District Local Rule Civ 5.1 (Civil)

ELECTRONIC CASE FILING

(a) **Official Records of the Court.** The docketing and case management system for the District of Idaho will be the judiciary's Case Management and Electronic Case Files (CM/ECF) Program. The official record of the Court consists of: (1) all documents filed electronically; (2) all documents converted to electronic format; and (3) all documents filed and not capable of conversion to electronic format.

(b) **Establishment of Electronic Case Filing Procedures.** The Clerk of Court for the United States District Court for the District of Idaho is authorized to establish and promulgate Electronic Case Filing Procedures ("ECF Procedures"), including the procedure for registration of attorneys and other authorized users, and for distribution of passwords to permit electronic filing and notice of pleadings and other papers. The Clerk may modify the ECF procedures from time to time, after conferring with the Chief Judges. The ECF Procedures will be available to the public on the Court's web site: www.id.uscourts.gov.

(c) **Scope of Electronic Filing.** Unless expressly prohibited, the filing of all documents required or permitted to be filed with the Court in connection with a civil or criminal case will be accomplished electronically as specified in the Electronic Case Filing (ECF) Procedures.

(1) Documents filed conventionally with the Court may be converted into an electronic format by the Court and in such cases, such documents will be treated for all purposes as if they had been electronically filed, except that conversion of a conventionally filed document to electronic format by the Court will not affect the original filing date and time of that document.

(2) On a case by case basis, the presiding judge may direct that copies of any documents filed electronically be sent directly to the judge's chambers in a format specified by the judge.

(d) **Court Retention of Records-Copies.** Where a document filed conventionally is converted to an electronic format by the Court, the document originally filed will be maintained as a copy only. Such copies of documents will be retained by the Court only so long as required to ensure that the information has been transferred to the Court's data base, for other Court purposes or as required by other applicable laws or rules. It is the responsibility of any party who has filed a document conventionally who desires to have the document returned by the Clerk, to specifically request and arrange for its return or the Clerk is authorized to dispose of the document after electronic conversion.

(e) **Retention of Conventionally Signed Documents.** The original of all conventionally signed documents that are electronically filed must be retained by the filing party for a period of not less than the maximum allowed time to complete any appellate process, or the time the case of which the document is a part, is closed, whichever is later. The document must be produced upon an order of the Court.

Anyone who disputes the authenticity of any signature on electronically-filed documents must file an objection to the document within ten days of receipt of the document or notice of its filing, whichever first occurs.

(f) **Eligibility**. Only a Registered Participant or an authorized employee of the Registered Participant may file documents electronically. To become a Registered Participant, or to act as an authorized employee of the Registered Participant, a person must satisfy the registration requirements established by the Court and participate in training as required by the Court unless the Clerk is satisfied that training is not necessary.

(g) **Consequences of Electronic Filings.** The electronic transmission of a document to the Court via an electronic filing system authorized by the Court and consistent with the administrative and technical requirements established by the Court, constitutes filing of the document for all purposes. The filing date and time of a document filed electronically will be the date and time the document is electronically received by the Court, which for the purposes of this Rule will be Mountain Time.

(h) **Entry of Court Issued Documents.** The Court will enter all orders, decrees, judgments and proceedings of the Court in accordance with the electronic filing procedures, which will constitute entry of the order, decree, judgment, or proceeding on the docket kept by the Clerk of Court.

(i) **Large Documents, Exhibits and Attachments.** The parties are directed to refer to the Electronic Case Filing Procedures, which may be amended from time to time.

(j) **Signatures.** The electronic filing of any document by a Registered Participant will constitute the signature of that person for all purposes provided in the Federal Rules of Civil and Criminal Procedure. For instructions regarding electronic signatures, refer to the Electronic Case Filing Procedures.

(k) **Notice and Service of Documents.** Participation by a Registered Participant in the Court's CM/ECF system by registration and receipt of a login and password from the Clerk of Court will constitute consent by that Registered Participant to the electronic service of pleadings and other papers under applicable Federal Rules of Civil, Criminal and/or Bankruptcy Procedure.

(l) **Technical Failures**. Any Registered Participant or other person who is unable to complete a filing after 5:00 p.m. Mountain Time as a result of a technical failure of the Court's CM/ECF system shall submit by email the documents intended to be filed to the law clerk assigned to the case and shall timely serve the documents on all counsel of record. The documents will be deemed filed upon the date received. They will be docketed by Court Staff as soon as practical after CM/ECF returns to normal operation.

Documents must meet all standard requirements for filing, including, but not limited to:
• Documents must be in PDF format.
• Documents must be clearly titled, with appropriate case number.
• Documents must clearly indicate all parties as appropriate.
• All pleadings, written motions, and other filings shall be dated and signed, as provided by FRCP 11, and shall be filed in accordance with the Local Rules and these ECF Procedures.

RELATED AUTHORITY
Fed. R. Civ. P. 5(e)