has been tested and works correctly with Internet Explorer (IE) Versions 6.0 and 7.0 and Mozilla Firefox Version 3.0.  
**\*\*\*\* Effective March 1, 2008 Netscape will no longer be supported for use with CM/ECF. Internet Explorer or Firefox should be used to access Judiciary applications and websites.**
4. PDF Reader software (such as Adobe Acrobat Reader)
5. an email account
6. an ECF account
7. a PACER account

Adobe Acrobat's **portable document file (PDF)** format is the key to the system. It makes all documents viewable in their original format on any computer regardless of whether they were scanned or created by a word processor.

### **What is a PDF document?**

Documents in **Portable Document File (PDF)** format do not require a copy of the word processing software in order to be viewed. They can be viewed by anyone with a free viewer such as Acrobat Reader, a product of Adobe Systems, Inc. In addition to its cross platform advantage, a PDF document matches very closely the format of the original document in which the PDF document was created. All of the pleadings in the CM/ECF system are stored in PDF format. To view PDF files, you must have a PDF viewing software such as Acrobat Reader, which you may download free from the Adobe Systems Internet website <http://www.adobe.com/products/acrobat/>

### **What is Adobe Acrobat?**

Adobe Acrobat is a commercial software product from Adobe that allows you to view

and create documents in PDF format. Adobe, the inventors of the PDF format, can be found at <http://www.adobe.com> You can also find both the free reader version of the software, which can be used to retrieve documents from CM/ECF, and the writer software, which is one way to create documents for posting to CM/ECF. There are other brands of commercially available software to create PDF files. CM/ECF's only requirement is that filings must be in PDF to be accepted by the CM/ECF system. All documents filed in CM/ECF must be in PDF format. The Federal Judiciary does not endorse any specific software.

### **How do I make a PDF document?**

There are several ways in which you can get a document from a word processing program into the PDF format. The newer versions of some common word processors include the ability to publish a document directly to PDF. In WordPerfect 9, 10, 11 and 12 you can click on "File" and then "Publish to PDF" to convert your WordPerfect file (.wpd) to PDF. MS-Word (up to version XP) does NOT have this capability).

If you've installed Acrobat Writer, you can create PDF files from your word-processing software. Simply print the document and select the printer called "Acrobat PDFWriter" or "Adobe PDF" from the drop down list of available printers. The printer name varies based on the version of Acrobat installed on the computer. That process will actually save a file in PDF format, with a ".pdf" file extension, on your hard drive. Many other vendors besides Adobe provide software to create PDF documents. Please note that the Federal Judiciary does not endorse or recommend any specific PDF software. Since there are so many different applications, and we could not depict instructions for all, we have chosen to depict all our instructions with reference to Adobe.

### **What is the cost for using CM/ECF?**

Attorneys of record and parties in a case (including pro se litigants) receive one free electronic copy of Court approved documents filed electronically. The Judicial Conference of the United States approved an Internet access fee of \$.08 per page in 2004. Fees resulting from information retrieval and report generation through CM/ECF are computed by PACER. There is a cap of \$2.40 (30 pages) for a single document or case specific report including docket sheets. Each attachment in CM/ECF is considered a separate document. Therefore, the cap will apply to each attachment over 30 pages separately. No fee is owed until an account holder accrues charges of more than \$10 in a calendar year.

### **What constitutes a page in CM/ECF for billing purposes?**

Billable pages are calculated in two ways in CM/ECF. A formula is used to determine the number of pages for an HTML formatted report. Any information extracted from the CM/ECF database, such as the data used to create a docket sheet, is billed using a

formula based on the number of bytes extracted. For a PDF document, the actual number of pages are counted to determine the number of billable pages.

Printed report data retrieved from the CM/ECF system will not always match the number of pages billed. The number of pages printed is dependent on individual printer and browser settings. All users are charged equally for the same information regardless of the browser settings or printer configurations. A transaction receipt and the “Review Billing History” option are provided in each court site for reviewing charges. Also, “Review Transaction History” is available on this site in “Account Information” for reviewing transactions from all courts. The transactions are updated on the PACER Web Site by the middle of each month.

### **How do I pay my filing fees in CM/ECF?**

Pay.gov is a secure Department of Treasury website which will appear when a docket entry requiring a fee is made. Fee amounts are preprogrammed and must be paid online using a credit card or electronic check. After following the prompts to complete the payment process you will be returned to ECF to complete the docket entry.

### **How do I get technical help for CM/ECF?**

For technical help:

- ▶ visit the PACER Service Center’s web site at <http://pacer.psc.uscourts.gov>
- ▶ send email to the PACER Service Center at [pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov)
- ▶ call (800) 676-6856 between 8 a.m. and 5 p.m. Central Time
- ▶ call the Court’s Technical help desk at (803) 253-3605

For questions regarding Pay.gov:

- ▶ call the Court’s Finance help desk at (803) 253-3137

### **What if I’ve misplaced my ECF login and password?**

Send an email request to [ecf\\_registration@scd.uscourts.gov](mailto:ecf_registration@scd.uscourts.gov). Include your full name, federal court ID number and the email address you registered with. If your email address has changed and does not match the one listed in your ECF account you will need to include BOTH your previous and current email addresses.

### **How are electronic documents served?**

The CM/ECF system generates a Notice of Electronic Filing -- an email message containing a hyperlink to the document filed -- whenever a document is filed with the Court. The Notice of Electronic Filing is considered service to parties receiving filing by electronic service. It is the responsibility of the filer to serve all non-electronic filers by

other means.

**What if I am not receiving notices of electronic filing (NEF) from the Court?**

Check your email spam settings and make sure that all mail is accepted from the Court's email domain (scd.uscourts.gov).

**Is the CM/ECF system SSL (Secure Sockets Layer) enabled? What is SSL?**

Yes. SSL provides endpoint authentication and communications privacy over the Internet using cryptography.

**How is filer identity authenticated?**

Authentication is currently completed at login. Each user is required to identify himself/herself by presenting a valid combination of a Court assigned user id (login) and password. Upon doing so, access to the site is granted.

**How will signatures of documents be handled for documents filed electronically?**

At present, this is a matter for local court rule or order. Most courts are currently treating use of an attorney's unique system login and password along with the attorney's s/typed name as the attorney's signature for electronically filed documents.

**How many users can submit documents at one time?**

There is no fixed limit. Response time and expanded use will ultimately tell the courts what the acceptable limit might be. Enhancements to communications capacity is expected to be an ongoing task to ensure that we meet the needs of users.

**Will the creator of the docket entry be identified?**

Yes. All entries on the docket can be identified by the name of the person that logged in to the system and submitted the entry. Except for judges, Court users are identified in docket entry text by their initials. Judges and attorneys are identified by their full names.

**How long will it take to transmit/receive documents?**

The time it takes to transmit or receive a document primarily depends on the user's Internet Service Provider (ISP), connection speed, and the size of PDF file being transmitted or received. Generally, the larger the file, the longer it will take to load.

**Are there size limits for filing documents?**

CM/ECF will reject documents which exceed 5MB. The CM/ECF system will accept both text and imaged PDF files. The text PDF file is usually the result of saving, or converting, a document from a word processor in PDF format. Generally 250 pages of converted text will create a file less than 5MB. The imaged PDF file is usually created by scanning a paper document in PDF format. If the image is scanned at **low** resolution, 100 pages of scanned text may be less than 5MB. The file size can be checked in Adobe Acrobat by typing <CTRL>+D for a document summary. File sizes are listed in KB or kilobytes. 1000KB=1MB.

If your total document is more than 5MB, it will need to be subdivided and filed as multiple attachments (i.e., Exhibit 3, Part 1 Depo of John Smith, Pages 1-250; Exhibit 3 Part 2 Depo of John Smith, Pages 251-500.) Attachments to documents may not exceed a total of 20MB.

**What if I receive an email notification that does not provide a hyperlink to the document?**

This is not an error. It simply means that a document (PDF) was not electronically filed for that particular docket entry.

**Why am I sometimes prompted for a login and password after clicking on a document hyperlink in an NEF?**

- ▶ Document hyperlinks embedded in NEFs expire after two weeks. If your free look has expired you will need to use your PACER login to view the document.
- ▶ Certain documents have restrictions and are only available to case participants. Such documents require both your ECF and PACER logins respectively.
- ▶ Criminal cases filed prior to November 2004 are not available electronically.
- ▶ Sealed documents are not available for public review unless otherwise authorized by the Court.

**What does this error message mean? “ERROR: Document contains code which may cause an external action (such as launching an application). This PDF document cannot be accepted.”**

If your PDF contains **password security**, it will not be accepted. All PDF documents which include embedded JavaScript that use the OpenAction syntax will be rejected. Some petition preparation software contains JavaScript to perform calculations which uses OpenAction syntax. If your PDF is rejected, please contact your PDF software vendor or petition preparation vendor and speak with them regarding the use of JavaScript OpenAction syntax. OpenAction JavaScript commands can be used to track those who view a PDF and to install malware and viruses.

**What does this error message mean? “ERROR: Document is not a well-formed PDF document (no further information is available).”**

This usually means that there is a typographical error in the pathname of the PDF. Use the Browse button rather than manually entering the location of the PDF.