

**CM/ECF HELPFUL TIPS**

**AND**

**ANSWERS TO**

**FREQUENTLY ASKED QUESTIONS**



December 2016 (Revised)

## Helpful Telephone Numbers/Addresses

AR-Western District CM/ECF Help Desk Line (Toll Free) 866-540-5066  
CM/ECF Help Desk E-mail [CMECF\\_info@arwd.uscourts.gov](mailto:CMECF_info@arwd.uscourts.gov)  
Clerk's Office Website [www.arwd.uscourts.gov](http://www.arwd.uscourts.gov)

### Clerk's Office Contact Information

El Dorado Division [ELD\\_info@arwd.uscourts.gov](mailto:ELD_info@arwd.uscourts.gov)  
Phone Number 870-862-1202

Fort Smith-Headquarters and Hot Springs Divisions [FSM\\_info@arwd.uscourts.gov](mailto:FSM_info@arwd.uscourts.gov)  
Phone Number 479-783-6833  
Fax Number 479-783-6308

Texarkana Division [TEX\\_info@arwd.uscourts.gov](mailto:TEX_info@arwd.uscourts.gov)  
Phone Number 870-773-3381  
Fax Number 870-772-4802

Fayetteville and Harrison Divisions [FAY\\_info@arwd.uscourts.gov](mailto:FAY_info@arwd.uscourts.gov)  
Phone Number 479-521-6980  
Fax Number 479-575-0774

PACER Service Center (Toll Free) 800-676-6856

AR-Eastern District CM/ECF Help Desk Line (Toll Free) 866-449-2550

AR-Bankruptcy Clerk's Office - Little Rock 501-918-5500

AR-Bankruptcy Clerk's Office - Fayetteville 479-582-9800

### Judge's Email Addresses for Proposed Orders (submit these in Word or WordPerfect):

Chief Judge Paul K. Holmes, III [PKHinfo@arwd.uscourts.gov](mailto:PKHinfo@arwd.uscourts.gov)  
Judge Harry F. Barnes [HFBinfo@arwd.uscourts.gov](mailto:HFBinfo@arwd.uscourts.gov)  
Judge Timothy L. Brooks [TLBinfo@arwd.uscourts.gov](mailto:TLBinfo@arwd.uscourts.gov)  
Judge Susan O. Hickey [SOHinfo@arwd.uscourts.gov](mailto:SOHinfo@arwd.uscourts.gov)  
Chief Magistrate Judge Barry A. Bryant [BABinfo@arwd.uscourts.gov](mailto:BABinfo@arwd.uscourts.gov)  
Magistrate Judge Mark E. Ford [MEFinfo@arwd.uscourts.gov](mailto:MEFinfo@arwd.uscourts.gov)  
James R. Marschewski [JRMinfo@arwd.uscourts.gov](mailto:JRMinfo@arwd.uscourts.gov)  
Magistrate Judge Erin L. Setser [ELSinfo@arwd.uscourts.gov](mailto:ELSinfo@arwd.uscourts.gov)

## FREQUENTLY ASKED QUESTIONS

**Q: How do I register for CM/ECF?**

A: Any attorney admitted to the Bar of this Court, including an attorney admitted pro hac vice, may register as a filing user by completing the registration form and submitting the form electronically. There is no fee for CM/ECF registration. The form is located on the public website ([www.arwd.uscourts.gov](http://www.arwd.uscourts.gov)).

To access the form, click the CM/ECF tab on the homepage. Click the CM/ECF Registration link. Read all instructions and follow the links to the registration page. Complete all required information and click the Submit Form Electronically button.

Once the Clerk's Office processes the registration form, the CM/ECF login and password will be emailed to the attorney's primary and secondary email addresses listed on the registration form. If approved, the account should be activated within one (1) business hour.

**Q: My CM/ECF login and password are not working. What should I do?**

A: First, verify that you have accessed the correct CM/ECF website.  
(<https://ecf.arwd.uscourts.gov>)

**NOTE:** A common error is to attempt to login to the Bankruptcy Court or the Eastern District of Arkansas CM/ECF websites using the login and password issued from this district.

Second, verify that you are using a login and password issued by the Western District of Arkansas. (A login and password issued from another District/Bankruptcy or Appellate court may not grant access to CM/ECF in this district.)

Third, if the web address and the login are correct, then likely the password has been changed. Click the Forgot password? link or contact the Help Desk line to have the password reset.

**Q: I have logged into CM/ECF but I do not have any events to select for filing. What's wrong?**

A: If you see **Civil, Criminal, Query, Reports, Utilities, Search** and **Logout** on the blue menu bar, click on either the **Civil** or **Criminal** option for a list of filing events.

If you see **Query, Reports, Utilities** and **Logout** only, you have used your PACER login and Password. Click Logout and enter the filing login and password.

**Q: What is the file size limit for a document in CM/ECF?**

A: CM/ECF will accept files no larger than fifty (50) megabytes per attachment. The combined size for all attachments to a single entry is limited to two hundred and fifty (250) megabytes.

Click the Court Information link on the Welcome Page to determine the current file size limits.

To determine the size of a file, right click on the name of the document and select *Properties*. The size of the document is displayed under the *General* tab.

If a single file is larger than fifty (50) megabytes it will be necessary to upload that attachment in parts to avoid a filing error. They can be labeled similar to:

Exhibit A - Deposition of John Smith, Part 1,  
Exhibit A - Deposition of John Smith, Part 2.

**Q: What can I do if the combined file size is over the two hundred and fifty (250) megabyte limit?**

A: You should include the main document, an Exhibit List and as many exhibits as possible to the event docket entry. (Motion, Memorandum Brief in Support, Statement of Facts, etc.)

When there are additional exhibits that should be attached to that event entry, create a cover sheet to use as a main document:

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS FORT SMITH DIVISION	
JOHN SMITH	PLAINTIFF
v.	CIVIL CASE NO.: 2:16CV2123
BIG BUSINESS CORPORATION, et al.	DEFENDANTS
<b>SUPPLEMENT TO MOTION FOR SUMMARY JUDGMENT</b>	
(DOCUMENT 27)	
TO ATTACH EXHIBITS 27 THROUGH 52	

From the Civil or Criminal menu, select the **Supplement** event from the Other Filings -> Other Documents event list. Link this Supplement to the original event entry. Upload the cover sheet as the main document and continue to upload the remaining exhibits as if they were being attached to the original event entry.

Make a new cover sheet for each additional Supplement that needs to be filed, specifying exactly what document is being supplemented as well as the attachments that are being included in the entry.

**Q. I scanned an exhibit that is only 2 pages but the file size is more than five (5) megabytes. What happened?**

A. Check the scanner settings. The issue may be that the settings are set to color, photo or grayscale. Unless those settings are **necessary** for the attachment, use only black and white text.

**Q: My filing deadline is today. Does my document need to be filed by close of business?**

A: Unless an Order specifies a filing deadline, you have until 11:59:59 p.m. Central Time to complete the filing of your document.

**Q: I am one (1) of three (3) attorneys who represent a party. Does it matter who signs the pleading?**

A: If all attorneys are admitted in this court, any one of the attorneys can sign the pleading. The signing attorney must use his or her CM/ECF filer login and password when electronically filing the document.

#### **Sample Signature Block**

**/s/ Pat Attorney**  
**Pat Attorney, #12345**  
**Attorney at Law**  
**P.O. Box 123**  
**Any Town, AR 72111**  
**(479) 123-4567**  
**[pat.attorney@lawfirm.net](mailto:pat.attorney@lawfirm.net)**

#### **Sample Docket Text**

**MOTION for Extension of Time to File Response/Reply to [17] MOTION for Summary Judgment by John Smith. (Attorney, Pat)**

**Q: An event is not listed for the pleading that I want to file. What can I do?**

A: First, use the Search feature from the blue menu bar and search for any key word(s) of the pleading type. If you cannot locate an event that best fits the description of the document you are filing, contact any divisional office or the CM/ECF Help Desk line for assistance.

**NOTE:** If this is an **EMERGENCY** filing and clerk's office staff is not available for assistance, use the event Notice (Other), from the Other Filings -> Notices event list. Add docket text to describe the type of pleading you are filing.

**Q. I attached the wrong document to a filing in CM/ECF. How do I correct it?**

A: Contact any divisional office or the CM/ECF Help Desk line for assistance **before** filing the correct document.

**Q: How do I file a case initiating document (i.e. Complaint, Notice of Removal, Petition for Writ of Habeas Corpus)?**

A: All case initiating documents **must** be filed conventionally (in paper) with the Clerk's Office. Be sure to include a civil cover sheet, the filing fee, a motion/application to proceed in forma pauperis and any summons to be issued.

The clerk's office requires that only one (1) original, **signed** document be submitted. Please include the number of copies that you wish to have file marked and returned to you, along with a self-addressed, stamped envelope.

**Q. How do I file a document under seal?**

A: All requests to file a document under seal must be made by formal motion.

If the motion is granted, file the document electronically using the Civil or Criminal Restricted Event -> Sealed Document event. Enter the date of the Order granting the filing and link to a previously filed document, if appropriate.

If submitted conventionally, affix a cover sheet to the exterior of the envelope containing the sealed document with the following information:

- 1) Case Caption;
- 2) The Name of the document, if it can be publically disclosed; otherwise an appropriate title by which the document may be identified on the public docket;
- 3) The name, address and telephone number of the person filing the document.

(Please see the **Documents Filed Under Seal** section in the Administrative Policies and Procedures Manual for Civil and Criminal Filings for more details.)

**Q: I represent multiple parties in a case. How do I select them from the Pick Filer list?**

A: If all of the parties are listed together you can left click to select the name of the first person, continue to hold the left mouse down, then scroll and select all other parties. You can also left click to select the name of the first person, hold the **shift** key and left click to select the name of the last person. This will select all parties between the two (2) names.

If the parties are **not** listed together you can left click to select the name of the first person, hold the **control** key, and continue to left click to select the other party names. Once all parties have been selected, you can release the control key.

**Q: The Judge has granted permission to file an Amended Complaint. Can I file it in CM/ECF?**

A: If the Amended Complaint changes only claims, this document can be filed electronically using CM/ECF. From the Civil menu, select **Amended Complaint** in the Initial Pleadings and Service -> Complaints, Other Initiating Documents list.

If the Amended Complaint adds or changes parties, this document **must** be filed conventionally (in paper) with the Clerk's Office. At the time of filing, the attorney should also submit a summons to be issued for each new party. The clerk's office requires that only one (1) original, **signed** document be submitted. Please include the number of copies that you wish to have file marked and returned to you, along with a self-addressed, stamped envelope.

**Note:** Amended Complaints must be filed in accordance with the Federal Rules of Civil Procedure, Rule 15(a), 21 and Local Rule 5.5(e). When filing a motion for leave to amend the complaint, the moving party **must** attach a copy of the proposed amended pleading to the motion to amend. The motion **must** contain a concise statement setting out what exactly is being amended in the new pleading.

**Q: I want to file a Motion to Intervene, but my client is not listed on the Pick Filer screen and I can not add a party. What can I do?**

A: You can submit the motion, together with the proposed Intervenor Complaint, to the clerk's office conventionally (in paper), or you can contact any divisional office or the CM/ECF Help Desk Line and have your client added as a movant for the purpose of filing the motion.

If the motion is granted, the clerk's office will change the party type, but the Intervenor Complaint **must** be filed conventionally (in paper). The clerk's office requires that only one (1) original, **signed** document be submitted. Please include the number of copies that you wish to have file marked and returned to you, along with a self-addressed, stamped envelope.

**Q: How do I file an Answer to a Counterclaim?**

A: From the Civil menu, select **Answers to Complaints** in the Initial Pleadings and Service list. Select your client in the Counter Defendant (cd) role as the filing party. Link the entry to the original Answer and Counterclaim or Counterclaim event by checking the box to the left of the docket entry.

**Q: My Motion, or Response, has an accompanying Brief in Support. Can this document be an attachment to the main document (Motion/Response)?**

A: No. A Memorandum Brief in Support of a Motion or Response **must** be filed as a stand alone document. The event is located in the Motions and Related Filings menu -> **Support Documents – Motion/Response** list.

**Q: I am filing a Motion for Summary Judgment. What event do I use to file the Statement of Facts?**

A: The **Statement of Facts** event is located in the Motions and Related Filings menu -> **Support Documents – Motion/Response** list.

**Q: I have a motion to file, but I cannot find a motion type that matches my text. What can I do?**

A: First, use the **Search** feature found on the blue menu bar and search for any key word(s) of the motion type. If you cannot locate an event that best fits the description of the motion you are filing, use the generic motion event, **Miscellaneous Relief**. Use the text entry box within the event transaction to specify the relief sought. (i.e. Motion *to allow parties to bring electronic devices into the courtroom.*)

**Q: I am filing a Reply to a Response to a Motion, but I can not link the Reply to the Response. Why not?**

A: CM/ECF requires that the *Reply to Response to Motion* event be linked to the **original** motion. The final docket text will read..."Reply to Response to Motion [name of the original motion]." By linking the Reply to the Motion, the Judge will be able to review the Motions Report and see all documents that have been filed that are related to the original motion, including the Reply.

**Q: How do I file a Surreply?**

A: There is no filing provision for a Surreply and therefore no corresponding event in CM/ECF. If necessary, obtain leave of Court to file the Surreply. Use the **Reply to Response to Motion** event found in the Civil menu, Replies and Responses list. Link the document to the original motion. For clarification, you may add the word "Surreply" to the final docket text.



**Q: I want to file Initial Disclosures pursuant to FRCvP 26(a)(1), but I can not find an appropriate event. What can I do?**

A: Initial Disclosures pursuant to FRCvP 26(a)(1) are **not** to be filed. This applies to other Discovery type documents in pending civil cases, as well. (Please refer to *Guidelines for Filing Discovery Documents in All Pending Civil Cases*, which can be found on the court's public website under the **Documents** tab.)

**Q: I am filing a Response to a Petition for Habeas Corpus (2254/State Habeas Petition). What event do I use?**

A: From the Civil menu, select **Answers to Complaints** in the Initial Pleadings and Service list. Select the Petition as the document you are answering when the list displays. The final docket text will be correctly converted to "RESPONSE to Petition for Writ of Habeas Corpus."

**Q: I am filing a Response to a Petition for Habeas Corpus (2255/Federal Habeas Petition). What event do I use?**

A: From the Criminal menu, select the **Response to Motion** event in the Responses & Replies event list. Link the Response to the Petitioner's Motion to Vacate.

**Q: I have a Notice of Appeal to be filed. A filing fee is due. Can I file the Notice of Appeal electronically?**

A: Yes. A Notice of Appeal can be filed electronically, even when a filing fee is due. With a credit or debit card, or a savings or checking account, you can pay online using Pay.gov. Or, you can **immediately** send the filing fee to the appropriate Divisional Office for processing.

**Q: My contact information has changed. How can I update my information?**

A: Using your CM/ECF (filing) login and password, click on the *Utilities* tab on the blue menu bar. Under *Your Account*, select each of the following links to update your information:

Maintain Your Address;  
Maintain Your E-mail;  
Maintain Your Login/Password.

(It is recommended that you change your password periodically, but especially if you change Law Firms.)

Be sure to click the **Submit** button after making **any** changes.

It is recommended that a Notice of Change of Address be filed in each pending case in this District to alert all counsel and the Court to the change in contact information.

**Note:** It is the responsibility of any attorney who has CM/ECF filing access to keep all contact information, including e-mail addresses, updated and current.

**Q: Why am I not receiving e-mail notifications of filings?**

A: First, review the docket sheet to see if the attorney is listed as counsel of record and be sure the listing states: *ATTORNEY TO BE NOTICED*.

**NOTE:** If an attorney does not properly associate him/herself at the time an Entry of Appearance or other document is filed, the notice feature may not have been turned on, which will suppress the notice of electronic filing (NEF) from being delivered. Contact any divisional office or the CM/ECF Help Desk line to have the notice feature turned on, when necessary.

If the attorney settings appear correct, review the most recent NEF to see if the attorney was listed as a recipient and verify that the e-mail address is correct. If the Notice feature is correctly set and the e-mail address is correct, the attorney needs to check his or her spam or junk folders. Review the email filters to be sure that the CM/ECF address is not being identified as spam or junk.

The following are legitimate addresses for emails that are generated by the court:

NEF@arwd.uscourts.gov (for case activity);  
CMECF\_info@arwd.uscourts.gov (for informational);  
or do\_not\_reply@arwd.uscourts.gov (for informational).

**Q: How do I file a proposed order?**

A: Proposed orders are **not** filed. A proposed order should be submitted to the Judge by e-mail in either Word or WordPerfect format.

Please see page 2 for a complete list of chambers' email addresses.

**Q: How do I stop receiving e-mail notifications in a case?**

A: Local Rule 83.5(f) states that "No attorney shall withdraw from an action or proceeding except by leave of Court..." If an attorney wants to withdraw from a case, he or she must file a motion to withdraw.

If the motion is granted and the attorney does not want to receive email notification for that specific case, the Clerk's office can disable the notice feature on a case-by-case basis. Contact any divisional office or the CM/ECF Help Desk line for assistance.

**Q: I cannot view a document. When I click on the document number, only a blank page/screen appears. What should I do?**

A: First try clicking the “REFRESH” or “RELOAD” button, located at the top of your browser window. (IE has a REFRESH button. It appears as 2 arrows pointing in opposite directions. Firefox has a RELOAD button. It appears as 1 circling arrow.)

If this does not remedy the problem, your browser may have a full cache box. Cache is a location on the hard drive where data is stored. When you search the Internet, your computer keeps track of every page you have visited and saves this information on your hard drive. If this file becomes large (i.e. many pages have been searched), the result may be loss of data.

To clear your cache, follow these steps:

In IE

- 1) Click the **Tools** menu icon
- 2) Select **Internet Options** in the pop-up window
- 3) Under Browsing history, click the **Delete** button
- 4) On the next pop up window select, at the least, Temporary Internet Files and click the **Delete** button.

NOTE: Be sure to **deselect** the Preserve Favorites website data.

This process may take a few minutes. Once the Temporary files have been cleared, close your IE window to complete the process and then re-open IE.

In Firefox

- 1) Click the three horizontal bars on the top of the browser window to Open the menu.
- 2) Select the **History** icon in the pop up window.
- 3) Click Clear Recent History.
- 4) Select the Browsing & Download History and Cache boxes and click the **Clear Now** button.

This process may take a few minutes. Once the Browsing History and Cache files have been cleared, close your FireFox window to complete the process and then re-open Firefox.

When working in CM/ECF, it is recommended that you periodically clear your cache.

**Q: I represent a party but when I try to view a document, the system displays a message that says I ‘do not have permission to view this document’. Why not?**

A: Due to the sensitive nature of the information contained in some documents uploaded to CM/ECF, documents can be restricted to case participants, court users and the court's public terminal(s).  
Other documents are restricted to case participants and court users.  
A few documents are restricted to only court users.

When you receive an email notification (NEF) that a document has been filed and if, after clicking on the document number, you are presented with a login screen, the instructions on that screen include:

**“If you received this login page as a result of a link from a Notice of Electronic Filing email:**

Enter your **CM/ECF filer login and password**. The system prompts customers for a CM/ECF login and password when attempting to view certain types of documents.”

If the system recognizes you as a case participant, you will be able to view a document that has been restricted to case participants.

For detailed instructions please see *How an Attorney Retrieves a Restricted Document* and *How an Attorney Files a Restricted Document* which are available on the Court's public website: [www.arwd.uscourts.gov](http://www.arwd.uscourts.gov) -> CM/ECF -> CM/ECF Restricted Documents.

**Note:** If you enter your PACER login and password, you will not have permission to view the document. A PACER account is not recognized as being unique to an attorney since it may be shared within a firm. You **must** enter your CM/ECF filer login and password as these are unique to each attorney.

**Q: My PACER login is not working. What should I do?**

A: A PACER account allows users to view public documents posted on any federal district, bankruptcy or appellate court's website in the country. Since PACER is nationwide, this court does not have access to PACER account information. Contact the PACER Service Center for assistance. (800-676-6856 or [www.pacer.gov](http://www.pacer.gov))

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For all other inquires, please contact any divisional office or the CM/ECF Help Desk line for assistance.