

Office of the Clerk
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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Clerk

August 20, 2010

Dear Northern District of New York Bar Member:

The Administrative Office of the U.S. Courts has advised us of a prospective change to the technical filing standard associated with our Case Management / Electronic Case Files (CM/ECF) system. Since its inception, the system has required that electronic documents be filed in portable document format (PDF). Now, a move to the new more-controlled PDF/A standard is necessary to enhance CM/ECF security and to improve the archiving and preservation of case-related documents. The Judiciary adopted the PDF format more than fifteen years ago. It serves as an excellent surrogate for paper and offers reliable renderings of court documents for all CM/ECF users despite their many different computer configurations. And the CM/ECF systems nationally now contain nearly five hundred million PDF files.

However, over time, new features that raise security concerns have been added to PDF. A few examples are: the ability for a filer to monitor if and when the document is read (**that feature is blocked for documents filed in CM/ECF**), and the ability for a filer to incorporate active software programs in the document. Those security concerns, and concerns about ensuring that our electronic documents could be archived and retrieved for decades (even centuries) to come, has led the Judiciary to join with other government agencies, corporations and technologists around the world to develop a new international electronic document standard that addresses those concerns.

That new standard, adopted by the International Organization for Standardization in 2005, is PDF/A. The Judiciary has delayed implementation of the PDF/A standard until major software vendors provided for the creation of this format in conjunction with standard word processing packages. Ninety software vendors now do so. All versions of CM/ECF *accept* PDF/A today.

I wanted to alert the Bar to this issue as upcoming releases of CM/ECF will enable courts to **require** that all documents be filed in PDF/A format. Those new CM/ECF software upgrades will enable each court to control its transition to PDF/A. The goal of the Judiciary is to transition fully to PDF/A.

However, to ease that transition, CM/ECF will enable courts to allow exceptions to the PDF/A requirement so that Courts can file PDF (non/A) documents until the Bar can update their PDF creator software to the PDF/A format. Ideally, exceptions will be made only infrequently and only temporarily.

At this time, the Judiciary has not set a specific target date for requiring that all new documents be filed in PDF/A. At this point, I am writing to the members of the Bar to alert you to this upcoming change, and to encourage you to start looking at upgrading your software (ie:, Adobe, WordPerfect, Word, etc.,) or devices (ie:, scanners, copier-scanners, etc.) that you use to create PDF documents to the PDF/A format.

I have included three additional links below on information concerning PDF/A document formatting for your information:

The ISO doc. on PDF/A - http://www.aiim.org/documents/standards/19005-1_FAQ.PDF

Adobe's FAQ - http://www.adobe.com/government/pdfs/faq_archivingstandard_pdf_a.pdf

PDF/A compliance organization information - <http://www.pdfa.org/doku.php?id=pdfa:en:faq>

We will endeavor to keep all members of the Bar informed about this topic as the Judiciary moves forward with the transition from the PDF to PDF/A format. This information will also be posted on the Courts web-site: www.nynd.uscourts.gov.

Thank you for your attention to this matter.

Very truly yours,



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