

ELECTRONIC FILING IS COMING TO THE NORTHERN DISTRICT OF NEW YORK!!!!

CM/ECF Bar Newsletter Volume 1 - Number 2
July 21, 2003

Keep Your E-mail Address Up-to-Date

Recently the Court mailed out the Biennial Registration Notice to all Northern District attorneys - the registration notice, along with our new attorney admission forms, now require that all attorneys admitted to practice in the Northern District of New York provide the Court with their e-mail address. Your e-mail address will be used in CM/ECF so that you can receive electronic notification of any filings on cases that you have with the Court. The Court will also serve all orders, notices and judgements through CM/ECF and the e-mail notification system.



The Court will be "live" on CM/ECF on January 1, 2004. This is a key date because all filings with the Court after January 1, 2004, must be made via the CM/ECF system. In today's technological world, e-mail addresses can change frequently. Once the Court is live on CM/ECF, you will be able to maintain your own e-mail address through a utility function in CM/ECF.

Additional information on maintaining your CM/ECF user account will be provided at the Court's training sessions and on our webpage at www.nynd.uscourts.gov.

Court Adopts General Order #22

On June 26, 2003, the Board of Judges adopted the Administrative Procedures for Electronic Case Filing Order - known as General Order #22. Our August CM/ECF newsletter will highlight the filing requirements under General Order #22, a copy of the General Order is available on our Court webpage under Court News and CM/ECF Resource materials.

Have You Signed Up for PACER Yet?

PACER - an acronym for *Public Access to Court Electronic Records*, is the system you will use to view documents that are filed with the Court in CM/ECF. The PACER system will give you access to case and docket information from federal Appellate, District and Bankruptcy Courts and the U.S. Party/Case Index. The PACER system offers electronic access to

- ✓ Documents filed on CM/ECF
- ✓ A listing of all parties and participants including judges and attorneys
- ✓ A compilation of case related information such as cause of action, nature of suit, etc.
- ✓ A chronology of dates of case events entered in the case record
- ✓ A claims registry
- ✓ A listing of new cases each day
- ✓ Appellate court opinions - and opinions entered on CM/ECF
- ✓ Judgments or case status

In order to obtain a PACER login and password, complete the on-line PACER Registration Form - a link to the on-line PACER Registration Form is available on our Northern District webpage under Court Information at www.nynd.uscourts.gov or at <http://pacer.psc.uscourts.gov/register.html>

E-Government Act of 2002

To comply with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, Pub.L.No.107-347, effective April 16, 2003, filing parties shall omit or, where inclusion is necessary, partially redact the following personal data identifiers from all civil pleadings, documents, and exhibits, whether filed electronically or on paper, unless the assigned judge orders otherwise:

- ▶ Minor's names: use minor's initials
- ▶ Financial account numbers: identify the name or type of account and the financial institution where maintained, but use only the last four numbers of the account
- ▶ Social Security numbers: use only the last four numbers
- ▶ Dates of birth: use only the year, and
- ▶ Other data as permitted by order of the Court.

With leave of the Court, a party may file under seal a document containing the unredacted personal data identifiers listed above. The party seeking to file an unredacted document may, but is not required to, file electronically a motion or application to file the document under seal pursuant to the E-Government Act of 2002. A motion or application not filed electronically shall be presented in conventional format to the chambers of the assigned magistrate judge or district judge along with a proposed order. If the assigned judge grants the motion or application, the filing party shall then submit the unredacted paper document to the Clerk's Office. The paper document must have a cover page stating the following: "Document filed under seal pursuant to the E-Government Act." The Court will retain this paper document as part of the record. In granting the motion or application to seal, the assigned judge may require the party to file a redacted copy for the public record. The responsibility for redacting personal data identifiers rests solely with counsel and the parties. The Clerk's Office will not review documents for compliance with this rule, seal on its own motion documents containing personal data identifiers, or redact documents, whether filed electronically or on paper. Please review the Northern District E-Government Privacy Notice which is available on our webpage. Counsel is strongly urged to share the notice with all clients so that an informed decision about the materials can be made.

The changes outlined do not apply to civil social security or criminal cases, as remote public access is not available in those cases at this time.

Training News

The Court has made five presentations to the Bar on CM/ECF. Two presentations were made in Albany and Syracuse, and one presentation was made in Utica. **Mark your Calendars** -



Future CM/ECF demonstration dates have been set for

- ▶ Albany Federal Courthouse - August 7th at 4:00 PM
- ▶ Plattsburgh - August 20th from 2-5:00 PM at Plattsburgh State University Rm 108
- ▶ Binghamton Federal Courthouse - August 28th at 4:00 PM
- ▶ Utica Federal Courthouse - September 3rd at 4:00 PM
- ▶ Syracuse Federal Courthouse - September 4th at 4:00 PM
- ▶ Watertown - Jefferson Community College - September 9th from 2-4:00 PM, check our webpage for the location at Jefferson CC.

Information regarding *hands-on* CM/ECF training will be posted to our webpage. We anticipate classes beginning in mid-October. Keep an eye on our webpage for more information on training opportunities for attorneys and law firm staff.

CM/ECF Webpage

Please visit the Court's CM/ECF webpage which contains valuable resource information on the CM/ECF Project. The webpage also contains a link to an electronic tutorial for attorneys and law firm staff on the use of CM/ECF. On our webpage click on the link for the tutorial to see what the future holds. www.nynd.uscourts.gov.

Questions about CM/ECF can be directed to:

Clerk of Court - Larry Baerman @ 315-234-8516
and

Chief Deputy Clerk - John Domurad @ 518-257-1809