

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

IN THE MATTER OF: )  
 )  
ORDER AUTHORIZING ) GENERAL ORDER No. 08-02  
ELECTRONIC FILING ) (Supersedes General Order  
 ) No. 07-08)  
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Table of Contents

I. Authorization ..... 6

    A. Applicability of Other Rules and Orders ..... 6

    B. Cases Subject to Electronic Filing ..... 6

II. Definitions ..... 6

    A. CM/ECF System ..... 6

    B. CM/ECF Website ..... 6

    C. CM/ECF Registration ..... 7

    D. CM/ECF User ..... 7

    E. Electronic Filing ..... 7

F.	Electronic Signature .....	7
G.	Consent to Electronic Service .....	7
H.	E-Mail Address of Record .....	8
I.	Electronic Post Office Box .....	8
J.	Notice of Electronic Filing .....	8
K.	Electronic Service .....	8
L.	Generic Chambers E-Mail Box .....	8
M.	Intake E-Mail Box .....	9
N.	Hours .....	9
O.	Calculation of Days .....	9
P.	PACER .....	9
Q.	Procedures and Instructions .....	9
R.	PDF .....	9
S.	Notice of CM/ECF Unavailability .....	10
T.	Courtesy Paper Copy .....	10
U.	Traditional Filing .....	10
V.	Traditional Service .....	10
III.	Maintenance of Personal Contact Information .....	10
A.	Obligation to Maintain Personal Contact Information .....	10

- B. Obligation to Notify Court of Change of Personal Contact Information ..... 10
- C. Obligation to Maintain Electronic Post Office Box ..... 11
- IV. Electronic Filing ..... 11
  - A. Generally ..... 11
  - B. Authorizing Use of Login and Password by Others to Electronically File Documents ..... 11
  - C. Format ..... 12
  - D. Courtesy Paper Copies ..... 12
  - E. Obligation to Protect Sensitive and Private Information ..... 12
    - 1. Social Security Numbers ..... 13
    - 2. Taxpayer Identification Numbers ..... 13
    - 3. Names of Minor Children ..... 13
    - 4. Dates of Birth ..... 13
    - 5. Financial Account Numbers ..... 13
    - 6. Home Address ..... 13
    - 7. Additional Information ..... 13
  - F. Exemptions From the Redaction Requirement ..... 13
  - G. Filing Documents With Sensitive and Private Information ..... 14

H.	Waiver of Protection of Personal Data Identifiers .....	15
I.	Hyperlinks .....	15
J.	Deadlines .....	15
K.	Notice of Discrepancies For Electronically Filed Documents .....	16
L.	Correcting Errors in E-Filed Documents .....	16
M.	Technical Failures .....	16
N.	Docket .....	17
O.	Certification of Electronic Documents .....	17
V.	Exclusions From Electronic Filing .....	18
A.	Generally .....	18
B.	Pro Se Litigants .....	18
C.	Case Initiating Documents .....	19
1.	Civil Case Initiating Documents .....	19
2.	Criminal Case Initiating Documents .....	19
B.	Under Seal Documents .....	20
E.	Records for Bankruptcy Appeals and Administrative Review Cases .....	20
F.	Voluminous Exhibits .....	20
G.	Criminal Duty Matters .....	20

VI. Proposed Orders, Proposed Judgments, or Other Proposed Documents That Require a Judge’s Signature . . . . . 21

    A. Electronically Filed Proposed Documents . . . . . 21

    B. WordPerfect or Microsoft Word Copy of Proposed Documents . . . 21

VII. Service of Electronically Filed Documents . . . . . 22

    A. Generally . . . . . 22

    B. Service of the Court’s Orders or Other Court Generated Documents . . . . . 23

VIII. Signatures . . . . . 23

    A. CM/ECF Users . . . . . 23

    B. Documents Requiring Multiple CM/ECF User Signatures . . . . . 24

    C. Documents Requiring Signatures Other Than CM/ECF Users . . . . . 24

IX. Limitations on Remote Access to Electronic Social Security Appeals and Immigration Cases . . . . . 25

X. Access to Rules . . . . . 25

**I. Authorization.**

Pursuant to Federal Rules of Civil Procedure 5(d)(2)(3) and 83, the court hereby authorizes and establishes operating rules for the electronic filing of pleadings and papers.

**A. Applicability of Other Rules and Orders.** Unless modified by the assigned judge, all Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, Local Rules, and Orders of the court shall continue to apply to cases that are subject to electronic filing.

**B. Cases Subject to Electronic Filing.** Except as specifically provided for in this General Order, all civil and criminal cases are subject to electronic filing.

**II. Definitions.**

The following definitions shall apply to these rules regarding electronic filing:

**A.** “CM/ECF System” refers to the automated Case Management/Electronic Case Filing system implemented by the court. The CM/ECF system stores case files in a database, and documents are filed electronically, to the extent possible. The CM/ECF system is available at <https://ecf.cacd.uscourts.gov>.

**B.** “CM/ECF Website” refers to the court’s CM/ECF website that

provides pertinent information regarding the CM/ECF system. The CM/ECF website is available at [www.cacd.uscourts.gov/cmecf](http://www.cacd.uscourts.gov/cmecf).

**C.** “CM/ECF Registration” refers to registering with the United States District Court, Central District of California, to file documents electronically through the CM/ECF system. Registration is completed on-line through the CM/ECF website. Upon the completion of CM/ECF Registration, a CM/ECF login and password is provided.

**D.** “CM/ECF User” is a person who is registered to file in the CM/ECF system.

**E.** “Electronic Filing” refers to the process of logging on the CM/ECF system and completing a transaction that includes the uploading of the document(s) to be filed. Sending a document by e-mail does not constitute an electronic filing.

**F.** “Electronic Signature” refers to the signature of an electronically filed document based on: (1) the CM/ECF User’s login and password and (2) the person’s representative signature, “/S/ – Name,” or a digitized personalized signature or facsimile signature on the signature line of the document.

**G.** “Consent to Electronic Service” is the authorization by an attorney to accept service by electronic means pursuant to the Federal Rules of Civil and Criminal Procedure. Attorneys may consent to electronic service as part of the on-

line CM/ECF Registration.

**H.** “E-Mail Address of Record” refers to the primary e-mail address for each CM/ECF User as indicated on the docket, and is used for electronic service.

**I.** “Electronic Post Office Box” identifies a storage area in the CM/ECF User’s computer system.

**J.** “Notice of Electronic Filing” (NEF) is a notice automatically generated by the CM/ECF system at the time a document is electronically filed. The NEF will set forth the time of filing, the name of the parties and attorney(s) filing the document, the type of document, the text of the docket entry, the name of the parties and/or attorney(s) receiving the NEF, and a hyperlink to the filed document that allows recipients to retrieve the document automatically. The NEF also includes the name of any attorney(s) who did not consent to electronic service.

**K.** “Electronic Service” refers to transmission of the NEF. Service by this electronic NEF constitutes service pursuant to the Federal Rules of Civil and Criminal Procedure for all CM/ECF Users who have consented to electronic service.

**L.** “Generic Chambers E-Mail Box” refers to the e-mail box assigned to each judicial officer to be used exclusively for transmission of proposed documents vis e-mail. The generic chambers e-mail box addresses are available on the



CM/ECF system.

**M.** “Intake E-Mail Box” refers to the e-mail box assigned to the intake department of the Clerk’s Office in the Southern, Western, and Eastern Divisions of the court to be used exclusively for transmission of e-mailed documents as specified in this General Order. The intake e-mail box addresses are available on the CM/ECF website.

**N.** All hours stated shall be Pacific Standard Time or Pacific Daylight Time, whichever is in effect at the time.

**O.** All days are calculated according to the provisions of the Federal Rules of Civil and Criminal Procedure.

**P.** “PACER” is the Federal Judiciary’s system for Public Access to Court Electronic Records. A PACER account is necessary for retrieving documents from the CM/ECF system. An attorney may register for a PACER account by visiting the PACER Service Center’s website at <http://pacer.psc.uscourts.gov>.

**Q.** Procedures and instructions for using the court’s CM/ECF system to implement these rules may be found on the CM/ECF website along with other important information.

**R.** “PDF” refers to Portable Document Format, a specific computer file

format that is the only format in which a document may be electronically filed.

Information about PDF may be found on the CM/ECF website.

**S.** “Notice of CM/ECF Unavailability” refers to a Public Notice from the Clerk regarding scheduled maintenance or other issues that make the CM/ECF system unavailable to the CM/ECF Users. Such Notices are placed on the CM/ECF website.

**T.** “Courtesy Paper Copy” refers to an exact duplicate of an electronically filed document submitted in paper format, together with an attached NEF.

**U.** “Traditional Filing” refers to the filing of a document in paper format.

**V.** “Traditional Service” refers to service other than electronic service as authorized by the Federal Rules of Civil and Criminal Procedure.

### **III. Maintenance of Personal Contact Information.**

**A. Obligation to Maintain Personal Contact Information.** CM/ECF Users are required to maintain and update their personal contact account information, including name, law firm or agency, firm address, telephone number, facsimile number, and e-mail address(es) in the CM/ECF system.

**B. Obligation to Notify Court of Change of Personal Contact Information.** In accordance with Local Rule 83-2.7, attorneys must notify the Clerk within five (5) days of any change in their name, law firm or agency, firm

address, telephone number, facsimile number or e-mail address. In any pending action in which an attorney has not consented to electronic service, that attorney shall file and serve a copy of the notice upon all parties.

**C. Obligation to Maintain Electronic Post Office Box.** CM/ECF Users who have consented to electronic service shall be responsible for ensuring their electronic post office boxes are adequate to handle all documents that will be sent electronically by making certain that: (1) their e-mail service provider does not limit the size of attachments, and (2) the court's NEF transmissions are not blocked.

#### **IV. Electronic Filing.**

**A. Generally.** In all cases subject to electronic filing, all documents required to be filed with the Clerk shall be filed electronically in the CM/ECF system.

**B. Authorizing Use of Login and Password by Others to Electronically File Documents.** A CM/ECF User may authorize another person to file a document using his or her login and password. However, the CM/ECF User shall be responsible for any document so filed. If, at any time, a CM/ECF User believes that the security of his or her password has been compromised, the CM/ECF User shall immediately notify the court's CM/ECF Help Desk by e-mail or telephone as posted on the CM/ECF website.

**C. Format.** Documents filed electronically must be submitted in PDF format to permit text searches and to facilitate transmission and retrieval. Before any documents are electronically filed, the CM/ECF User shall convert the documents to PDF format. Electronically filed documents may not be scanned, except as provided in this General Order.

**D. Courtesy Paper Copies.** Unless otherwise ordered by the assigned judge, courtesy paper copies of all electronically filed documents must be delivered to the chambers of the assigned judge no later than 12:00 noon the following business day. The courtesy paper copies must comply with Local Rule 11-3, i.e., blue backed, font size, page numbering, tabbed exhibits, etc., or as otherwise directed by the assigned judge. The courtesy paper copy must be prominently labeled COURTESY COPY on the face page. The courtesy copy must include the NEF as the last page of the document. The court's CM/ECF website contains additional instructions by judges for delivery of courtesy copies.

**E. Obligation to Protect Sensitive and Private Information.** The parties shall refrain from including, and/or shall redact where inclusion is necessary, the following personal data identifiers from all documents filed with the Clerk.

- 1. Social Security Numbers:** If an individual's Social Security Number must be included in a document, only the last four digits

of that number should be used.

2. **Taxpayer Identification Numbers:** If a taxpayer identification number must be included in a document, only the last four digits of that number should be used.
3. **Names of Minor Children:** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
4. **Dates of Birth:** If an individual's date of birth must be included in a document, only the year should be used.
5. **Financial Account Numbers:** If financial account numbers are relevant, identify the name or type of account and the financial institution where maintained, and only indicate the last four digits of the account number.
6. **Home Address:** If a home address must be included, only the city and state should be used.
7. **Additional Information:** For good cause, the assigned judge may require redaction of additional information.

**F. Exemptions From the Redaction Requirement.** The redaction requirement shall not apply to the following:

1. A financial account number that identifies the property

allegedly subject to forfeiture in a forfeiture proceeding.

2. The record of an administrative or agency proceeding.
3. The official record of a state court proceeding.
4. The record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed.
5. A pro se filing in an action brought under 28 U.S.C. §§ 2241, 2254 or 2255.

**G. Filing Documents With Sensitive and Private Information.** An attorney who files a document referring to personal data identifiers as listed in Section E above shall: (1) file a redacted version of the document excluding the personal data identifiers; **or** (2) file a redacted version of the document with unique identifiers (e.g., 1, 2, 3 or A, B, C) used in place of the personal data identifiers, along with a reference list, filed under seal, indicating the complete personal data identifiers and unique identifiers used in their place.

Attorneys shall carefully examine the documents, exhibits or attachments to be electronically filed in order to protect the clients' sensitive and private information. The responsibility for redacting or placing under seal these personal data identifiers rests solely with counsel. The Clerk will not review any pleadings or documents for compliance with this Section of this General Order.

Counsel are cautioned that failure to redact or place under seal these personal data identifiers may subject them to the full disciplinary power of the court. If a redacted version of the document is filed, counsel shall maintain the unredacted document in their office pending further order of the assigned judge or resolution of the action (including the appeal, if any) and shall, at the request of opposing counsel or parties, provide a copy of the complete document.

**H. Waiver of Protection of Personal Data Identifiers.** A party waives his or her right to the protection of Sections IV.E and G by filing documents that include his or her own personal data identifiers without redaction.

**I. Hyperlinks.** Documents filed electronically may only contain hyperlinks to sections of the same document. Hyperlinks to other documents, websites, source documents, or citations are not permitted.

**J. Deadlines.** Filing documents electronically does not alter any filing deadlines. Unless otherwise ordered by the assigned judge, all electronic transmissions of documents must be completed (i.e., received completely by the Clerk's Office) prior to midnight Pacific Standard Time or Pacific Daylight Time, whichever is in effect at the time, in order to be considered timely filed on that day. Where a specific time of day deadline is set by court order or stipulation, the electronic filing shall be completed by that time.

**K. Notice of Discrepancies For Electronically Filed Documents.** The Clerk's Office may notify CM/ECF Users of discrepancies found in electronically filed documents by a discrepancy notice. In response to this notice, the assigned judge may order: (1) an amended or corrected document to be filed, (2) the document stricken, or (3) other action as the assigned judge deems appropriate.

**L. Correcting Errors in E-Filed Documents.** After a document is electronically filed, only the Clerk's Office can make any necessary corrections. If an error is discovered, the CM/ECF User should notify the CM/ECF Help Desk of the error by e-mail or telephone as posted on the CM/ECF website. The Clerk's Office will notify the filing party if the document needs to be refiled.

**M. Technical Failures.** If a CM/ECF User is unable to electronically file a document, the CM/ECF User must immediately contact the CM/ECF Help Desk by e-mail or telephone as posted on the CM/ECF website if a "Notice of CM/ECF Unavailability" has not been posted on the CM/ECF website. The CM/ECF User shall then attempt to file the document electronically at least two times, separated by at least one hour. If, after at least two attempts, the CM/ECF User cannot electronically file the document, the document will be accepted for traditional filing that same day, if time permits, or it will be accepted for electronic filing the next business day. Such delayed filing shall be accompanied by a



declaration or affidavit setting forth the facts of the CM/ECF User's failed attempts to file electronically. A history of technical failures lasting longer than one hour will be posted on the CM/ECF website.

**N. Docket.** Except as otherwise provided in this General Order, the acceptance by the Clerk of a document electronically filed shall constitute entry of that pleading or other paper on the docket maintained by the Clerk under Federal Rules of Civil Procedure 58, 77 and 79 and Federal Rules of Criminal Procedure 55.

**O. Certification of Electronic Documents.** Pursuant to Federal Rules of Civil Procedure 44(a)(1) and 44(c), the method of electronic certification described herein is deemed proof of an official court record maintained by the Clerk of Court. The NEF contains the date of electronic distribution and identification of the United States District Court for the Central District of California as the sender. An encrypted verification code appears in the electronic document stamp section of the NEF. The electronic document stamp shall be used for the purpose of confirming the authenticity of the transmission and associated document(s) with the Clerk of Court, as necessary. When a document has been electronically filed into CM/ECF, the official record is the electronic recording of the document kept in the custody of the Clerk of Court. The NEF provides certification that the associated document(s)

is a true and correct copy of the original filed with the court.

**V. Exclusions From Electronic Filing.**

**A. Generally.** CM/ECF Users otherwise participating in the CM/ECF system may be excused from filing a particular document or component electronically if it is not available in electronic format and it is not possible for the CM/ECF User to convert it to PDF format by scanning or if the document or component is being filed under seal. Such document or component shall not be filed electronically, but instead shall be traditionally filed, in duplicate, with the Clerk and served upon the parties in accordance with the applicable Federal Rules of Civil and Criminal Procedure. Attorneys traditionally filing a document or component under this provision shall first file electronically a Notice of Manual Filing setting forth the reason(s) why the document or component cannot be filed electronically.

**B. Pro Se Litigants.** Documents filed by pro se litigants will continue to be filed and served in the traditional manner and will be scanned by the Clerk's Office into the CM/ECF system.

**C. Case Initiating Documents.**

**1. Civil Case Initiating Documents.** Complaints (such as third-party complaints, amended complaints, complaints in intervention, counterclaims and cross-claims) and other civil case initiating documents shall be filed, in duplicate, fees paid, and summons issued and served in the traditional manner rather than electronically. Documents filed simultaneously with civil initiating documents that request emergency relief shall also be filed in the traditional manner. All traditionally filed civil case initiating documents and simultaneously filed emergency relief documents shall be submitted in electronic form (PDF format only) by close of business the following business day. Submission of these documents must be made by e-mail to the intake e-mail box for the appropriate court division (the division to which the case is assigned). The intake e-mail box address for each division is indicated on the court's CM/ECF website. Attorneys who fail to timely e-mail PDF copies of these documents shall be subject to such sanctions as may be imposed by the court.

**2. Criminal Case Initiating Documents.** Complaints, indictments, informations, and other initiating documents in criminal cases shall be filed in the traditional manner rather than electronically. All traditionally filed documents shall be submitted to the appropriate court division (the division to

which the case is assigned).

**D. Under Seal Documents.** Applications and Orders to Seal, along with the document to be placed under seal, shall NOT be electronically filed but shall be filed traditionally in the manner prescribed by Local Rule 79-5. Attorneys traditionally filing a document under this provision shall first file electronically a Notice of Manual Filing.

**E. Records for Bankruptcy Appeals and Administrative Review Cases.** In Bankruptcy appeals, habeas corpus proceedings, and administrative review cases such as Social Security appeals, ERISA and IDEA cases, the record shall not be submitted electronically but shall be submitted in the traditional manner. A Notice of Manual Filing or Notice of Filing or Lodging Administrative Record shall first be electronically filed.

**F. Voluminous Exhibits.** Exhibits for which the electronic original is not available to the CM/ECF User and must therefore be scanned to PDF should be filed electronically only when the size of the document does not exceed the limit specified on the CM/ECF website. Attorneys traditionally filing exhibits because they are too large to scan shall first file electronically a Notice of Manual Filing.

**G. Criminal Duty Matters.** The following documents filed in criminal duty matters, before a case is assigned to a district judge, shall be filed in the

traditional manner:

- Applications for Pen Registers, Search Warrants, Seizure Warrants, Arrest Warrants, Wire Taps, Cell Site Information, Tracking Services, and other such precharging documents.
- Bond Related Documents.
- Under Seal and In-Camera Documents.

**VI. Proposed Orders, Proposed Judgments, or Other Proposed Documents That Require a Judge's Signature.**

**A. Electronically Filed Proposed Documents.** When a proposed order or other proposed document accompanies a filing, the proposed order or other proposed document shall be in PDF format and included, as an attachment, to the main electronically filed document (e.g., stipulations, applications, motions).

Proposed orders or other proposed documents that are not filed with a main document, such as a proposed judgment or proposed findings of fact, shall be electronically filed as an attachment to a Notice of Lodging and shall be linked to the order or minute order directing the preparation of the proposed document.

**B. WordPerfect or Microsoft Word Copy of Proposed Documents.** After the documents have been electronically filed, a WordPerfect or Microsoft Word copy of the proposed document, along with a copy of the PDF electronically

filed main document, shall be e-mailed to the assigned judge's generic chambers e-mail address listed in the CM/ECF system. The subject line of the e-mail shall be in the following format: court's divisional office, year, case type, case number, document control number assigned to the main document at the time of filing, judge's initials and filer (party) name.

For criminal cases, the defendant's last name and first initial of first name shall be included as the filer (e.g., for Los Angeles, LA08CR00123-6-ABC-Doe J; for Santa Ana, SA08CR00124-8-DEF-Smith A; for Riverside, ED08CR00125-10-GHI-Jones B).

For civil cases, the party's name shall be included as the filer (e.g., for Los Angeles, LA08CV00123-6-ABC-Corp. A; for Santa Ana, SA08CV00124-8-DEF-Corp. B); for Riverside, ED08CV00125-10-GHI-Corp. C).

## **VII. Service of Electronically Filed Documents.**

**A. Generally.** Upon the electronic filing of a document, a NEF is automatically generated by the CM/ECF system and sent by e-mail to all attorneys in the case who are registered CM/ECF Users and have consented to electronic service. Service of an electronically filed document upon a CM/ECF User who has consented to electronic service is deemed complete upon the transmission of the NEF.

For pro se litigants, attorneys who are not a CM/ECF user and CM/ECF Users who have not consented to electronic service, traditional service is deemed complete in accordance with the Federal Rules of Civil and Criminal Procedure.

**B. Service of the Court's Orders or Other Court Generated**

**Documents.** Orders or other documents generated by the court will be served electronically unless: (1) an attorney is not a registered CM/ECF User, (2) an attorney is a CM/ECF User but has not consented to electronic service, or (3) a party is appearing pro se. If any of these situations exist, traditional service will be made by the court on that party(s) only.

**VIII. Signatures.**

An electronically filed document shall be deemed to be signed by the person (the "Signatory") when the document identifies the person as a Signatory and the filing complies with either subparagraph (A) or (B) of this Section. Any filing in accordance with any of these methods shall bind the Signatory as if the document was physically signed and filed, and shall function as the Signatory's signature, whether for purposes of Rule 11 of the Federal Rules of Civil Procedure, to attest to the truthfulness of an affidavit or declaration, or for any other purpose.

**A. CM/ECF Users.** In the case of a Signatory who is a CM/ECF User, such document shall be deemed signed, regardless of the existence of a

physical signature on the document, provided that such document is filed using the Login and Password of the Signatory.

**B. Documents Requiring Multiple CM/ECF User Signatures.** In the case of documents requiring multiple signatures, such as stipulations, the CM/ECF User shall scan the signed document in PDF format and electronically file the document. The CM/ECF User shall maintain the original, signed documents, for subsequent production to the assigned judge if so ordered for inspection upon request by a party or the judge's own motion, until one year after final resolution of the action (including the appeal, if any). The CM/ECF User may attach a scanned image of the signature page(s) of the document being electronically filed in lieu of maintaining the paper record for subsequent production if required.

**C. Documents Requiring Signatures Other Than CM/ECF Users.** In the case of documents requiring signatures other than the attorneys of record, the CM/ECF User shall scan the document in PDF format and electronically file the document. The CM/ECF User shall maintain the original, signed document, for subsequent production to the assigned judge if so ordered for inspection upon request by a party or the judge's own motion, until one year after final resolution of the action (including the appeal, if any).



**IX. Limitations on Remote Access to Social Security Appeals and Immigration Cases.**

In an action for benefits under the Social Security Act, and in an action or proceeding relating to an order of removal, to relief from removal, or to immigration benefits or detention, access to the entire electronic file is authorized to the parties and their attorneys.

Any other person may have electronic access to the full record at the courthouse, but may have remote electronic access only to the docket maintained by the Clerk; and an opinion, order, judgment, or other disposition of the assigned judge, but not any other part of the case file or the administrative record.

**X. Access to Rules.**

This General Order, as well as operational guidelines and instructions, shall be posted on the CM/ECF website and may be published in official legal newspapers in this district. Any amendments to CM/ECF procedures shall be similarly published.

Amendments to this order may be entered from time to time in keeping with the needs of the court.

Dated: February 7, 2008

