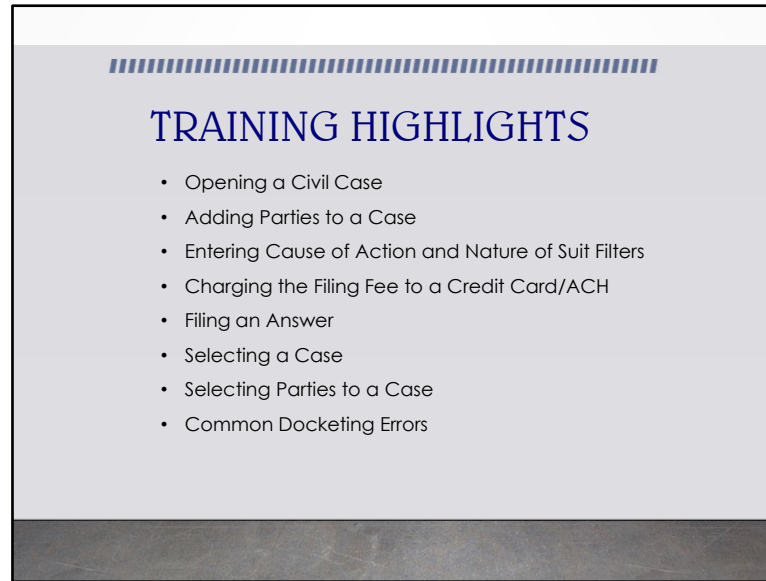District Court of the Virgin Islands
CM/ECF Training

Glenda L. Lake, Esq.
Clerk of Court

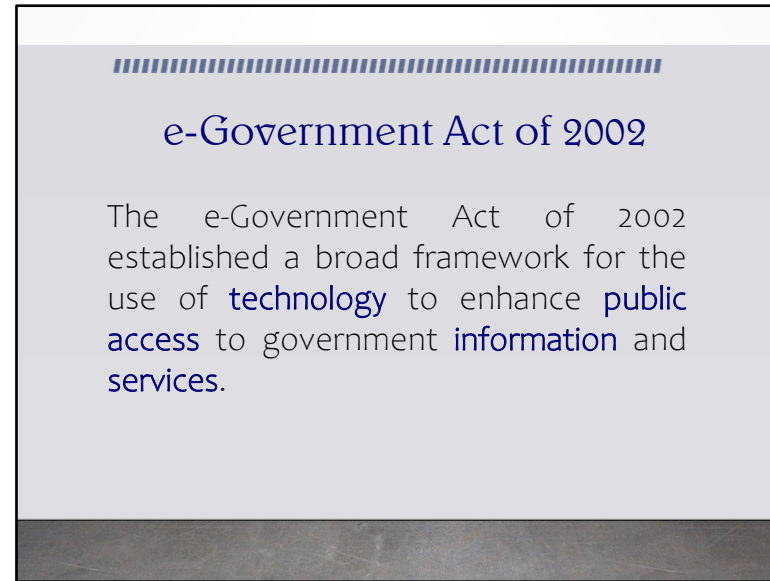**Case Management/Electronic Case Files System:**

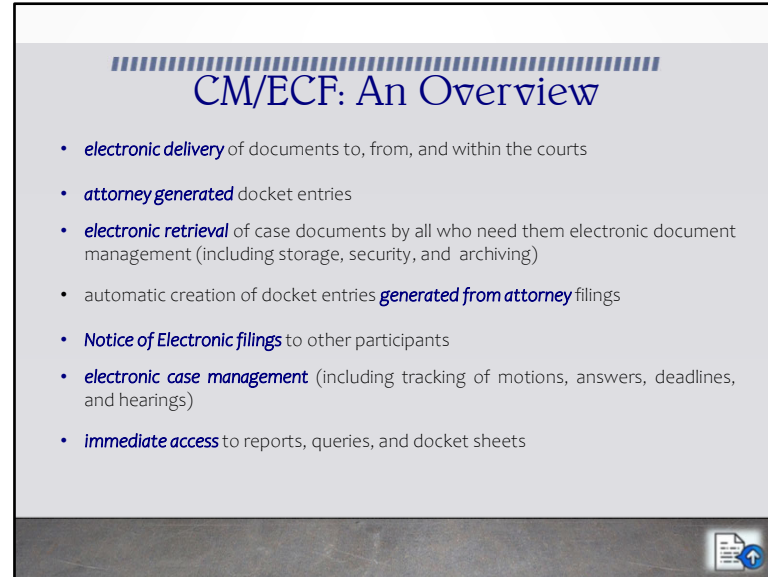*Fundamental Functionality*

TRAINING HIGHLIGHTS

- Opening a Civil Case
- Adding Parties to a Case
- Entering Cause of Action and Nature of Suit Filters
- Charging the Filing Fee to a Credit Card/ACH
- Filing an Answer
- Selecting a Case
- Selecting Parties to a Case
- Common Docketing Errors

Welcome to the District Court of the Virgin Islands CM/ECF Fundamental Functionality training session! Today we will be covering several elements that would enable a filing user to successfully navigate the core functionality of the case management and the electronic filing system. Thank you for joining us.

e-Government Act of 2002

The e-Government Act of 2002 established a broad framework for the use of **technology** to enhance **public access** to government **information** and **services**.

From the historical perspective, the e-Government Act of 2002 laid the groundwork for the implementation for the federal judiciary's case management and electronic case filing system known simply by its acronym, CM/ECF.
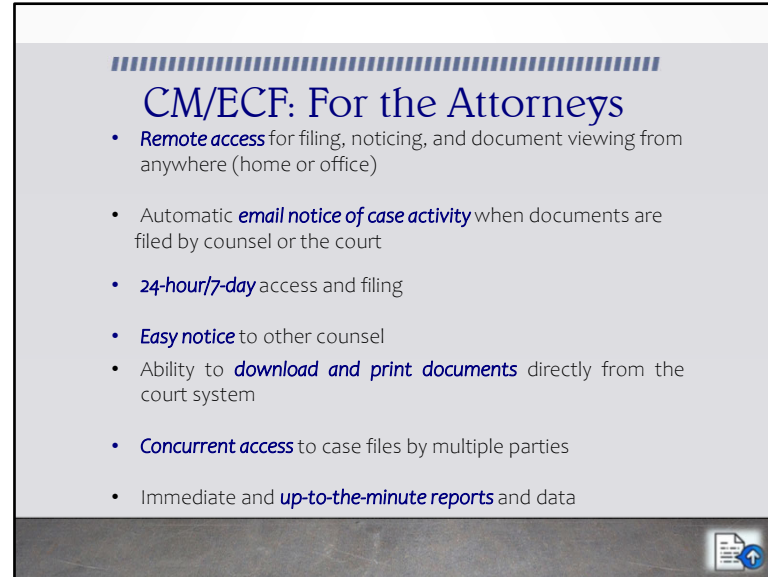
CM/ECF: An Overview

- *electronic delivery* of documents to, from, and within the courts

- *attorney generated* docket entries

- *electronic retrieval* of case documents by all who need them electronic document management (including storage, security, and archiving)

- automatic creation of docket entries *generated from attorney* filings

- *Notice of Electronic filings* to other participants

- *electronic case management* (including tracking of motions, answers, deadlines, and hearings)

- *immediate access* to reports, queries, and docket sheets

Here are some resourceful facts about CM/ECF. It is a judiciary-developed case management application, which offers internet access to official case records in the federal courts.

The core of the system is the electronic delivery of the documents. You, our attorneys are part of the crew for this mega vehicle as you generate the docket entries.
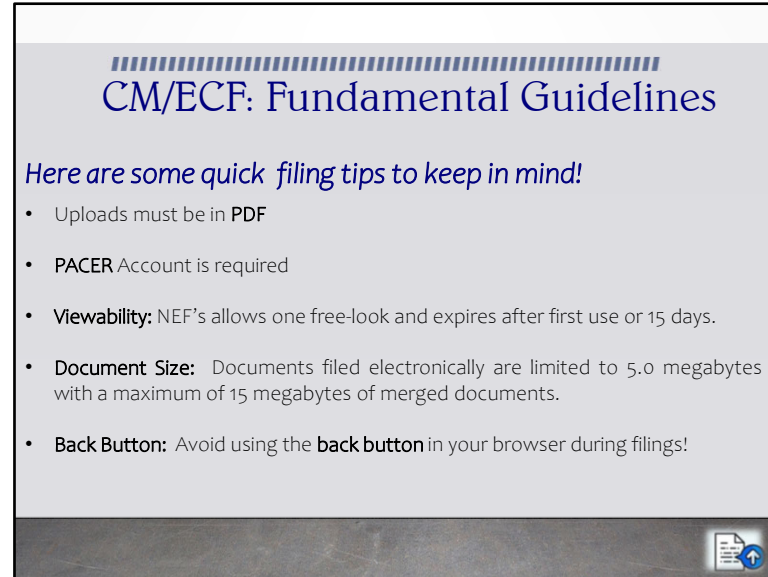
The electronic retrieval of case documents that are generated by attorneys, thereby; creating Notices of Electronic Filings, commonly known as NEF is what makes the electronic case management critical to the legal community. Finally, it is the immediate access to the interactive functionality of the system including its reporting functionality, system querying capability and the ability to view the docket sheets that makes it so impactful.

CM/ECF: For the Attorneys

- *Remote access* for filing, noticing, and document viewing from anywhere (home or office)

- Automatic *email notice of case activity* when documents are filed by counsel or the court

- *24-hour/7-day* access and filing

- *Easy notice* to other counsel
- Ability to *download and print documents* directly from the court system

- *Concurrent access* to case files by multiple parties

- Immediate and *up-to-the-minute reports* and data

For the Courts, yes; CMECF is an efficient mechanism for information management. However, the system has an even greater impact on the legal community. Just by looking at the number of participants that we have here in this session, we are sure that as filing users, you can add some of your successes to this list.

Once a user logs into CM/ECF, they are immediately presented with interactive pages that provide navigational options, input fields, and hyperlinks to other pages based on the user's selection. Here are some guidelines.

PDF: All documents uploaded to CM/ECF must be in PDF format.

PACER: A Filing User must have a registered Pacer account. PACER and CM/ECF are different. PACER permits a user to view documents electronically. CM/ECF permits a user to file documents electronically.

Viewability: The Notices of Electronic Filing provides the filing user with one free-look. So be careful on how you click on the document after you get that notice. In every event, your free viewing of the document will expire either after the first use or 15 days after the NEF was sent.

Back Button: Avoid using the back button because it is not your friend!

CM/ECF: Tips to "*know before you go*"
▯▯▯

- **Single Sign-On:** With the implementation of single sign on, shared PACER accounts are no longer permissible.
- **Registered Filing User:** Registration as a filing user constitutes consent to electronic consent to electronic service of all documents. (LRCi 5.4(b)(4))
- **Signatures**: Electronically filed documents must include the filing user's name, address (including email address), telephone number and the attorney's U.S. Virgin Islands bar registration number, if applicable. (LCRi 5.4(h)(1)).

  Pro Hac Vice **Attorneys:**   Documents filed by an attorney admitted *pro hac vice* shall also include the signature of Local Counsel. (LCRi 83.1(b)(2)).
- **Service   of Documents by Electronic Means:** The NEF that is automatically generated by the Court's electronic filing system constitutes service of the filed documents on filing users with the exceptions as set forth in LCRi 5.4(i)(1)).

Before going any further, we thought that it would be helpful to share some tips that a filing user should *"know before you go"* on to CM/ECF.

Single Sign-On: With the implementation of single sign on, shared PACER accounts are no longer permissible.

Registered Filing User: By subscribing to CM/ECF, users expressly consent to system monitoring and to official access to data reviewed and created by them on the system. Additionally, Registration as a filing user constitutes consent to electronic consent to electronic service of all documents.

Signatures: Missing signatures are the single most identified data quality error made on pleadings.   Pursuant to LRCi 5.4(h)(1), electronically filed documents must include the filing   user's name, address (including   email address), telephone number and the attorney's U.S. Virgin Islands bar registration number, if applicable.   The filing user signature is required. This includes attorneys admitted *pro hac vice.* Documents filed by an attorney admitted *pro hac vice* shall also include the signature of Local Counsel.

Service of Documents by Electronic Means: The NEF constitutes service of the filed documents on filing users with the exceptions as set forth in LRCi 5.4(i)(1)). These exceptions includes parties who are not filing users. Parties who are not filing users must be served with a copy of any pleading or other document filed electronically, together with the Notice of Filing by an alternative method in accordance with Fed.R.Civ.P. and the Rules of this Court.

Like every system, CM/ECF has rules that must be followed to ensure your success.

Timely filings: Unless otherwise ordered by the Court, filings must be completed before 11:59 p.m. AST.

Public Access: Counsel and the parties are responsible for redacting the personal identifiers from pleadings. Consistent with Local Rule 5.4(l)(2), the Clerk will not review documents for compliance with this Rule.

Legibility of documents: Filing Users are required to review their submissions of scanned documents prior to uploading and filing.

Browser: CM/ECF performs optimally in the Firefox browser. This is only in conjunction with the filing user being very familiar of their equipment and its functionalities. Filings users may use other browsers. However, please note that they maybe problematic.

Technical Failures: A Filing User whose filing is made untimely as the result of a technical failure and who is unable to make a timely filing by traditional means must seek appropriate relief from the Court.

Now on to NextGen CM/ECF!

CM/ECF: Fundamental Guidelines

Accessing NextGen CM/ECF
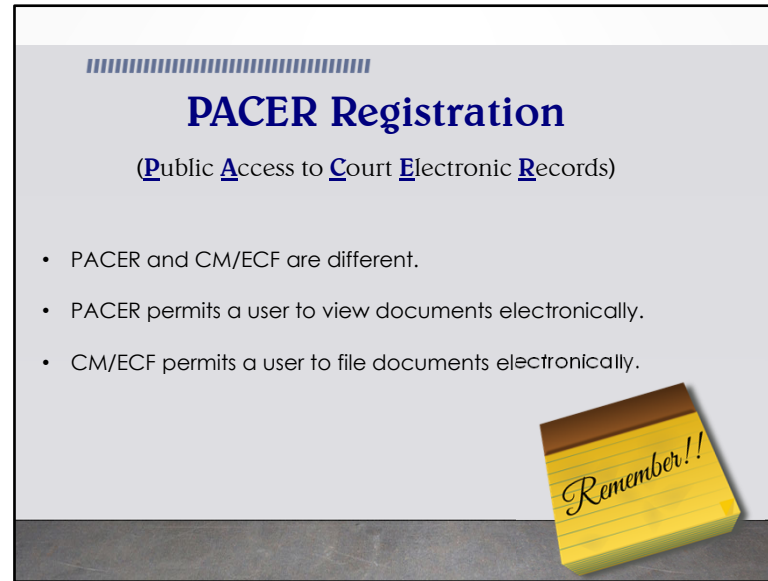
The District Court of the Virgin Islands is a NextGen Court.

NextGen CM/ECF allows users to use a single login for both PACER case research in all courts and electronic filing access in NextGen courts.

Filing Users must have a PACER account in order to **view** filed documents (except the one "free look") and to use the **Query** and **Report** features of the ECF system.

On November 4, 2019, the District Court of the Virgin Islands converted to a NextGen court.

Undoubtedly, in our session today, our attendees range in experience from individual CM/ECF experts seeking refresher tidbits to novices of the system appreciating the knowledge they will receive today. So, we thought it prudent to highlight key information.

PACER Registration

(**P**ublic **A**ccess to **C**ourt **E**lectronic **R**ecords)

- PACER and CM/ECF are different.
- PACER permits a user to view documents electronically.
- CM/ECF permits a user to file documents electronically.

Remember!!

If your PACER account was created prior to August 2014, these accounts are known as legacy accounts. With a legacy account you would have been prompted to update your profile log in information to continue using CMECF.

We are going to head on over to pacer.gov to log in!
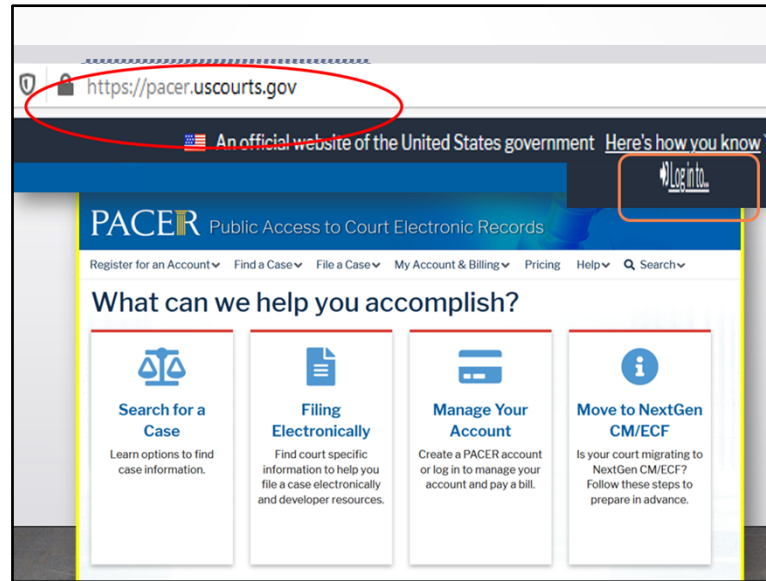
The log in screen on PACER's home page is on the top right of the screen. Clicking on the log in button will be the filing user's first step on PACER for accessing CMECF.
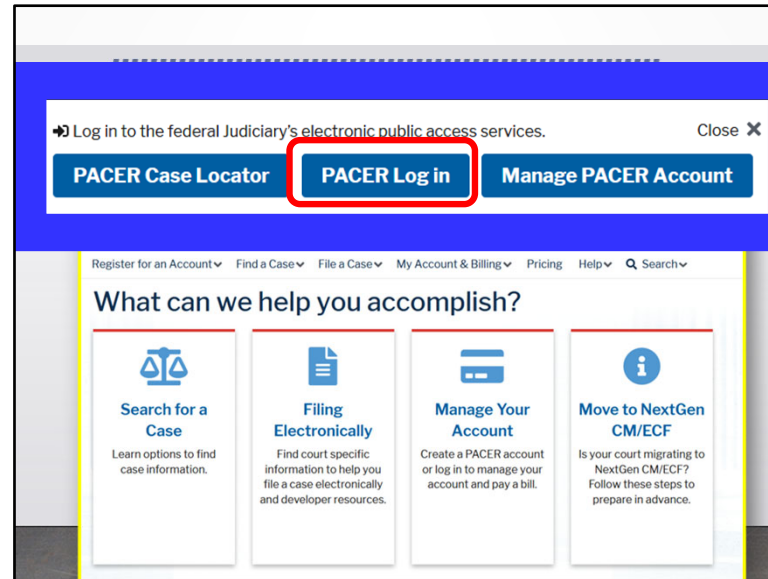
Immediately a navigational box appears from which the user has to select their next course of action. The options that are provided are "PACER Case Locator" "PACER Log In" or Manage "PACER ACCOUNT".   For our training session today, we are selecting "PACER Log in".

This is the PACER log in screen where you would enter your login credentials. After entering your log in information, we select from the drop-down screen Court CM/ECF Look up to find the District Court of the Virgin Islands. Please note the PACER Service Center information that appears on the bottom of the screen. If at any time you are experiencing difficulties with your PACER log in, you are encouraged to contact the service center for assistance. Let's enter our information and log in.
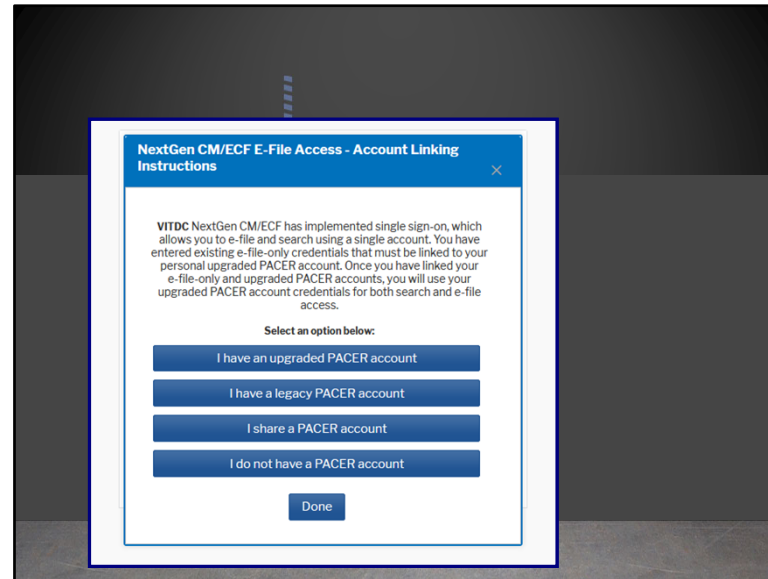
Remember, to have full access to all NextGen features, a user must upgrade their individual PACER account and link it to an existing CM/ECF e-filing account. If a filing user with a legacy account who has not updated their PACER enters their log in and password credentials in PACER they would be met with this instructional screen.   Here the filing user would now be forced to select the best option that matches their election to update.

The next few steps for updating a PACER account are quick, but necessary. Just a minor delay, but soon we will be on our way!
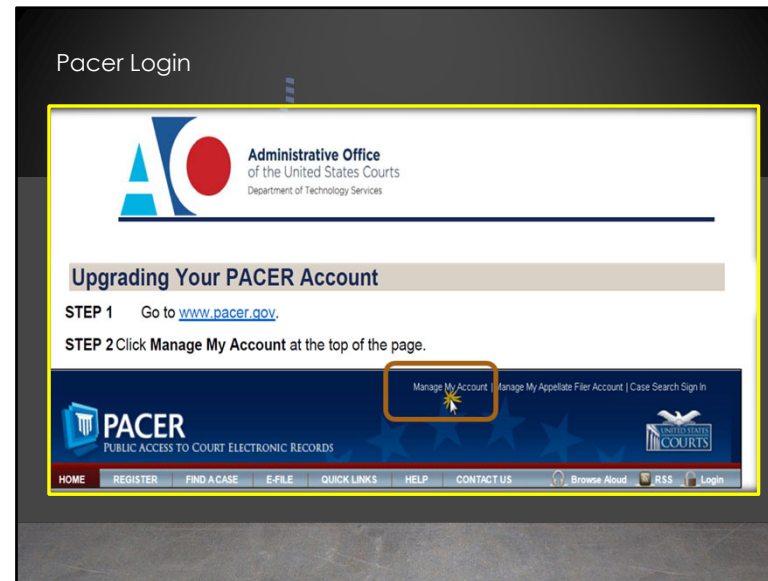
Step 1. go to www.pacer.gov and

Step 2 click on manage my account at the top of the page shown here.
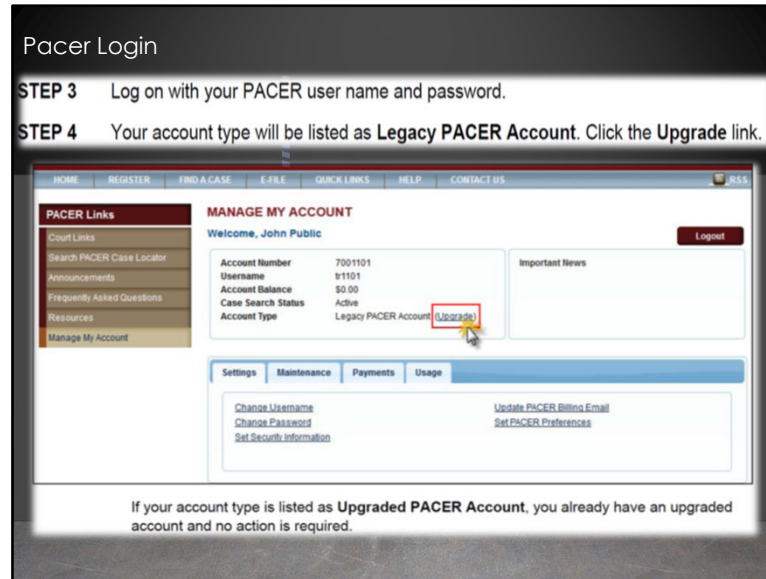
Step 3, log on with your PACER account and you will see your account profile. After logging on you will be able to update your account as shown on the screen.

If your account is already listed as *"Upgraded PACER Account"*, then great news, there are no further actions required.
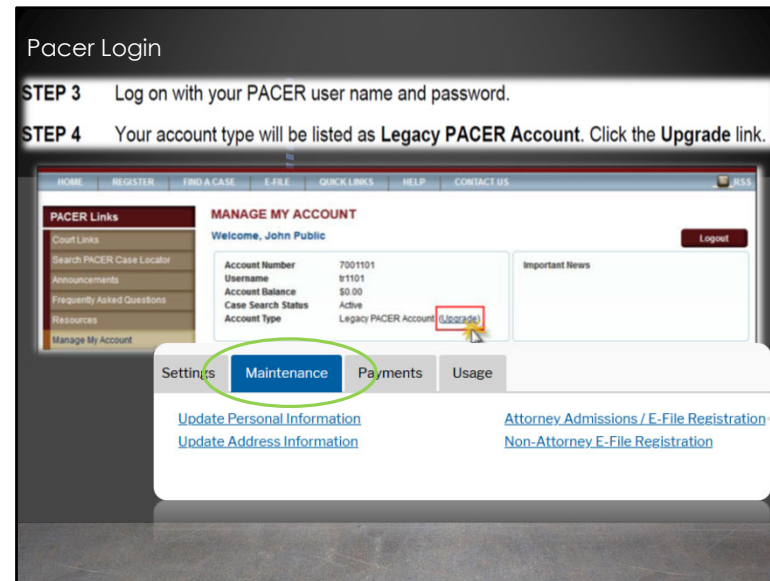
Another bit of resourceful information here.

For a Filing User who may have changed firms or need to update your contact information as it appears on the docket, including your email address where you receive your NEF's in pending matters or notices like the one your received for today's training, you must update your account information in PACER.

You would click on the "Maintenance" tab, and you can update your personal information. You also can update payment options and view your usage.
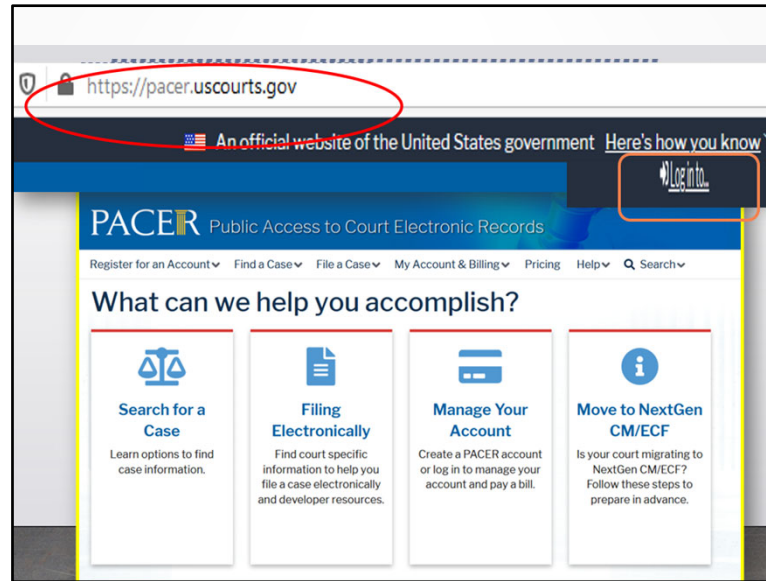
Now that our PACER accounts are all up to date, we are going to try logging on to pacer.gov again and get down to business.
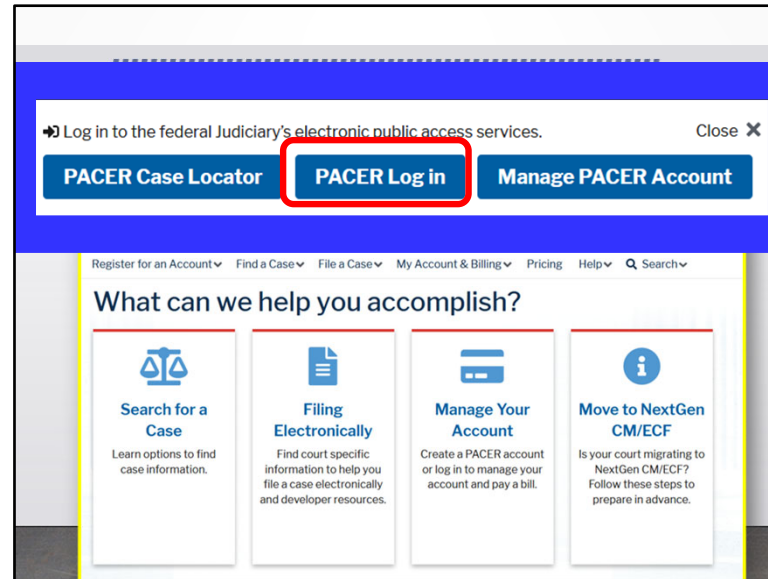
Remember, we are clicking on the PACER Log in.

We will enter our log in profile information in the required fields and enter Court CMECF in the Court drop down menu box, then we will click on log in.

Once you have successfully logged in, by selecting the Court CM/ECF option, you will be navigated to the "Court CM/ECF Lookup" page.

Here on this page, you can search by the "Court Type" which would be district, for District Court.

The associated circuit where you would also select the option of 03 for the Circuit and click apply to search the parameters entered.

After clicking on apply, you may select either the link for the Virgin Islands District Court from the list of Court Contact and CM/ECF Information listed or the NextGen link under the CM/ECF Login column.
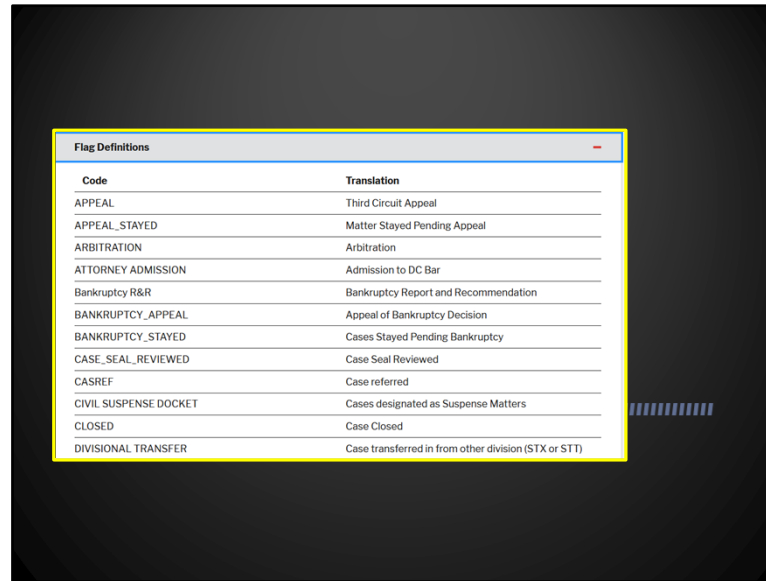
On this page, you have several options including the ability to log on to the CM/ECF for the District Court of the Virgin Islands, viewing the Court's CM/ECF information, Court locations ; counties in this district and flag definitions.

Before we log in to CM/ECF and for the purposes of this training, we will click to expand the CM/ECF information to display reference information.

Here we are provided with quick historical information about CM/ECF for this Court along with some useful reference information; including the maximum PDF file size of 5MB and the maximum merge document size which is 15MB. Next, quickly, we will expand to view some information under the flag definitions.

Flag Definitions

Code	Translation
APPEAL	Third Circuit Appeal
APPEAL_STAYED	Matter Stayed Pending Appeal
ARBITRATION	Arbitration
ATTORNEY ADMISSION	Admission to DC Bar
Bankruptcy R&R	Bankruptcy Report and Recommendation
BANKRUPTCY_APPEAL	Appeal of Bankruptcy Decision
BANKRUPTCY_STAYED	Cases Stayed Pending Bankruptcy
CASE_SEAL_REVIEWED	Case Seal Reviewed
CASREF	Case referred
CIVIL SUSPENSE DOCKET	Cases designated as Suspense Matters
CLOSED	Case Closed
DIVISIONAL TRANSFER	Case transferred in from other division (STX or STT)

Another interesting reference point provided for your information are the flag definitions that a filing user may potentially see on the docket when viewing a case in CMECF. These are just a few in this snapshot and is not the entire listing of all the definitions in CM/ECF.
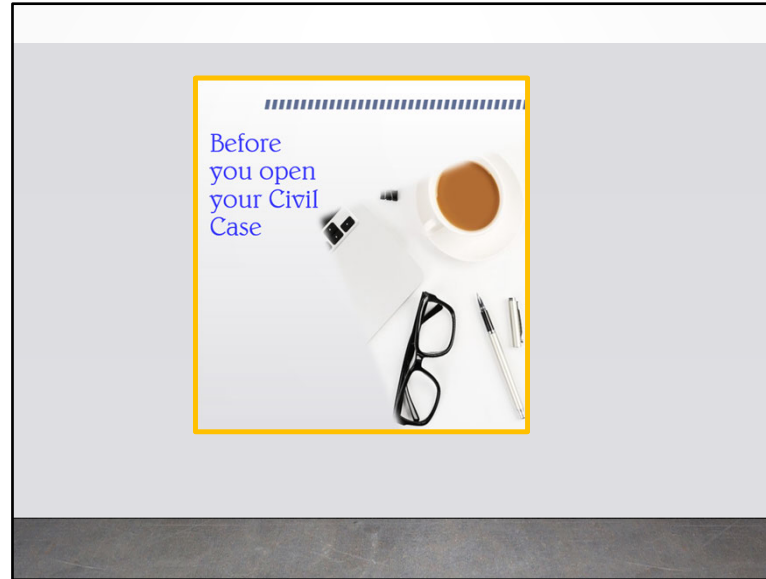
Ok, As the attorney you have met with the client and drafted up the complaint. All that is left to do is to file the complaint. That's it, or at least you think that's it. So, you are ready to go!

Not so fast, there is still a list of to do items before you open your civil case.

Manual: No. 1, reading the Electronic Case File User Manual.

Our Electronic Case File User Manual can be found on our website. A filing user will find a wealth of information in our manual, including where to find our Attorney Civil Events List.
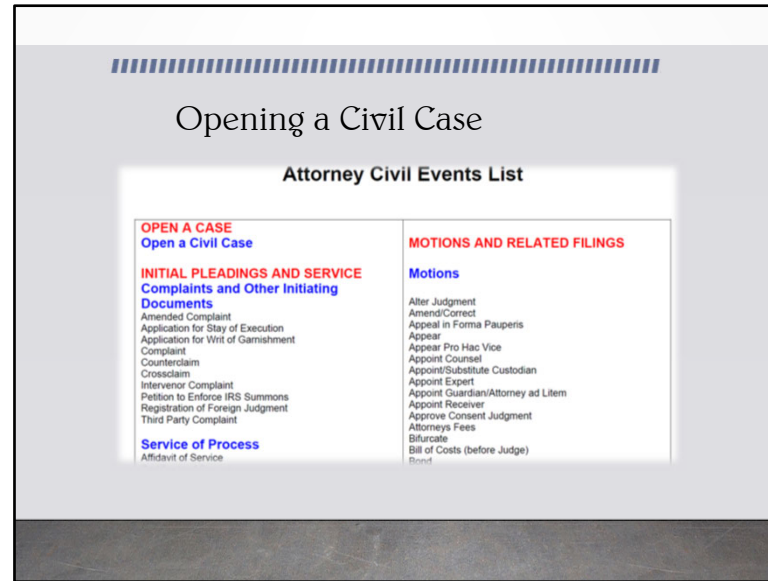
The Attorney Civil Events list has all the events under which documents including initial pleadings and services can be found. This should be a staple on every filing user's desktop whether virtually, physically or by memory.

Follow the Attorney Civil Events List and your filings shall never go wrong!
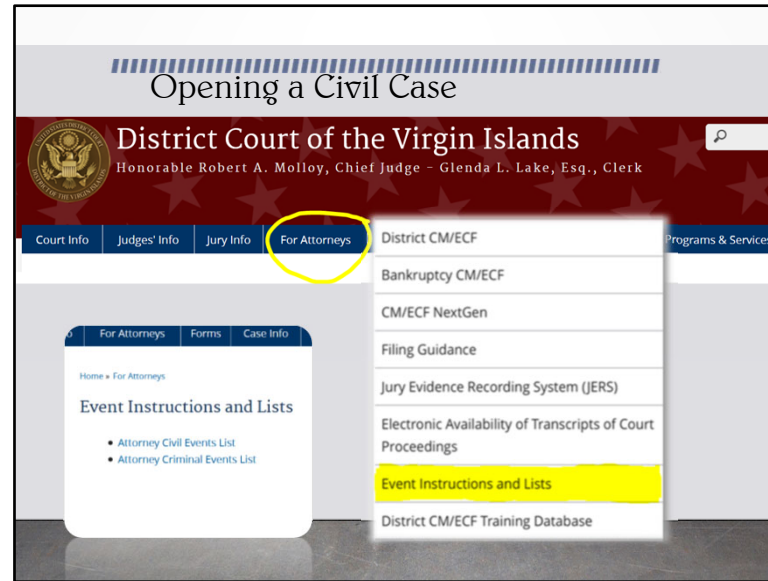
This list can be found on the Court's website under the "For Attorneys" link on our main menu and by going directly to the Event Instructions and lists tab.
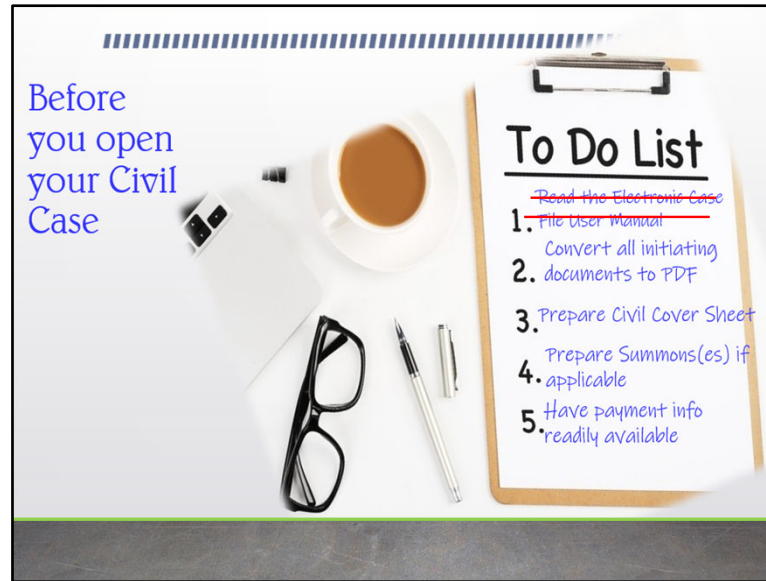
That's one thing off our to do list!

Convert Documents: No. 2, convert all initiating documents to PDF. Remember, you can only upload PDF's in CMECF, so we always encourage a filing user to prepare and convert all documents to PDF ahead of filing.

Civil initiating document includes Complaint, Notice of Removal etc., Writ of Habeaus Corpus.
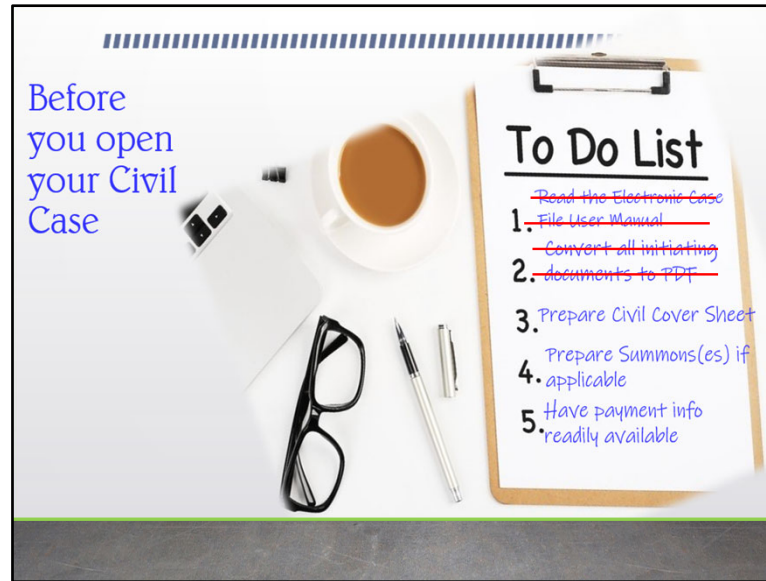
Civil Cover Sheets: No. 3, the Civil Cover sheet or the JS-44), has to be completed and submitted. Pursuant to **LCRi** 3.1(a), every initiating document must have an accompanying civil coversheet. The civil coversheet can be found on our website under forms.
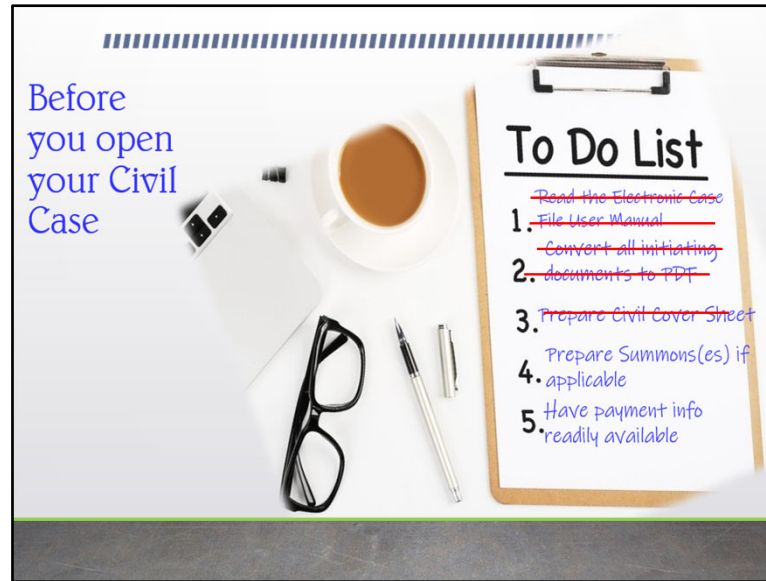
Summons: Summons as applicable should be filed with the complaint. Remember, time for service on a defendant starts ticking away with the filing of the complaint!

The summons form is also available on the Court's website under forms.

Payment Information: No. 5, have your payment information readily available. Unless you are filing on behalf of the US Government as the Plaintiff or you are filing a Request to Proceed in Forma Pauperis, payment is due at filing. Payment by credit card or bank account debit are the **only** acceptable electronic methods of payment for new civil cases filed electronically by attorneys.

This is where sometimes; a filing user must stop and go to get their credit card, or a legal assistant must call the attorney out of the meeting for the payment information. Big mistake! The system may recognize there has been a delay and for security reasons force the user to start the filing from the beginning; thereby, losing all information previously entered.

So, we strongly recommend that you have the payment information ready to enter when prompted.

Now, we are logging on to CM/ECF.

Once you log on through PACER to CMECF, you will be navigated to the District Court's log on screen. Click the link that reads, District of the Virgin Islands-Document Filing System to launch CM/ECF.
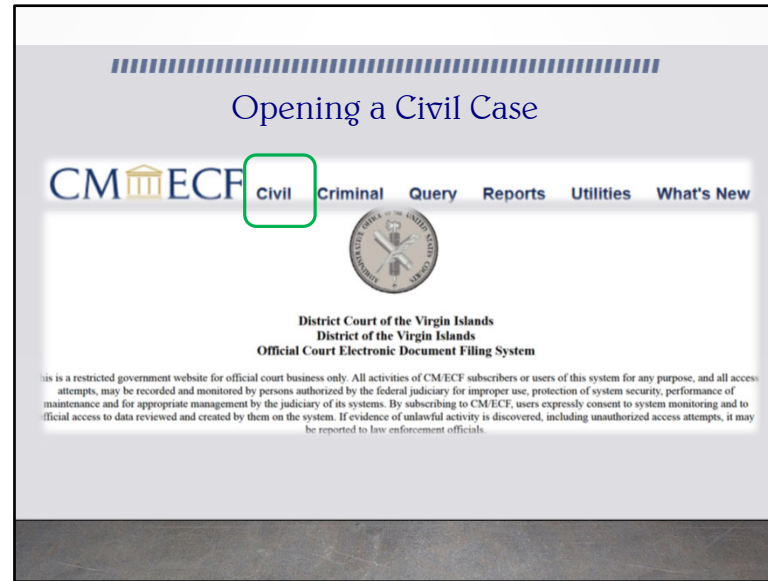
To begin the case opening, we click on the civil link on the top menu bar.   We will be navigated to the "Civil Events" screen.
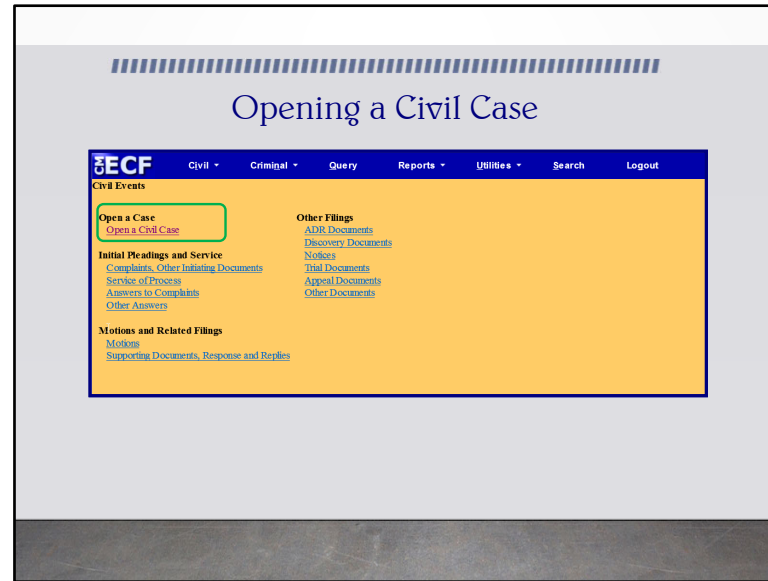
Here on the Civil Events screen, we will click on the "open civil case" hyper link under the "Open a Civil Case" section.

Opening a Civil Case

On the next page, you will find the first of several interactive screens that makeup the "Open a Civil Case" module of CMECF. Here the filing user will be prompted to enter the Office and Case type.

Office: The default office is St. Croix. So, the filing user would fill in the office with the option of St. Thomas or St. Croix based on the division in which they are filing.

Case Type: The default case type is civil and the *"Date filed"* is automatically displayed on the screen. This cannot be modified.

lead case number There are additional fields on this screen that are intended for internal use only and should be left blank by the filing user during the case-opening process. No information would be entered in the "lead case number" field.

Other Court Name/Other Court Number/JPML Number/Related Cases Field : For cases that originated in the Superior Court, for example a case where a Notice Removal is being filed, the filing user would enter the name of the court from which this case is being removed in the "Other court name" field; and the corresponding case number in the "Other court number." Otherwise, the other court name, other court number, or JPML number and the related cases field are left blank, and the user would click "Next" to proceed.

Opening a Civil Case

Next, the filing user would be navigated to enter statistical case opening information in CM/ECF.

For the **Jurisdiction**, a drop-down menu is provided. There are 4 options. 1. U.S. Government Plaintiff; 2. U.S. Government Defendant; 3. Federal Question and; 4. Diversity. The system defaults to the federal question. You should choose the option that best reflects your basis for invoking federal court jurisdiction. Your choice here should match your selection in Section II of the Civil Cover Sheet, which we will cover in a bit.

Next is the **Cause of Action.** The statutes, also referred to as causes of action, are listed in numerical order. To select the cause of action, users can click the drop-down list and scroll down to find the appropriate statute. The drop-down list defaults to a blank value. The blank value is not accepted by CM/ECF - essentially the system now forces the user to select a cause of action. Select the appropriate code from the drop-down list. If you have more than one cause of action, enter the first one only; your selection must match the civil statute number you entered in Section VI of the Civil Cover Sheet.

Notice the cause of action and nature of suit filters.

Cause of Action Filters: The cause of action field has filters which is an alternate way of entering the full or partial statute in the Filter field. CM/EFC will narrow down the drop-down list to just the items that match the string entered. If the filing user knows the alpha-numeric codes for the Cause of Actions, they may enter them in the filter fields. But it is not necessary to enter information in the filter field.

Nature of Suit: The numeric codes for the natures of suit are listed in numerical order. To select the nature of suit, users can click the drop-down list and scroll down to find the appropriate entry. When entering numbers, users may enter either partial or complete filter information to locate the appropriate nature of suit.

Opening a Civil Case

It is important to know that a user cannot proceed without selecting and entering information in the Jurisdiction, Cause of Action, Nature of Suit and Origin fields.

It is important to know that a user cannot proceed without selecting and entering information in the Jurisdiction, Cause of Action, Nature of Suit and Origin fields.

For this example, the **Federal Question** has been selected as the option for "Jurisdiction" . USC 28:1331, Federal Question has been entered as the "**Cause of Action**" and the numeric code of 380 for the "Nature of Suit"**,** which pulls up **Personal Property: Other** has also entered.

In the "Origin" field, option 1, which is **Original Proceeding** has selected. A complaint originating in the federal court is always an original proceeding. While a Notice of Removal would always be listed under option 2 as Removal from State Court. Use the drop-down box to select the appropriate origin.

Let's look at where a filing user would be getting all this information that we just entered in the different fields.

This is the Civil Cover Sheet. The civil cover sheet or the JS 44 is the road map for data entry for the information that was just entered in the Civil Statistical Opening Page.

LRCi 3.1(a) requires that every complaint or other document initiating a civil action shall be accompanied by a completed Civil Cover Sheet. The form is available on the Court's website.   This requirement is solely for administrative purposes, and information appearing **only** on the civil cover sheet has no legal effect in the action. Beginning on this screen, we will look at the civil cover sheets in 3 parts.

On this screen, the first sections cover items I to III. The first portions of item I covers the plaintiff and counsel's information included in the complaint. The second section is the field where the defendant's and counsel information would be provided if known.

Item II   requires the entry regarding the **Basis of Jurisdiction**.   Here are the 4 options previously discussed as appropriate for selection: U.S. Government Plaintiff; U.S. Government Defendant; Federal Question (system default) and Diversity.

Item III addresses **Citizenship of Principal Parties**. Complete these fields only if Diversity is selected as the basis of jurisdiction in section II.

The screen now displays Item IV of the civil coversheet. This section requires the data entry of information regarding the **Nature of Suit**. An overview of the descriptions of the Nature of Suit Codes that a filing user would enter is provided on the next slide.

What is a nature of suit code?

A nature of suit code is a tool for categorizing the types of cases filed in the federal courts. This code is the basis of all federal caseload statistics produced by the federal Judiciary.

NATURE OF SUIT

CONTRACT
110 Insurance
120 Marine
130 Miller Act
140 Negotiable Instrument
150 Recovery of Overpayment & Enforcement of Judgment
151 Medicare Act
152 Recovery of Defaulted Student Loans (Excl. Veterans)
153 Recovery of Overpayment of Veteran's Benefits
160 Stockholders' Suits
190 Other Contract
195 Contract Product Liability
196 Franchise

REAL PROPERTY
210 Land Condemnation
220 Foreclosure
230 Rent Lease & Ejectment

CIVIL RIGHTS
440 Other Civil Rights
441 Voting
442 Employment
443 Housing/Accommodations
444 Welfare[1]
445 Amer w/Disabilities-Employment
446 Amer w/Disabilities - Other
448 Education

Nature of Suit

Nature of Suit

To download a current listing of the Nature of Suits descriptions, you may visit the pacer.uscourts.gov website.   I will give you moment for those of you who want to jot this down now.

The final sections of the Civil Cover Sheet displayed here are Section V to VIII.

Section V requires data entry regarding the origin of the matter.

Section VI requires data entry regarding the Cause of Action. Here you would enter the U.S. Civil Statute under which you are filing along with a brief description of the cause.

Section VII requires responses to whether this is a class action under Rule 23 Fed.R.Civ.P, the dollar demand of the complaint and whether there is a jury demand.

Section VIII requires a response if there are any related cases; the Judge assigned, and the respective docket number assigned.

Once completed, the date and the electronic signature of the filing attorney must be affixed.

Opening a Civil Case

Open a Civil Case

Jurisdiction	3 (Federal Question)
Cause of action	28:1331 (28:1331 Fed. Question) Filter: 8:1331 Clear filter
Nature of suit	380 (Personal Property: Other) Filter: 380 Clear filter
Origin	1 (Original Proceeding)
Citizenship plaintiff	
Citizenship defendant	
Jury demand	n (None) **Class action** n (No Class Action Alleged) **Demand ($000)**
Arbitration code	**County** St. Thomas
Fee status	pd (paid) **Fee date** 8/6/2021 **Date transfer**

Next   Clear

Continuing with the case civil opening , a filing user would only complete the citizenship fields for the plaintiff or defendant or both only if diversity was selected as the basis of jurisdiction.

The **Jury Demand** field is next.

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The **Jury Demand** field will be filled based on if the complaint is demanding a jury trial. Here there are 4 options.

The filing user should select the appropriate code from the drop-down menu that was entered on the Civil Cover Sheet.

The next field from the jury demand is the **Class Action** field. This field will be left blank. We are going to double back to the Class action section. Right now we will look at the dollar demand field is next. Simple enough, right?

If a monetary demand is requested in the complaint, here some helpful tips for correctly entering that information.

The dollar amount is entered with no punctuations at all. For example, if the amount demanded is $75K, then the 2 digits 75 are entered.   Using a higher demand, if $5m is being sought, then the entry in the demand field would be 5,000 without the comma.

It's a bit tricky, experts in the session can attest. If it is more that nine million nine hundred ninety-nine thousand dollars in damages, the filing user would enter 9999. By entering anything large would generate a system error.

Opening a Civil Case

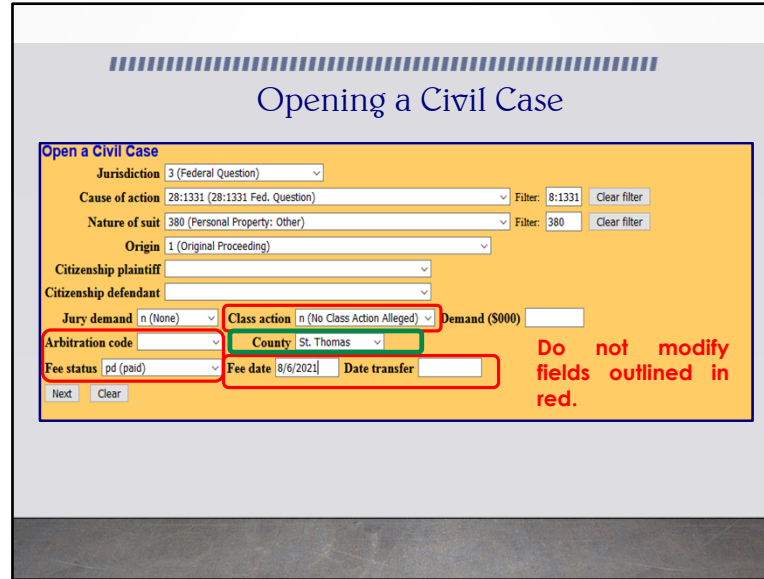**No Specific Dollar Amount:** If no specific dollar amount is demanded in the complaint, leave this field blank.

CM⬛ECF

Rounding: Round up or down as needed to the nearest thousand.

ex: $750.00 enter "1"
$1,498.56 enter "1"

Demand ($000) [   ]

If no specific dollar amount is demanded, leave the field blank. Finally, rouding up or down as needed to the nearest thousand is permissible!

Opening a Civil Case

The following field should not be modified: Class Action, Arbitration Code, fee status, fee date and date transfer.

The County field should be completed by inserting options from the drop-down menu. The options here are St. Croix or St. Thomas.

If you would like to clear the screen and begin again, you would click clear.

Once completed, you would **click next** which commits the transaction for completing the case opening for a civil case type.
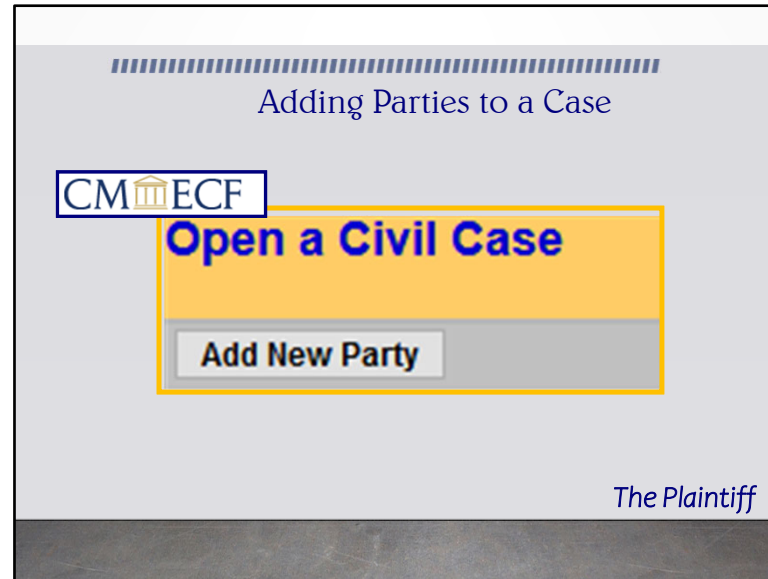
We have completed the first portion of opening the civil case. Next, we will be adding the parties named in the complaint. The first page that we will be navigated to once we press next from the open civil case screen will be our party search screen.

Perhaps the most critical piece of the case opening process is the entry of party names. It is important that this is accurately completed because it impacts not only your case, but the general records for the court.

The party search screen is divided into two panels. The left panel contains controls to Add New Party and Create Case. The search fields in the right panel allow users to search the CM/ECF database for parties. Additionally, the system has now recognized the division that you have selected to file in by the number 3 in the numbering format. Finally, the year; the case type and the partial filing number are displayed in the left pane of the screen.

The party search function begins by entering the desired party search criteria in the appropriate field or fields.

BEFORE ENTERING ANY PARTY NAME, do a search of the current list of names in the CM/ECF database by entering at least three letters of the party's last name in the last and first name fields. Look for the "Search" option in the right pane of the screen shown.

If your party is a corporation, enter the first three letters of the corporate name. If the system finds a match, CM/ECF will display a list of party names. Be SURE to scroll down through the list offered on the screen. If you find something similar, check your own spelling or configuration to determine which is preferable.   For this example, we are looking for the plaintiff's name of Jane Doer.

Adding Parties to a Case

The Plaintiff

There were no results from the party search. As a result, the filing user will see this screen. As displayed the screen demonstrates that the message that the "Search returned no results." The filing user is instructed to *"Please try again or create a new party."*

So, at this time, the filing user would have to click on the link, "**Create New Party**" to create the plaintiff's party information.

It is important to note that parties must be entered in the way they are captioned on the initiating document. Please do not enter parties in ALL CAPS . Only use capital letters if a business or entity name includes capital letters such as ABC Pruning Company.

The search results provides the name for selection. If the name provided is correct, the filing user must click on the name, highlighting the option and then press select party.

If one of the names displayed in the "Search Results" box matches the party in your case, double click on the party name.

If an option appear, but it is not the one you desire, click the "Create New Party."

For this demonstration, there is an existing party record for Jane Doer. This is the correct name. So, we have highlighted the results and will click "Select Party".
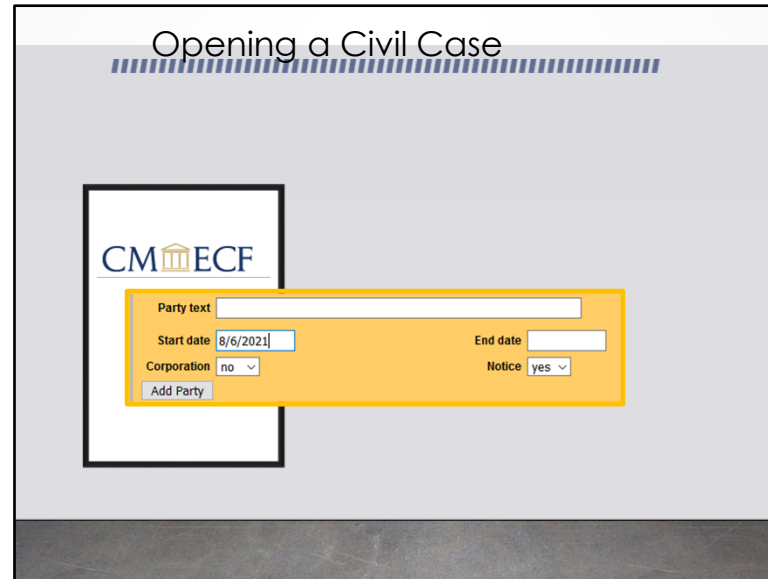
Two important points of information. First, whether you found a match for your party search in the database or not, you will navigate to this next screen. Second, it is very important to also take note that the role of "Defendant" is the default selection on this screen. Filing users must use the drop-down menu to change the role type to Plaintiff.

This is the screen where the party information will be entered for the Plaintiff. There are the fields for the last, first, middle names. These fields have been auto-populated based on the party search that you performed. There is the generation field, which is used for Jr., Sr., II, III, etc. You would enter generational information with punctuation. Because the Plaintiff is being represented by you as counsel, no other information including address information, email information should be entered.

Second point of information, it is very important to take note that the default role of "Defendant" is selected on this screen, so filing users must use the drop-down menu to change the role type to Plaintiff.
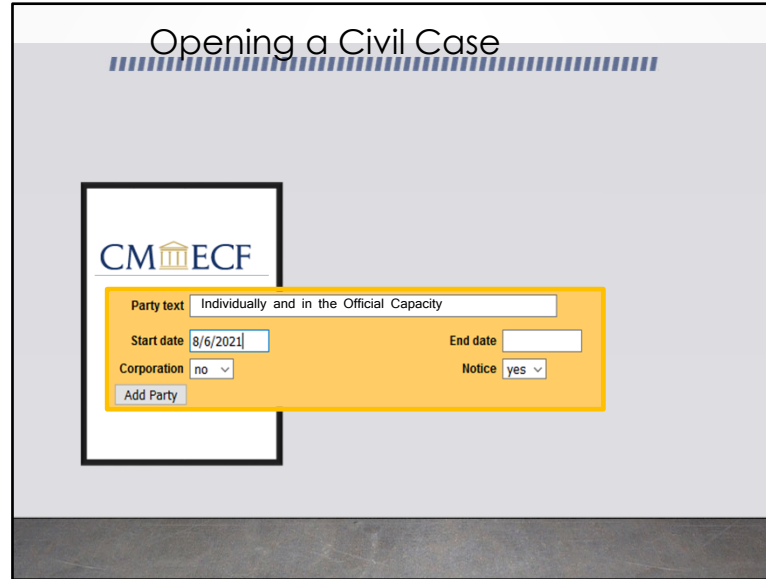
At the lower part of the screen is a field for "party text." This field is optional.

Here the filing user would enter any descriptive "party text" information appearing in the caption of the case-initiating document.   For example, if Plaintiff Jane Doer was bringing this litigation individually and in an official capacity, then the text "individually and in the official capacity" would be placed in the party text.

The start or the end date fields that appears right under the party text field should not be modified.

Once all fields have been reviewed, click "Add Party" to proceed. You must repeat the process to add multiple plaintiffs.

Once you click add party, the plaintiff's information that you entered has been committed in to the CMECF database and the party participant tree has grown its first set of branches.

This section of the screen is also interactive.

If the party tree is not expanded, you should expand it to make sure you have all parties and aliases added. If necessary, click the appropriate icon in the Case Participant Tree to add or correct information. When all parties have been added and appear correctly in the Case Participant Tree, click Create Case. Once completed, click "Add Party" to proceed. To add multiple plaintiffs to your case, the filing user must repeat the process.

This chart also provides you with a description of the functionalities for the icons and hyperlinks you see in Case Participant Tree.
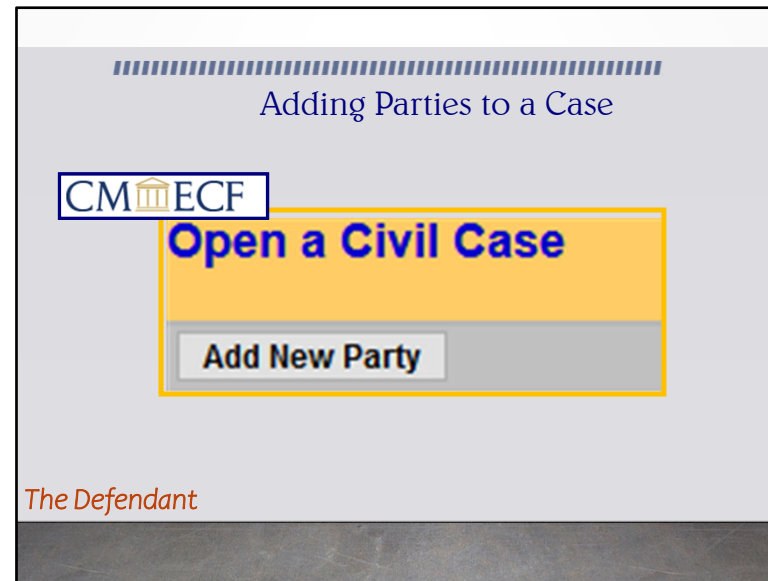
Congrats! We created the plaintiff for this matter.

What do we do next? I have brought you to second base of the process. Open your chat pane and type in your response. Is it A, B or C?

That's right, the answer is C, click on "add new party link at the top of the screen so that we can be navigated to the search for a party screen.

Adding Parties to a Case

The Defendant

Once you have successfully added the plaintiff in CMECF, you must enter the party information for the defendant. We are going to do the same steps for searching, adding or creating the defendant.

Before navigating away, we take a quick glance at left part of the screen at our party participant tree that is now appearing in its growing season. We still don't have a case number yet, so we still only have blossoms and no fruit!

Here, again we enter the party information in the search bar and then we press search!

Adding Parties to a Case

The Defendant

Remember if there are no results, your screen would look like this. Then the filing user would be required to create a new party by clicking on the create new party link.

However, for this demonstration we have an existing party by the name of James Done. So, we are going to highlight the option and press the "Select Party" option.

The role type of **Defendant** is already selected. Remember the system defaults to Defendant. The last and first name fields are auto-populated based on the party search that you performed. Unless you are positive that the defendant is appearing pro se, please leave the address information blank.

Adding Parties to a Case

CM⛫ECF

Party text: a Virgin Islands corporation

Start date: 8/6/2021   End date:

Corporation: no   Notice: yes

Add Party

Another reminder that at the lower part of the screen is a field for "party text". For example, if the defendant was a corporation such as ABC Digging, a Virgin Islands Corporation, the party text that would be entered here would be "a Virgin Islands Corporation". This field is optional.

The start or the end date fields that appears right under the party text field should not be modified.

Once all fields have been reviewed, click "Add Party" to proceed. You must repeat the process to add multiple defendants.
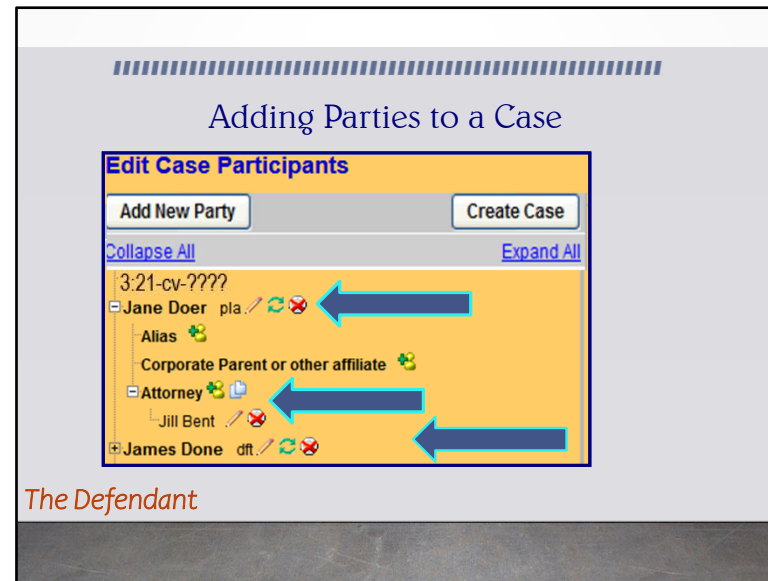
At this point, your party participant tree has flowers, close but still no fruit!

CM/ECF gives you one last opportunity to make changes to the case opening information. So, let's take one final look.
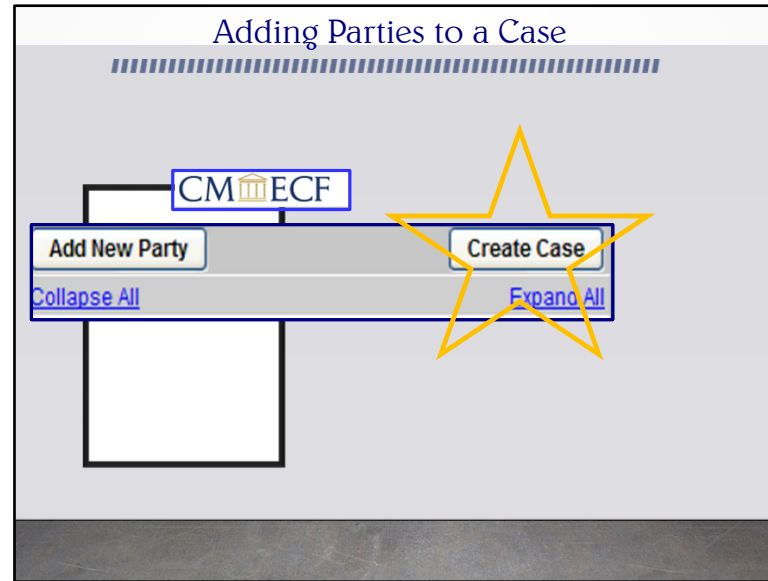
Once you have confirmed the information, click the "Create Case" icon at the right of the "Add New Party Icon" to create the case.

After clicking create, CMECF provides you with a system confirmation message that will pop-up in the lower section of the screen.

CM/ECF gives you one last opportunity to makes changes to case opening information. Did you double check all the information that was entered? If there is information that needs to corrected, by clicking No, this will allow you to add, delete or modify parties.

If you are sure that all the information is correct, seize the moment and click yes to create the case.
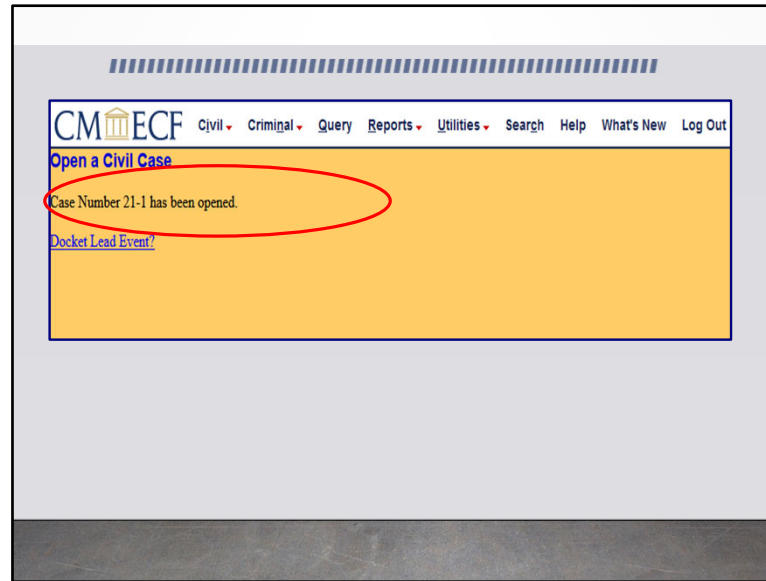
You did it! At this point, you have successfully reached the "Docket Lead Event" screen.

The case is now open in CM/ECF. A case number has been assigned. Remember, write your case number down, because you will be asked for it in subsequent screens.

You may now proceed to docket your lead event.
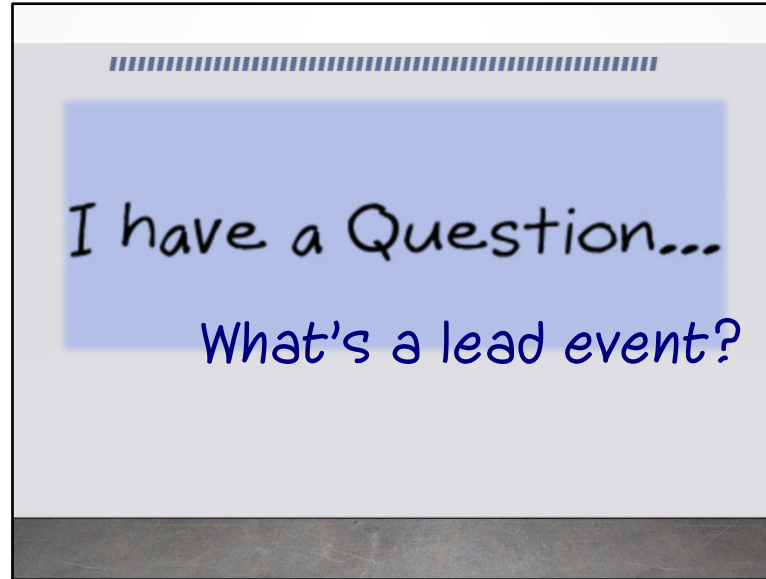
Great question!

A lead event is the initiating document that begins the civil case. For example, you may be filing a Notice of Removal, a Writ of Habeaus Corpus or like in this case it would be the complaint. You must file your case initiating document immediately after the case has been opened.

In the event you accidentally logged off; or a *day* in the office occurs after creating your case opening, but *BEFORE* you docketed the lead event don't panic! There is an alternative navigation path from the CM/ECF's Main Menu screen to get back to docketing your lead event.
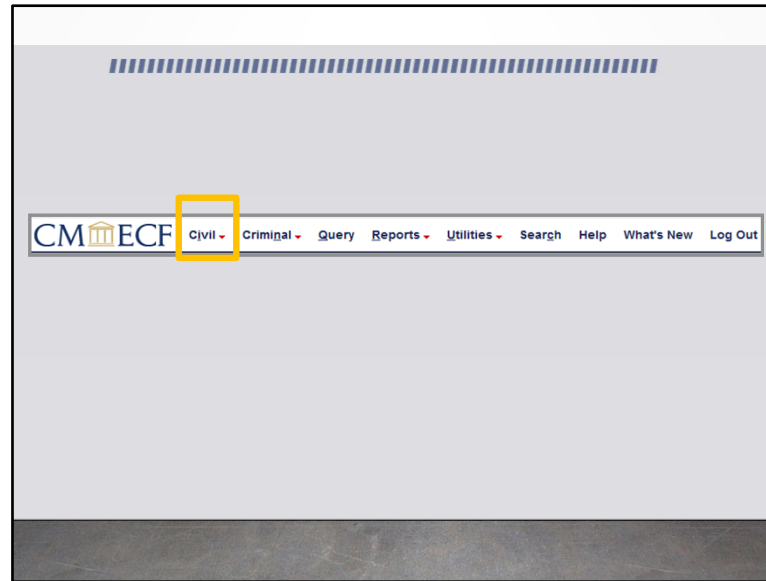
You would go to the main menu bar like we see in this screen, then click Civil on the horizontal menu.
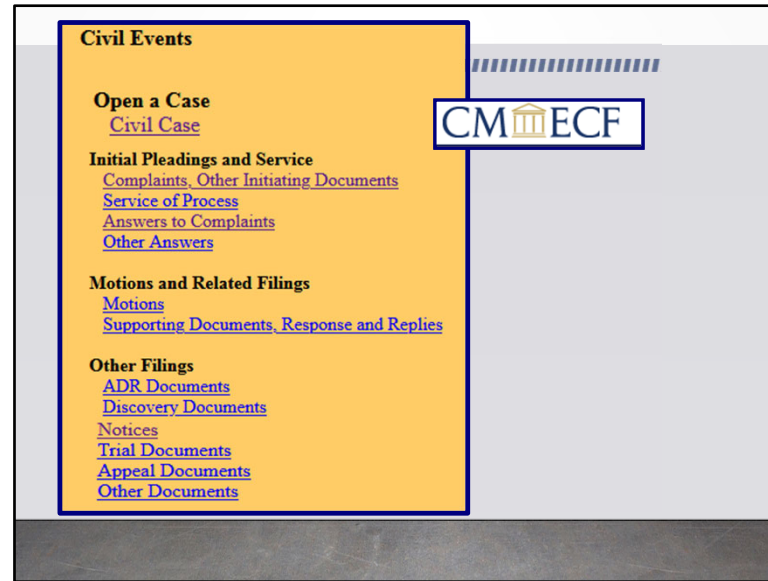
Here the Civil Events page appears. It has the main menu screen for a civil events that can be electronically filed.
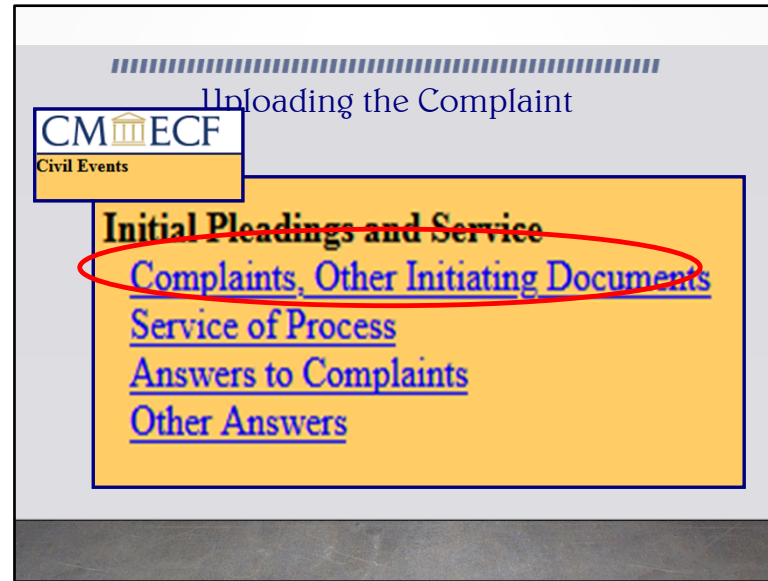
From the pick list, the filing user can click on Complaints and Other Initiating Documents to begin the process of filing the complaint. Remember, you will be prompted to enter the case number.
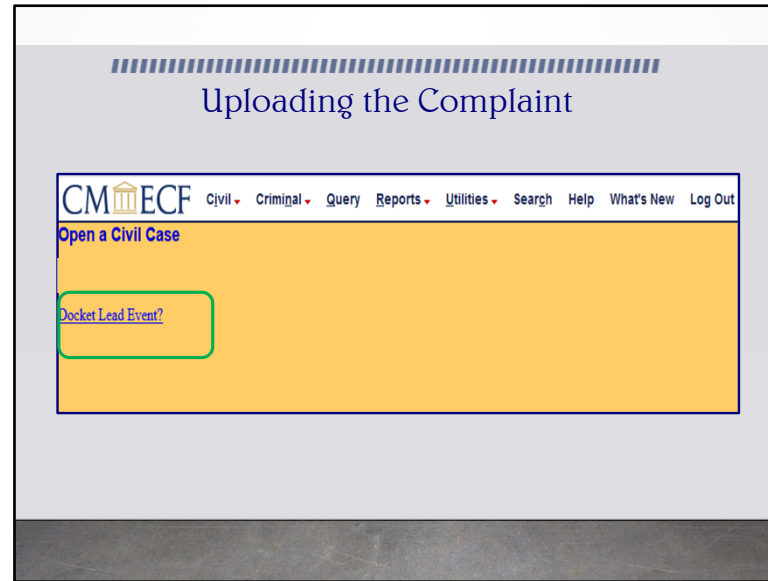
However, for our session, we are going to docket from the lead event immediately after opening the case.

So, we will click "Docket Lead Event".
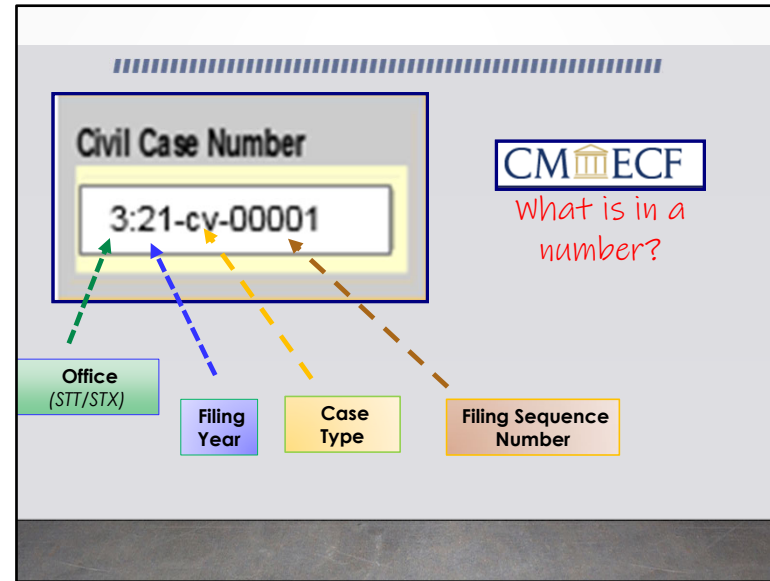
What's the case number?

CM▥ECF

Uploading the
Complaint

A 2-1cv-01
B 21-01
C 3:21-cv-00001

Remember, we had to remember the case number. So, what is the case number? In the chat pane, enter A, B, or C.

If you selected C, you are 100% correct.

The case number generated by CMECF is formatted to display the divisional office number, year, case type and case number. Please note that **3 represents the St. Thomas divisional office**, while the number 1 represents the St. Croix divisional office.

The digits 21 represents the filing year (2021).

The letters cv references the case type of Civil.

The last 5 digits ending with the number 1 represents the sequential case filing number.
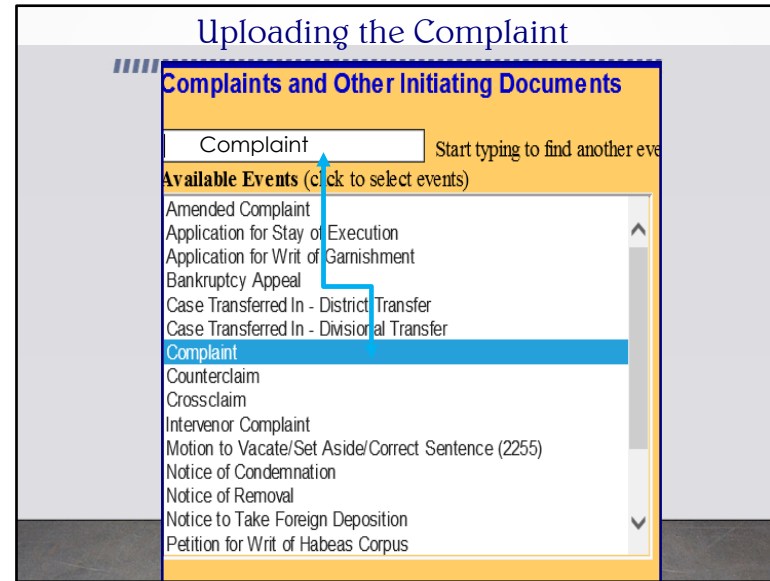
Uploading the Complaint

CMECF is efficient. You see only when a valid case number has been entered will the next button become interactive so that the filing user can click to move to the next screen.

We are now ready to electronically file a complaint.

On this screen, the Complaint and Other Initiating Documents available in CMECF appears. Before selecting any thing, you should note that the screen immediately defaults to the beginning of the available events, which is Amended Complaint.   For this exercise, we are filing a complaint.

Uploading the Complaint

Complaints and Other Initiating Documents

Complaint   Start typing to find another eve

Available Events (click to select events)

Amended Complaint
Application for Stay of Execution
Application for Writ of Garnishment
Bankruptcy Appeal
Case Transferred In - District Transfer
Case Transferred In - Divisional Transfer
Complaint
Counterclaim
Crossclaim
Intervenor Complaint
Motion to Vacate/Set Aside/Correct Sentence (2255)
Notice of Condemnation
Notice of Removal
Notice to Take Foreign Deposition
Petition for Writ of Habeas Corpus

There are 2 ways that the user can select the complaint event from the drop-down menu. First, the user can type the beginning letters for the word complaint in the top search bar. The complaint event will then highlight from the pick list from which the filing user can click and select it.
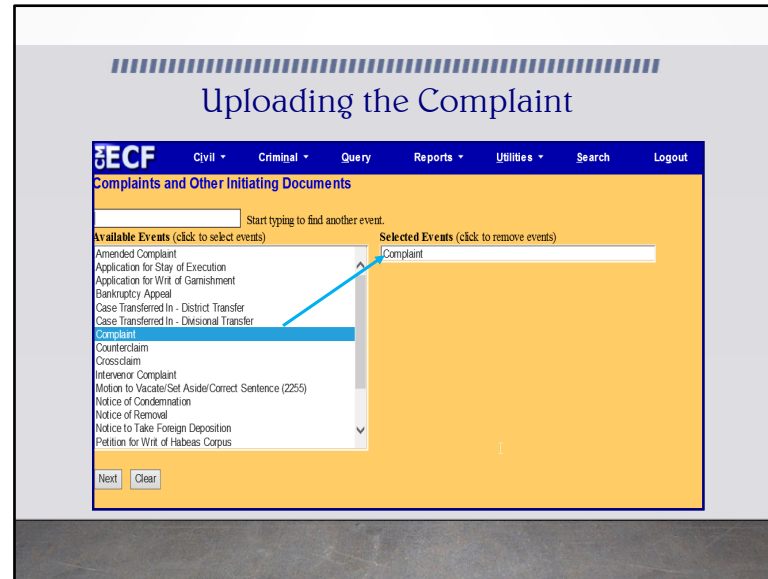
The second way that a filing user may select the complaint event is by scrolling down the pick list of events provided from the drop-down menu and clicking on the complaint event.

Whether a filing user elect to type in the name of the event or select it from the menu tree, after clicking on the desired event, the event chosen will appear on the right in the **Selected Events** box. This helps the user to confirm the selection made before moving on to the next step.

To remove an event which was incorrectly selected, click on the event in the Selected Events box. The unwanted selection will be removed from the box.   After confirming the event complaint, press next.

Next, you will be prompted to select the filer of the complaint. Be careful when selecting the party. Parties on the case are listed in alphabetical order, not role type order. Therefore, the plaintiff will not necessarily be at the top of the list. In the event there are multiple plaintiffs, you can hold the control key down on your keyboard and select the defendants that you are filing on behalf of. Then click next.

Before clicking next, please take a look at the top of the screen. Notice, the case hyperlink at the top of the page. This link will appear on all subsequent screens and can be used at anytime to view a docket sheet for the case. However, clicking this link will require you to enter your PACER login and password and the applicable PACER fees will be assessed.

We will now click next.

With all new parties CM/ECF needs to create an association between the party and their attorney. The objective of this step is to determine who will receive notices. If you represent the party you have added, leave the box to the left of the party's name checked to create the attorney/party relationship. If you do not represent the party, but are adding them as an additional party, i.e., third party defendant, uncheck the box so no association is created. Click Next.

If you are the lead attorney in this case, check the **Lead** box and **Notice.** If you are not the lead attorney, select the **Notice** box to obtain notices of electronic filing in the case.

For this example, we will proceed as the Lead Attorney for noticing purposes.

Select **Next** to proceed.
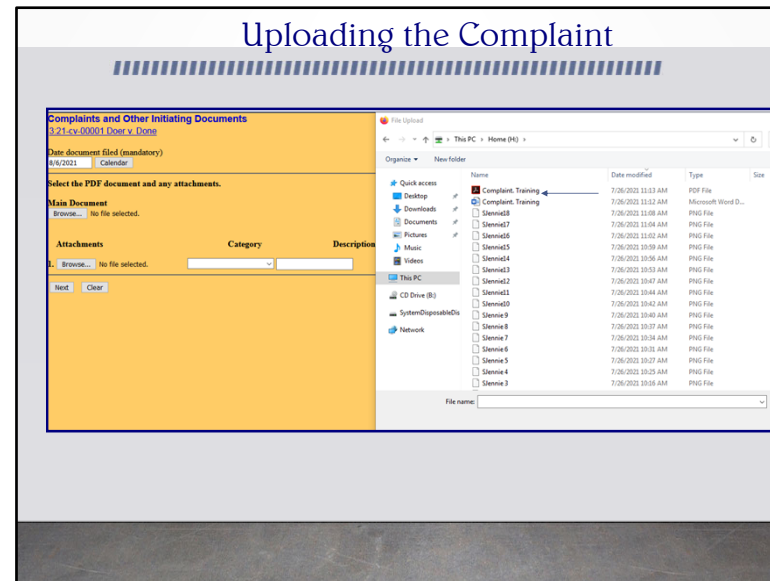
This is the document upload screen. The complaint is the main document that is uploaded under in this box. We recommend that you always open and view the document for verification for each document upload. Right click on the mouse to open the document. It is important to note that only the complaint is uploaded as the main document.

From the pop-up menu, click "open" to complete the document selection process.

We will now select an exhibit as an attachment to the complaint.   You would click "browse" and navigate to the file on your computer that you would like to upload as the exhibit to the complaint. Once you have done so, you must now either enter a selection from the category drop down menu and/or type a description in the description box. You must select a category or enter a description before you will be allowed to navigate to the next screen.

If you selected the wrong document for the complaint, you could click browse again, which would take you back to the directory on your computer for another selection.

If you selected the incorrect attachment file, you could click on the "remove" to remove the selected attachment.

This is a screen demonstrating what the screen would potentially look like once items are uploaded.

Uploading the Complaint

Complaints and Other Initiating Documents

3:21-cv-00001 Doer v. Done

Date document filed (mandatory)

8/6/2021   Calendar

CM⬛ECF

Select the PDF document and any attachments.

Main Document

Browse...

Note: The civil cover sheet should always be an attachment to your complaint.

Note: If you select "Exhibit" from the drop down list, **DO NOT** type "Exhibit" in the description box, doing so results in duplicate docket text.

Not all attorneys will need to pay the filing fee via the internet.

Therefore, you are asked the question "Is this filing with an Application to Proceed Without Prepayment of Fees Y/N?". If you answer "Y" to this prompt, it is assumed this is an IFP filing or that you are filing on behalf of the USA, and all payment information will be skipped. For this exercise, we have selected the "no" radio button. Click the Next button to proceed.

The application will display the default amount for the filing fee. This is the amount that will be charged to your credit card at the completion of this event. The amount cannot be modified. If you believe the amount to be incorrect, cancel the event by clicking on any main menu option and contact the court.

Once the filing fee amount has been accepted, a message will be displayed indicating the payment processing screen is being loaded. At this point, you will be redirected from CM/ECF to the Pay.gov Internet site for entry and approval of the charge of the filing fee to your credit card. For this exercise, we will accept the $402.00 fee by clicking the Next button to continue.

The next screen to appear is the payment information screen, which offers two different payment options. The filing fee may be paid as an DirectDebit (ACH), which will automatically deduct the payment amount from the designated checking or savings account, or by charging the filing fee to a credit card. If the payment is to be made as a Direct Debit, the routing information can be obtained from a copy of a deposit slip for the designated account. In this exercise, we will simulate charging the fee to a credit card.

Click the Continue with ACH Payment button, to proceed.

From the pull-down list, click the payment method of choice.

For this exercise, we will accept the $402.00 fee by clicking the Next button to continue.

THIS IS AN AUTOMATED MESSAGE.   PLEASE DO NOT REPLY.

Your transaction has been successfully completed.

PAYMENT SUMMARY

Application Name: CM ECF AZ Linux
Pay.gov Tracking ID: 3F09QLTZ
Payment Agency Tracking ID: 265189

Cardholder Name: Attorney
Cardholder Address: 999 W. Street
Cardholder City: Charlotte Amalie
Cardholder State: VI
Cardholder Country: USA
Cardholder Zip Code: 00802
Card Type: Mastercard
Payment Amount: $402.00
Transaction Date: Aug 06, 2021   10:45   AST

Payment confirmation is emailed from Pay.gov for your finalized transaction.

You are almost there.

Once the filing fee amount has been accepted, a message will be displayed indicating the payment processing screen is being loaded. At this point, you will be redirected from CM/ECF to the Pay.gov Internet site for entry and approval of the charge of the filing fee to your credit card.

The full path and filename for any uploaded documents are displayed on the final approval screen. Please confirm that the correct documents have been selected for filing. If the incorrect documents were selected, do not proceed with the filing.
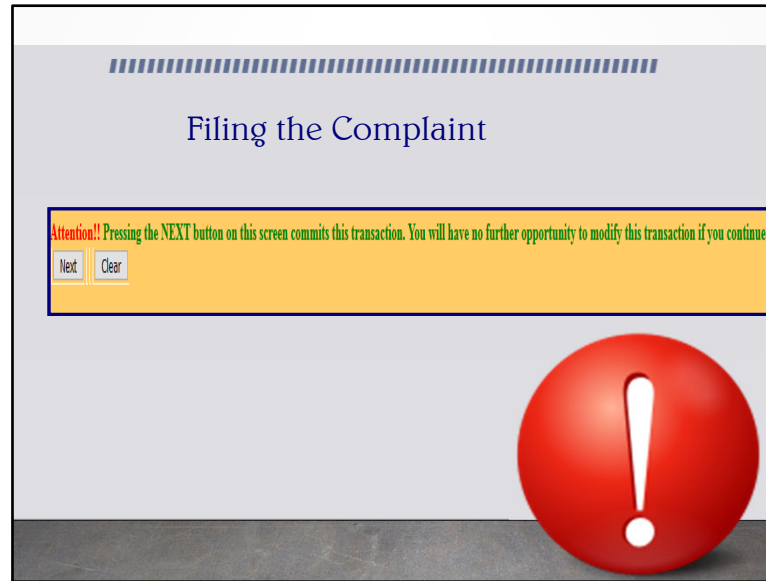
CMECF provides the filing user with a final warning that the transaction is about to be finalized.

Once the filing user clicks next, the NEF appears instantaneously. Please note the Electronic Document Stamp information.

Do not attempt any other CM/ECF System function or sign off until the Notice of Electronic Filing is displayed. Otherwise, the transmission may be interrupted, and the document will not be filed.

The Notice of Electronic Filing provides confirmation that the CM/ECF System has registered your transaction and the document is an official Court document.

The date and time of the transaction is displayed along with the number assigned to the document.

If applicable, the names and addresses of individuals who will not be electronically notified of the filing will also be displayed on the Notice of Electronic Filing. It is the filer's responsibility to serve hard copies of the document and the Notice of Electronic filing to attorneys and parties who are not registered for electronic notification.
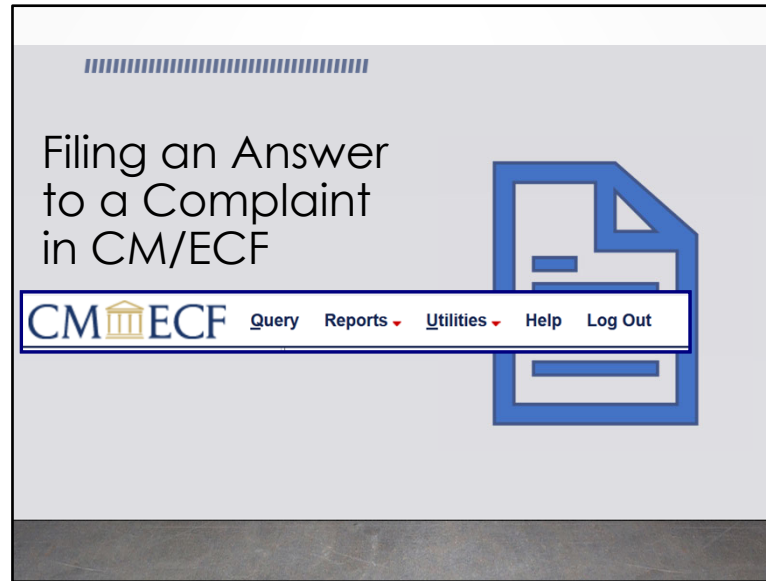
We have opened a civil case.

We have added the parties to the case.

We have successfully filed a complaint.

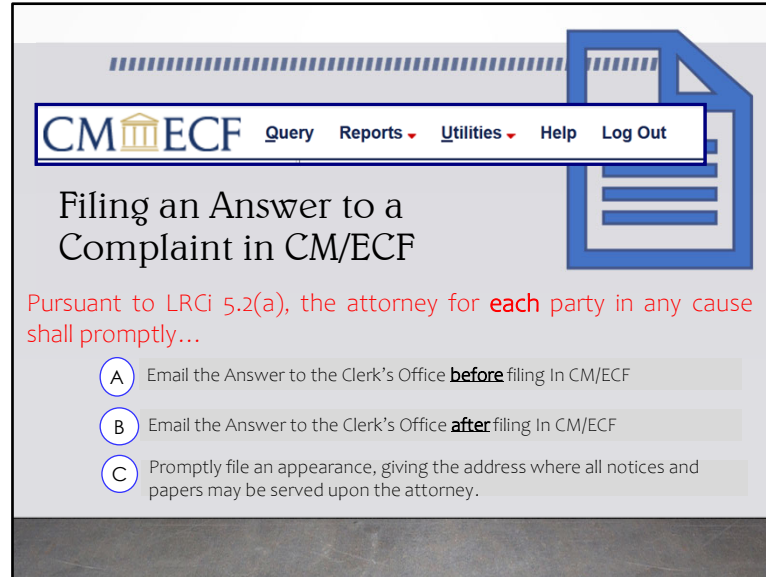And now it's time to file an answer.

Filing an answer to a complaint in CM/ECF involves selecting the answer event, entering the case number, selecting the party filing the answer, selecting the complaint which the answer is in response to, selecting the jury demand (if appropriate), and accepting the final docket text.

We have our work cut out for us, so let's go!
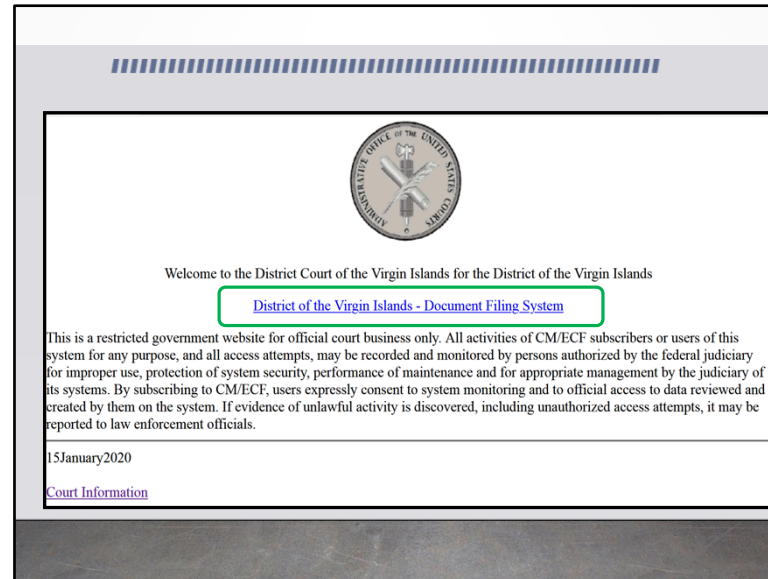
Remember, that we have to log on through PACER to get to the District Court's CMECF's page. Here will click the link in the middle of the page to launch CM/ECF.

As we are waiting for CMECF to load, let's do a quick check in. Pursuant to LRCi5.2(a) the attorney for each party in any cause shall promptly do what? Type your response A, B, or C in the chat pane.

So, before counsel files an answer in CMECF, a Notice of Appearance has to be filed. Not to fear, we can also find the Notice of Appearance events under the Civil Events Tab. It's our one stop shop for all things civil. Remember how to get there?
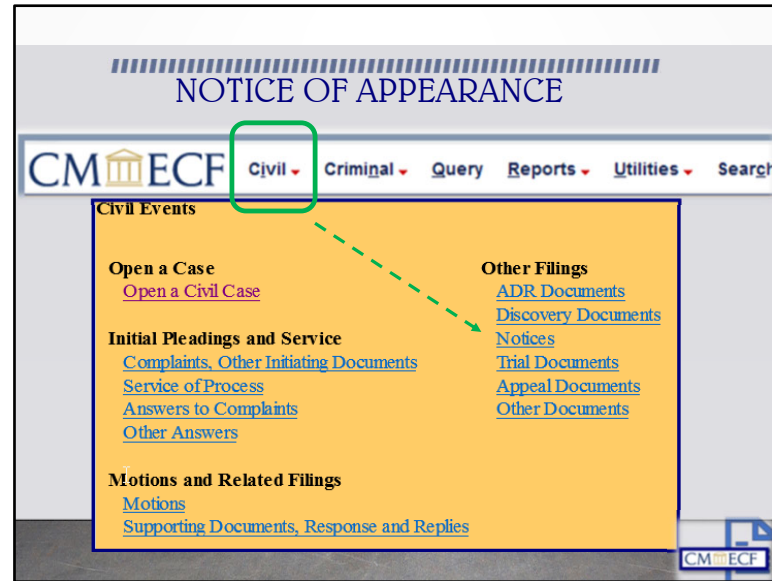
You first click on the civil link in the top menu bar after login on to CMECF.

After you navigate to the page, you would look for the section that says Other filings. Under this section you look for the link that reads Notices.
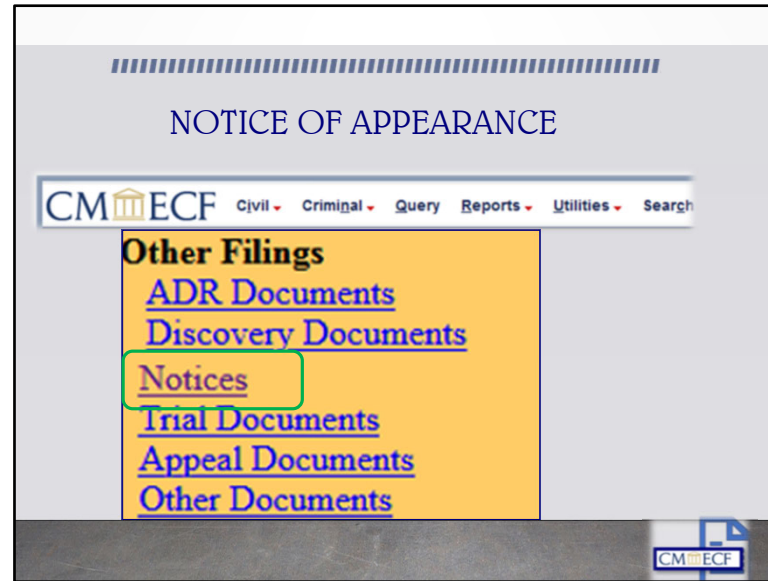
Click on the link that reads, Notices.

There the filing user would select Notice of Appearance from the list of available Events. Don't forget that the default selection starts at the beginning of the list which is at Certificate of Counsel. Then the user will continue to follow the prompts to complete the filing. Now, on to filing our Answer.

Again, you would navigate from the menu tree, using the Civil link and coming to the Civil Events page. But this time, you are going back under Initial Pleadings and Service, where we would click on the Answers to Complaints.
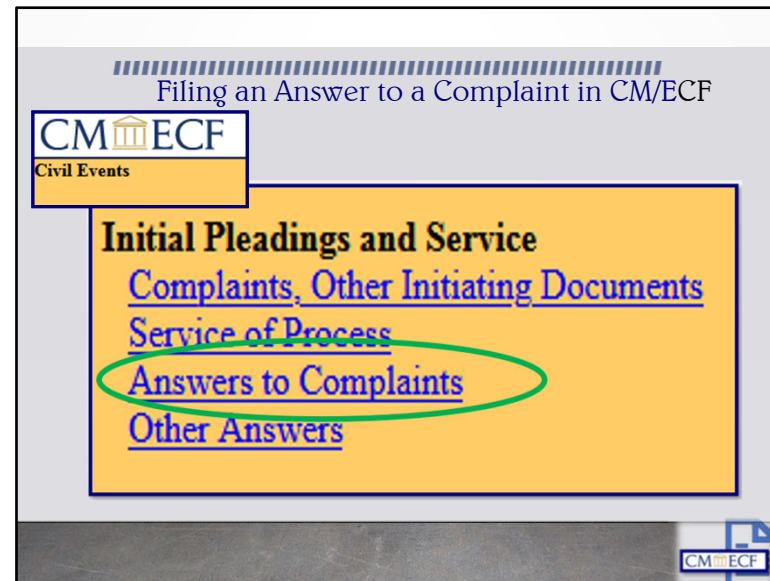
This is a screen snippet of the Civil Events screen.

When the filing user clicks on the Answers to Complaints link, the system will then go to the case number verification page. Here the filing would be prompted to enter the case number for the case that they are filing the answer in and then click **Next**.

The system will then display the page with the party participants so that a party may be selected as the filer of the answer. Filer **Selection** screen. On this screen you select the party who is filing the document. The name(s) of the parties you select will appear in the docket text.

NOTE: If you have multiple defendants, CMECF will automatically provide you with the options to either select all Defendants for whom you are filing the answer for. If this is   selected the group name, such as "all defendants," will appear in the docket text, rather than the names of the individual party(ies).
We have a single defendant, so that option does not appear. So, select Mr. Done as the party on whose behalf we are filing an answer and click next.

The next page that we meet is the **Attorney/Party Association** screen.

This screen will make the defendant/attorney association by automatically checking the check box to the far left. The Notice check box to the far right is also automatically checked so you will get notices in this case. Click in the check box on the right side to designate if you are lead attorney for the defendant(s).

Note: There should only be ONE Lead Attorney per party.

Click **Next.**

As the process progress, we now are at the section where identifying which complaint does the answer pertains to. In CMECF, this is referred to as linking one document electronically to another through the system. If applicable, this screen lists all complaints and claims, including counterclaims, crossclaims, and third-party complaints, for which an answer is still due.

On this screen you tell the system which complaint this answer is in response to. We are all set to learn more about filing third-party complaints later in the advance session.

Once we are finished, please click next.
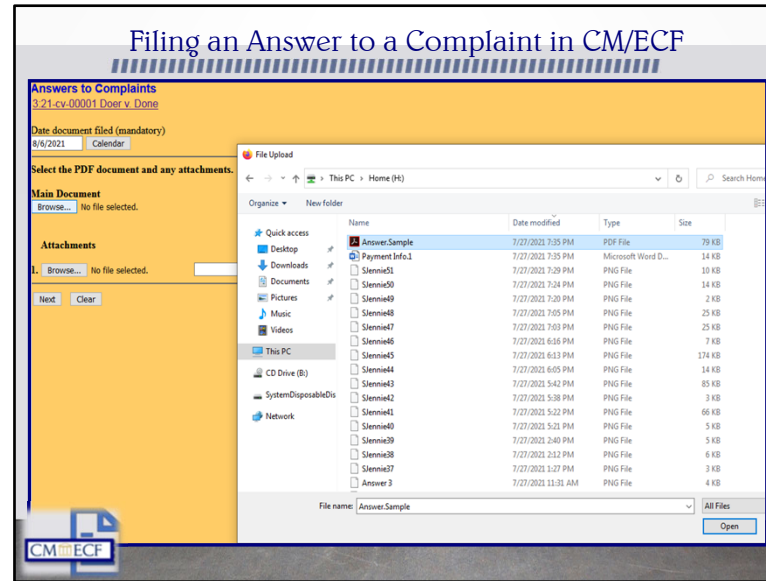
Now we are to the upload screen.   Because you are almost a better e-filer than myself, you all quickly recognized the upload screen. Remember all filings must be converted to PDF to upload in CMECT.

Don't forget that consistent with this Court's Rules, the filing user has a responsibility to verify all uploads. This includes redacting all documents with personal identifiers.

If your answer contains any of the following, check all boxes that apply below and click **Next**. If no boxes are checked, click **Next**.

If a box has been checked, the system will then display a screen for you to select whom this claim is against. If necessary, you can also add a new party on that screen.

NOTE: If adding a new party, you will not add personal information (i.e. address, phone number, etc.) at this time. The only thing you will need to change is the party role (i.e. Third Party Defendant) and click **Submit**. Click on the name the claim is against and click **Next**.

The system will then ask you if the answer includes a jury demand. Answer Y (for Yes) or N (for No) whether the answer states it has a jury demand.
Click **Next.**

The system will prompt you to certify that service has been accomplished in accordance with the Federal Rules and Local Rules of this Court.

Just a reminder that the NEF that is automatically generated by the Court's electronic filing system constitutes service of the filed documents on filing users with the exceptions as set forth in LCRi 5.4(i)(1)).

Click **Next** to continue.
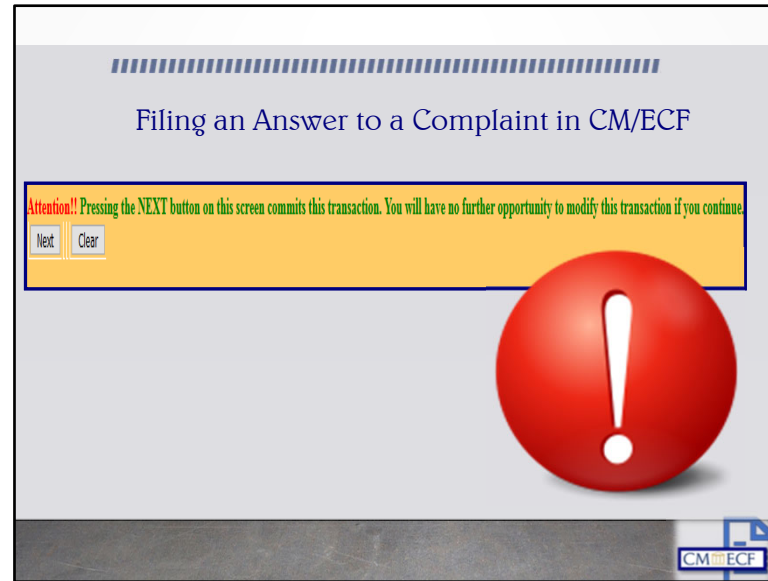
The system will display the **Final Docket Text** screen.

Again, just like before CMECF will always prompt you that you are approaching the final steps towards the end of a transaction.

This is your **last chance** to correct any errors in the transaction. If the transaction is NOT correct, click **Back** on your browser to return to the screen where the error was made, fix the error, then proceed again through the transaction. If the transaction and the text are correct, click **Next**.

Finally, the system will display the **Notice of Electronic Filing** screen.

NEF is your verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document. To print a copy of this notice, click **Print.**

To save a copy of this receipt, click **File**, then **Save As…** on the browser menu.

When you arrive at the **Notice of Electronic Filing** screen, you are finished with the filing of your document.

Here is where we are going to search CMECF to find our fruits of our labor today.

This is the **Search Clues** screen. The Query function allows you to find a case if you don't know a case number. It displays all the cases on the system that match your selection criteria. Following is an explanation of the search criteria on this screen.

Selecting a Case

Case Number: The number of the last case you queried in the pending CM/ECF session will automatically appear in this field. If you want to query a different case, type the new case number in this field using one of the following accepted formats: YY-#####, O:YY-TY-#####, O-YY-TY-#####, YYTY#####, O:YYTY#####, where O=office code, YY=year, TY=type (cv for civil), and #####=number.

Last/Business Name: To find a party (including a business) or an attorney entered in the CM/ECF system, enter a search string beginning with the first two letters of the party's or attorney's last name. You can use an asterisk as a substitute for an unknown letter, e.g., Jo*s will return Jones, Johnson, and Joseph. This field is not case sensitive.

First Name/Middle Name: These fields only work in conjunction with the Last/Business Name field.

The Query function allows you to find a case if you don't know a case number. It displays all the cases on the system that meet your selection criteria. If multiple cases exist with the case number entered, they will all be displayed. Select a case by clicking its associated checkbox. If you click **Hide Case List**, the list will be hidden but will be displayed again if you click **Show Case List**.

Remember, CMECF is interactive and efficient.

For example, if you entered a case number and the system contains more than one case with that case number, you will be required to select a specific case from a list of cases with that case number on the next screen. When you have finally narrowed your search to one specific case, you will see the following **Query** screen.

For example, if you entered a case number and the system contains more than one case with that case number, you will be required to select a specific case from a list of cases with that case number on the next screen. When you have finally narrowed your search to one specific case, you will see the following **Query** screen.

When you have finally narrowed your search to one specific case, you will see the following **Query** screen.

- **Alias** - See a list of aliases for the parties in the case.
- **Associated Cases** - Retrieve the case numbers of any associated cases.
- **Attorney** - View the names and contact information for all attorneys involved in the case.
- **Case File Location** - View case file location information.
- **Case Summary** - Provides a summary of current case-specific information.
- **Deadline/Hearings** - Review upcoming deadlines and hearings.
- **Docket Report** - Run a docket report.
- **Filers** - See a list of filers in the case.
- **History/Documents** - View the history of the case with the ability to look at a specific date range or certain docket events.
- **Party** - See a list of all parties in the case.
- **Related Transactions** - Find transactions in the case related to one another.
- **Status** - Look at any pending statuses.
- **View a Document** - View a specific document, if the docket entry is known.

For today's exercise we are going to click on the docket report.

Next, the system will navigate to the docket sheet for the case selected. At the top of the screen, it shows the case number that the filing can confirm that they have been selected the right case. From this screen the filing user can run a docket sheet using certain parameters entered. Once the filing user have entered all the information desired, the filing user would click next.

Congrats you have successfully queried CMECF, searched and found the fruits of our labor today! For example, this is our case that we created and filed the answer in. It is at this time if you are finished, you should click on **Logout**.

COMMON DOCKETING ERRORS

- Missing **Signatures**
- **Double clicking** on NEF's
- Failing to Submit **Draft Orders**
- Failing to update **PACER** account
- Failing to **Redact** Personal Identifiers
- Attaching the **Incorrect** PDF Document
- Using the **Wrong Docket Event** When Filing
- **Merging** multiple pleadings as one PDF.
- Failing to File a **Civil Cover Sheet**
- Incorrectly filing a **Certificate of Service** for Electronically Filed Documents

During our preparation for today's presentation, our team put together common docketing errors that are made by filing users. Here we provided you with the top 10. But I am pretty sure that everyone can take away something from today's training session that will help to reduce this list! We encourage you to read the Local Rules of the District Court. Our Rules were recently amended in April 2021. They are on our website. We also encourage you to read the Electronic Manual.

CM/ECF COMMON DOCKETING ERRORS

1. **Failing to update PACER account:**
   On November 4, 2019, the District Court of the Virgin Islands converted to a NextGen court. If your PACER account was created prior to August 2014, these accounts are known as legacy accounts and are required to be updated prior to being able to access the different functionalities that PACER performs. For a filing user to have full access to all NextGen features, a user must upgrade their individual PACER account and link it to an existing CM/ECF e-filing account.

2. **Missing Signatures**
   o The electronic signature on a submitted document must match the login of the attorney filing it.
   o Electronically filed documents must include the filing user's name, address (including email address), telephone number and the attorney's U.S. Virgin Islands bar registration number, if applicable.
   o If an attorney is admitted pro hac vice, the electronically filed document must include this information for both local and *pro hac vice* counsel.

3. **Failing to Redact Personal Identifiers**
   The responsibility for redacting the personal identifiers set forth in Fed. R. Civ.P. 5.2(a) rests solely with counsel and the parties. (LRCi 5.4(l)(2)). The Clerk will not review documents for compliance with this Rule.

4. **Failing to File a Civil Cover Sheet with a Civil Initiating Document**
   Every complaint or other document initiating a civil action shall be accompanied by a completed civil cover sheet on a form available at the Court's website. (LRCi 3.1(a)).

5. **Incorrectly filing a Certificate of Service for Electronically Filed Documents**
   o The Notice of Electronic Filing that is automatically generated by the Court's Electronic Filing System, except as provided by LRCi 5.4(i)(1), constitutes service of the filed document on Filing Users.
   o Parties who are not Filing Users must be served with a copy of any pleading or other document filed electronically, together with the Notice of Electronic Filing, by an alternate method in accordance with the Federal Rules of Civil Procedure and the Rules of the District Court of the Virgin Islands.

6. **Using the Wrong Docket Event When Filing**
   o The title of the document being filed should correspond with the docketing event you select.
   o A Filing User must only select the motion category when filing a motion. A Notice filed using the motion event is incorrect. Please carefully review your choices before filing.
   o Both the Civil and Criminal Events for filing documents in CMECF are located on our website or you can call the clerk's office Help Desk for assistance.

7. Attaching the Incorrect PDF Document
   o Before attaching a document to an ECF entry, review it to make sure the correct document is being attached.
   o Each Document Should Be Filed Separately in ECF. Do not submit a single PDF document that contains a motion, supporting documentation and a proposed order all as one document.

8. Merging multiple pleadings together as one document.
   o Each attachment or exhibit to a motion or response shall be filed as a separate subdocument to the main documents that references the attachment or exhibit. (LRCi 5.4(e)). For example, do not submit a single PDF document that contains a motion, supporting documentation and a proposed order.
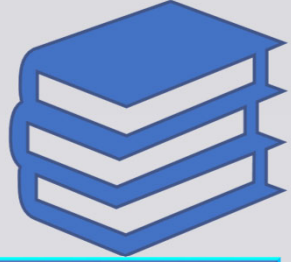
9. Failing to Submit Draft Orders
   All motions shall be accompanied by a draft order that sets forth specifically the relief requested. (LRCi 7.1(e)). Proposed Orders must be submitted as PDF attachments to the main document (i.e. motion, petition) filed in ECF.

10. Double clicking on the Notice of Electronic Filing (NEF)
    Do not double click on the hyperlink to the document on the NEF. Click once. If you double click, you will use up your one "Free Look."