

General Case Management/Electronic Case Filing

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1. What is Case Management/Electronic Case Filing (CM/ECF)?

Answer: CM/ECF is an electronic system that allows attorneys to file petitions and other electronic documents with designated United States Courts through the Internet by using a standard web browser. In addition, it allows court personnel to manage the case electronically.

The result is a completely electronic “case file” that does not have any papers associated with it at the court. Therefore all case information is available for examination electronically through the Internet, again through the use of a standard web browser.

The CM/ECF system uses standard computer hardware, an Internet connection and a browser, and accepts documents in Portable Document Format (PDF). The system is easy to use - filers prepare a document using conventional word processing software, then save it as a PDF file. After logging onto the court’s ECF system with a court-issued password, the filer enters basic information relating to the case and document being filed, attaches the document, and submits it to the court. A notice verifying court receipt of the filing is generally automatic. Other parties in the case then automatically receive e-mail notification of the filing. (4/28/03)

2. What are the benefits and features of using CM/ECF?

Answer: There are a number of significant benefits and features for courts, attorneys and the public:

- Registered attorneys are able to file and retrieve documents with the court 24-hours per day, 7 days per week.
- Full case information is available to attorneys, parties and the general public through the Internet. This includes the ability to view the full text of all filed documents.
- Attorneys registered on the system receive notices of filed documents and orders electronically, saving the attorney and the court the cost of handling and mailing paper notices.
- Since ECF uses Internet standard software, the out-of-pocket cost of participation for attorneys is typically very low. (4/28/03)

3. Can any member of the public use CM/ECF to file documents with a court?

Answer: No. Filing access on CM/ECF is available to authorized attorneys, trustees and, on a limited basis, to high volume creditors. (4/28/03)

4. Since access is limited to authorized attorneys, is there any way for pro se filers or attorneys without Internet access to file documents in CM/ECF cases?

Answer: Yes. The system is capable of accepting paper documents from pro se filers and others as necessary. The court converts all paper filing to electronic format by scanning and adding the scanned imaged into the CM/ECF system. (4/28/03)

5. How do I access CM/ECF to view documents filed in these cases?

Answer: Access to view case information and/or documents in CM/ECF, is available to anyone with a PACER login and password. PACER offers convenient electronic access to case file documents, listing of all case parties, reports of case related information, claims registries, listing of new cases and a calendar of events.

To defray the cost of PACER and CM/ECF, the Judicial Conference has set a fee of 7-cents per page for electronic court data via the Internet. Parties who are using the CM/ECF system receive one “free look” at a document filed, but will be charged for replacement copies. For more information about PACER, contact the pacer service center at <http://pacer.psc.uscourts.gov>. (4/28/03)

6. What hardware/software is needed on the attorney’s end to use CM/ECF?

Answer: Click here for a full list of [hardware/software requirements](#). You will need access to the Internet, Netscape Navigator or Microsoft’s Internet Explorer and Adobe Acrobat and a personal computer running a standard platform such as Windows, Windows 95, Windows 98 or Macintosh. (4/28/03)

7. How is the requirement of an original signature handled for CM/ECF cases?

Answer: There are two distinct issues: attorney signatures and debtor signatures.

When registering to use the system, attorneys sign an agreement to the effect that use of their login name and password (whether by themselves personally or by delegation to another person in their office) constitutes their signatures on the documents electronically filed. They also agree to comply with Administrative Order 5005-4 which requires an electronic signature on each document.

For documents that must be signed by the debtor: such as petitions, lists, schedules, statements, amendments to schedules, certain affidavits, etc., an electronic signature must be on each document filed and an original declaration form [LBF 5005-4(A) or LBF 5005-4(B)] along with a copy of the notice of electronic filing must be filed with the court within five days of the electronic filing. (4/28/03)

8. How do I sign documents filed electronically?

Answer: All documents should be signed in the following manner: /s/ YOUR NAME. We need both the /s/ which designates signature and the name you are signing. Your client's signature may be presented in the same fashion. Some attorneys are using an italic style font, which allows a typed signature to appear more like a traditional signature. (4/28/03)

Examples:

/s/ Joe Debtor
Joe Debtor

/s/ Josephine Debtor
Josephine Debtor

/s/ Jo Attorney
Jo Attorney BNH09876
129 Main Way
Anywhere, NH 03103
(603) 202-2222

9. I am an attorney and would like to start filing electronically, how can I obtain a login and password?

Answer: First, you must register and attend one of our training sessions. On the Training area of this web site is a list of training dates. Complete a registration form and mail, e-mail or fax it to the court. We will send you an e-mail confirmation of your registration in a specific training session. If the session you would prefer to attend is marked as “FULL”, request that date and we will create a waiting list. You will be contacted by the court and registered for a session which is not full, however you will still be kept on the waiting list for your first choice session. After you have been trained you will need to complete an “Attorney Password Application” AND either a “Credit Card Authorization Form” or a “Debit Card Authorization Form”.

If you have been trained in another district, you are not required to attend one of our training sessions. Simply complete the CM/ECF registration process by mailing the “Attorney Password Application” form AND either a “Credit Card Authorization Form” or a “Debit Card Authorization Form”. These forms are located on both the Training area and the Forms & Rules area of this web site. (4/28/03)

10. Can I fax or e-mail the application for login and password to you?

Answer: No, we need original attorney signatures on these forms. (4/28/03)

11. How is payment of filing fees handled in CM/ECF cases?

Answer: When registering to use CM/ECF, either a “Credit Card Authorization Form” or a “Debit Card Authorization Form” must be completed and mailed or delivered to the Clerk’s Office accompanied by the Attorney Password Application form.

The Finance Office retains the original credit card authorization forms which are maintained in a secured location, in accordance with Federal financial regulations. Access to the credit card authorizations and forms is limited to authorized personnel only. At this time we accept the following credit cards: MasterCard, Visa, American Express, Diner’s Club and Discover. For filings that require a fee, one credit card charge will be processed the following business day regardless of the number of items filed that require a fee.

(4/28/03)

12. How do I set up a credit card account with the court to be used for CM/ECF cases?

Answer: As part of the CM/ECF registration process, complete either the Credit Card Authorization Form or a Debit Card Authorization Form and mail it or deliver it with the Attorney Password Application form to the Clerk's office. Once the court has the authorization on file, you will be given your login and password to begin filing documents electronically with the court.

The following are some suggestions from members of the bar regarding the use of credit or debit cards for the payment of fees:

- Obtain a sufficient credit limit on the card. Communicate with the credit card company and tell the company what you are doing and how you will be using the credit card. Most credit card companies are willing to work with you on obtaining a higher limit for this usage.
- Obtain a credit card that you can track your balance/limit over the Internet.
- For bookkeeping purposes, use the card solely for court costs. Since filing fees have to be paid through trust accounts, having all filing fees paid through this credit card, one check can be cut from the trust account to pay for filing fees for the month.
- Establish credit card through a bank that you deal with regularly.
- Activate the debt or credit card with the bank. (4/28/03)

13. I am currently filing electronically and want to change the credit card on file at the Clerk's office. How do I do that?

Answer: Print either the credit card or debit card form from our web site, complete all the pertinent information and mail or hand-deliver it to the Clerk's office. It must be an original, we cannot accept this form via fax or e-mail. (4/28/03)

14. Can an attorney authorize someone to use the attorney's login name and password to file documents in CM/ECF?

Answer: Yes, but the court recommends that such access be very limited and controlled. Anything that is filed under the attorney's login and password is deemed to have the attorney's signature on it and the attorney is ultimately responsible for anything filed via CM/ECF. (4/28/03)

15. What happens if a document is filed in error?

Answer: Most errors will be immediately made known to other parties on the case through the real time electronic notices and access to the docket report. CM/ECF allows court personnel to edit errors made in the docket entry, but documents are never deleted or modified. In addition to making the appropriate corrections, the court may need to ask participants to submit amended pleadings or to re-file the pleadings. (4/28/03)

