

NEXTGEN CM/ECF Version 1.5.3



**DOCUMENTATION FOR
ATTORNEYS AND
PRO SE FILERS**

April 2021

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1 Introduction

On April 12, 2021, U.S. District Court in the District of South Dakota is transitioning from CurrentGen CM/ECF to NextGen CM/ECF Version 1.5.3. This upgrade mainly relates to Central Sign-On. Central Sign-On allows all CM/ECF users to maintain one account across all courts. This document contains important information for attorneys and pro se filers about NextGen CM/ECF, including information about logging into NextGen CM/ECF. If you have issues accessing CM/ECF or further questions about NextGen CM/ECF, please contact the NextGen CM/ECF Helpline at 605-357-2482.

2 Internet Browsers

NextGen CM/ECF Release 1.5 was tested with Internet Explorer Version 11; Chrome, up to Version 72; Firefox/Mozilla, up to Version 66; and Safari, up to Version 10.1. If you're missing buttons or some CM/ECF features aren't working properly, please try switching to another browser. The issue may be in your browser settings.

3 Central Sign-On

In the past, attorneys and pro se filers were required to maintain a PACER account for accessing documents and information stored in CM/ECF and separate additional CM/ECF user accounts for e-filing documents in different federal courts. Central Sign-On allows all CM/ECF users to maintain one account to access case documents and other information stored in CM/ECF and electronically file documents in different federal courts, including appellate, district, and bankruptcy.

Central Sign-On requires attorneys and pro se filers who already have a CM/ECF user account in this court to link their CM/ECF user account to their individual upgraded PACER account. After the accounts are linked, attorneys and pro se filers will continue to electronically file documents in CM/ECF, but access to CM/ECF will be thorough PACER.

Central Sign-On can be used for attorney admissions, however, our district court is not utilizing Central Sign-On for that purpose at this time. Attorneys desiring admission to this court must

complete the [Application for Admission](#) form on the district court’s website located at www.sdd.uscourts.gov and return it to one of the addresses listed on the form.

Following are instructions for (1) linking accounts, (2) logging into CM/ECF in this court, and (3) accessing CM/ECF in other courts. Section 5 explains how attorneys appointed under the Criminal Justice Act (CJA) can “toggle” their PACER account from non-fee exempt status to fee exempt status.

3.1 Linking Accounts

If you already have a CM/ECF user account in this court, you must link your CM/ECF user account with your individual upgraded PACER account before you can electronically file documents.

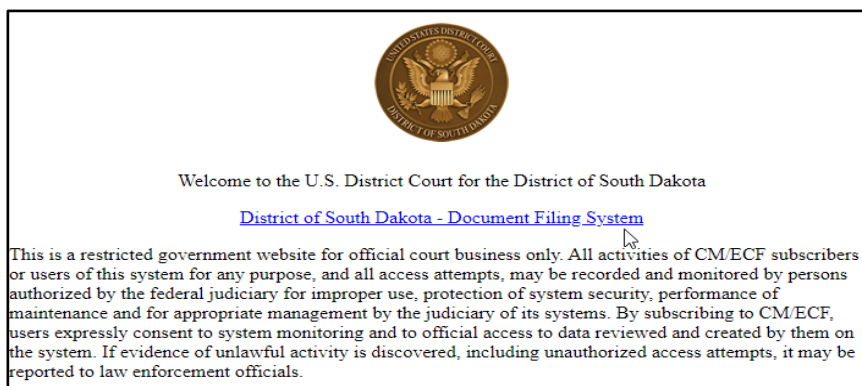
An attorney or pro se filer who does not already have a CM/ECF account in this court must go to the PACER website located at www.pacer.uscourts.gov and register for e-filing privileges. Anyone who is granted e-filing privileges in this fashion will not link accounts.

To link your accounts, do the following:

1. Click on the **E-Filing (CM/ECF)** link on the District of South Dakota’s website located at www.sdd.uscourts.gov.



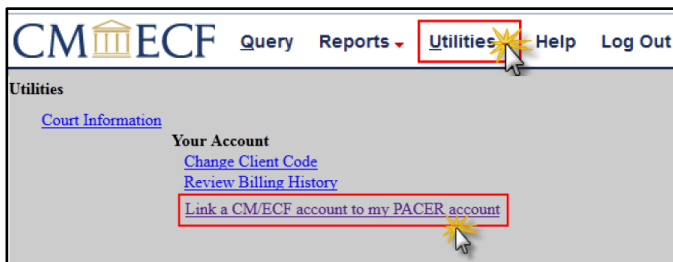
2. Click on the **District of South Dakota – Document Filing System** link on the Welcome screen for our court’s document filing system.



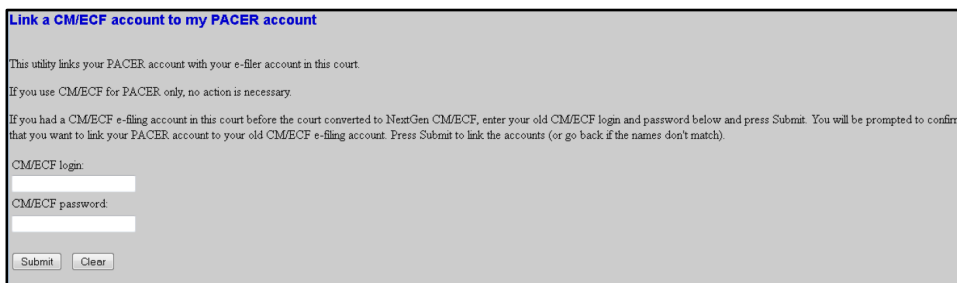
3. Log in with your upgraded individual **PACER** account username and password. Do not log in with a shared firm PACER account.



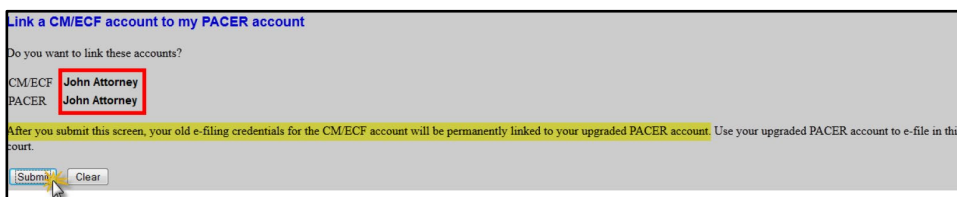
4. Click on **Utilities** and select **Link a CM/ECF account to my PACER account**.



5. Enter your case sensitive **CM/ECF** account login and password and click **Submit**.



6. Verify that your **CM/ECF account** and your individual **PACER account** as listed are correct. If they are, click **Submit** again.



7. You have now successfully linked your accounts. Refresh your screen (press F5 on your keyboard) to see the **Civil** and **Criminal** options for e-filing documents on the **blue** CM/ECF menu bar.

From now on you will use your PACER username and password to electronically file documents in this court. Your old CM/ECF login and password are no longer valid.

3.2 Logging into CM/ECF

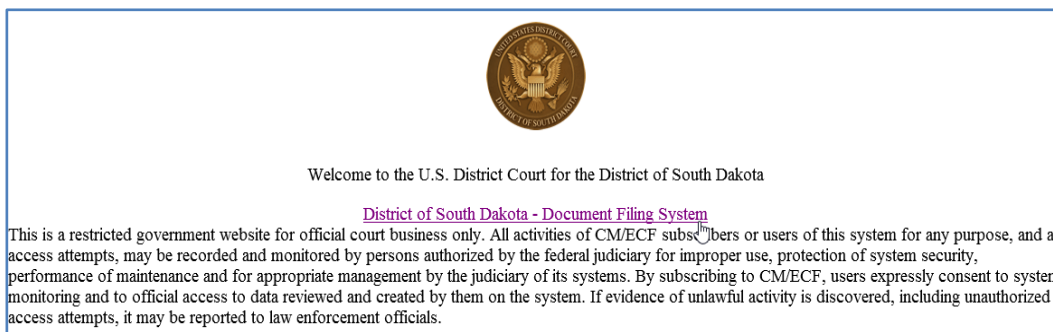
There are several ways to access NextGen CM/ECF.

1. Click on the **E-Filing (CM/ECF)** link on the District of South Dakota's website located at www.sdd.uscourts.gov.

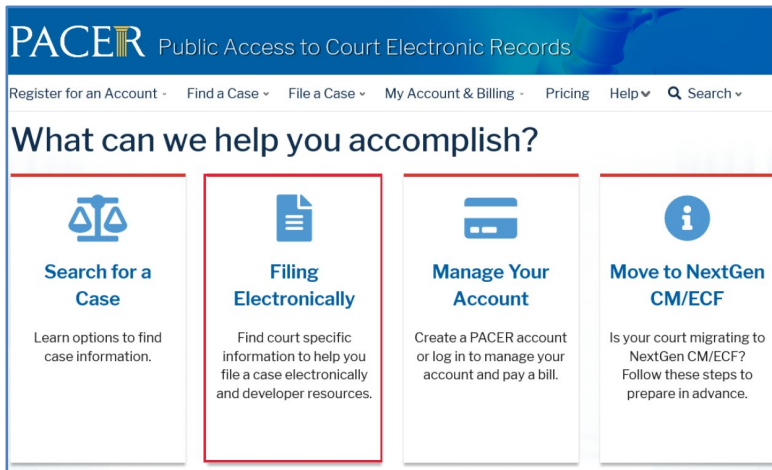


2. Click on your bookmark for the live **CM/ECF** database. Please note that eventually you will need will to update your bookmark to <https://pacer.uscourts.gov>.

Both these methods will take you to the district court's Welcome screen. Click on the **District of South Dakota – Document Filing System** link and you will be redirected to PACER where you must enter your PACER username and password to access CM/ECF.



Another method for accessing CM/ECF in our court involves going directly to the PACER website located at www.pacer.uscourts.gov and selecting **Filing Electronically → Court CM/ECF Lookup → South Dakota District Court → Login to CM/ECF** and entering your PACER username and password.

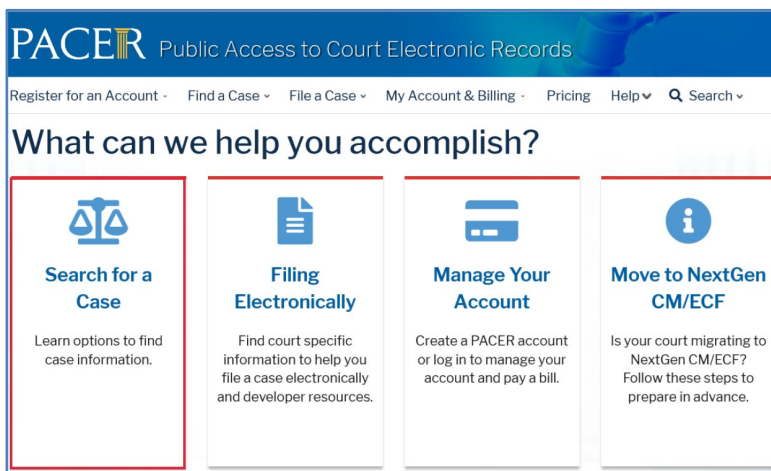


Once you are logged in, you will not notice any differences in the NextGen CM/ECF interface.

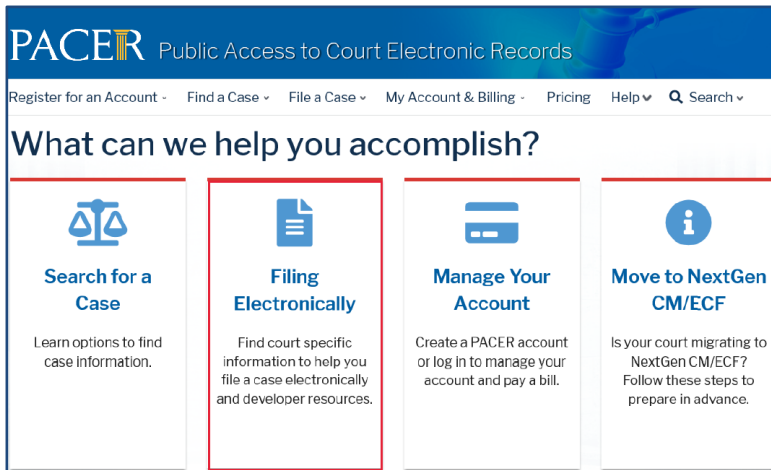
3.3 Accessing CM/ECF in Other Courts

The federal courts are all in the process of transitioning from CurrentGen CM/ECF to NextGen CM/ECF. You can easily access CM/ECF in other federal courts, regardless of whether the court has transitioned to NextGen CM/ECF yet or not.

To find case documents and other information in another court, go to the PACER website located at www.pacer.uscourts.gov, select **Search for a Case** → **Search by Specific Court**, enter your PACER username and password, and select the specific court.



To electronically file documents in another court where you are authorized to do so, go to the PACER website located at www.pacer.uscourts.gov, select **Filing Electronically** → **Court CM/ECF Lookup**, select the specific court, and enter your PACER username and password.



A Criminal Justice Act (CJA) attorney’s fee exemption status for viewing documents and information in PACER defaults to non-fee exempt status. Section 4 below discusses using the **Change PACER Exemption Status** utility in CM/ECF to “toggle” a PACER account from non-fee exempt status to exempt status and also discusses moving from one court to another.

4 Change PACER Exemption Status Utility

Attorneys appointed under the Criminal Justice Act (CJA) can use their PACER account to view case documents and other information stored in CM/ECF on a fee exempt basis when doing CJA-related work. Following are instructions for using the **Change PACER Exemption Status** utility in CM/ECF to switch back and forth or “toggle” between non-fee exempt status and fee exempt status. A CJA attorney’s fee exemption status defaults to non-fee exempt. Be advised that accessing case documents and other information stored in CM/ECF on a fee-exempt basis is closely monitored and inappropriate access will result in an attorney’s loss of PACER privileges.

To access case documents and other information stored in CM/ECF on a fee exempt basis, CJA attorneys should do the following:

- Activate CJA privileges for your PACER account
- Set your default PACER login in CM/ECF
- Utilize the **Change PACER Exemption Status** utility in CM/ECF

If you have not already activated CJA privileges for your PACER account, you can do so on the PACER website located at www.pacer.uscourts.gov under **Manage My Account**.

The following two sections include instructions for (1) setting your default PACER login in CM/ECF and (2) using the **Change PACER Exemption Status** utility and associated toggle to access case documents and other information stored in CM/ECF.

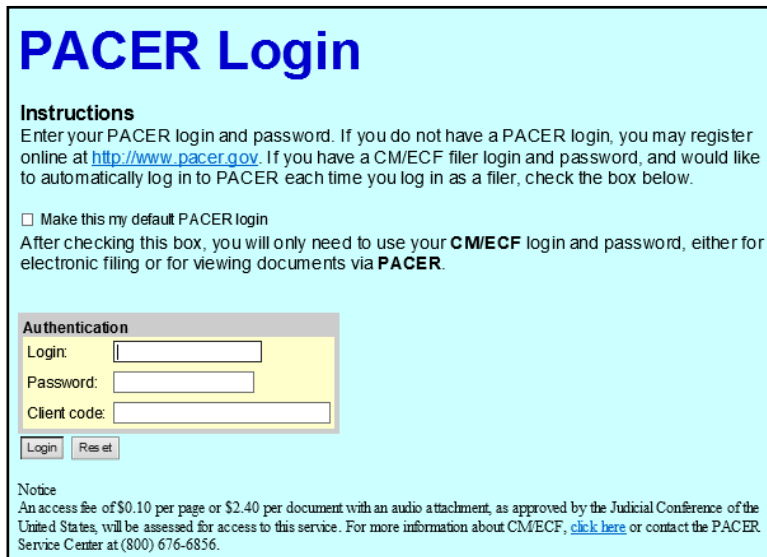
IMPORTANT: When a CJA attorney changes their status to fee exempt in one court, this status does not automatically follow them when they view case documents and other information stored in another court. Each time a CJA attorney doing CJA-related work views case documents or other information stored in a new court, they must reaffirm their exemption status.

4.1 Setting Your Default PACER Login

Setting your default PACER login is a requirement before you can use the **Change PACER Exemption Status** utility in CM/ECF.

To set your default PACER login in CM/ECF, do the following:

1. Log into CM/ECF as outlined above in Section 3.2 above.
2. Click on **Query** on the **blue** menu bar so the following **PACER Login** screen appears:



PACER Login

Instructions
Enter your PACER login and password. If you do not have a PACER login, you may register online at <http://www.pacer.gov>. If you have a CM/ECF filer login and password, and would like to automatically log in to PACER each time you log in as a filer, check the box below.

Make this my default PACER login
After checking this box, you will only need to use your **CM/ECF** login and password, either for electronic filing or for viewing documents via **PACER**.

Authentication

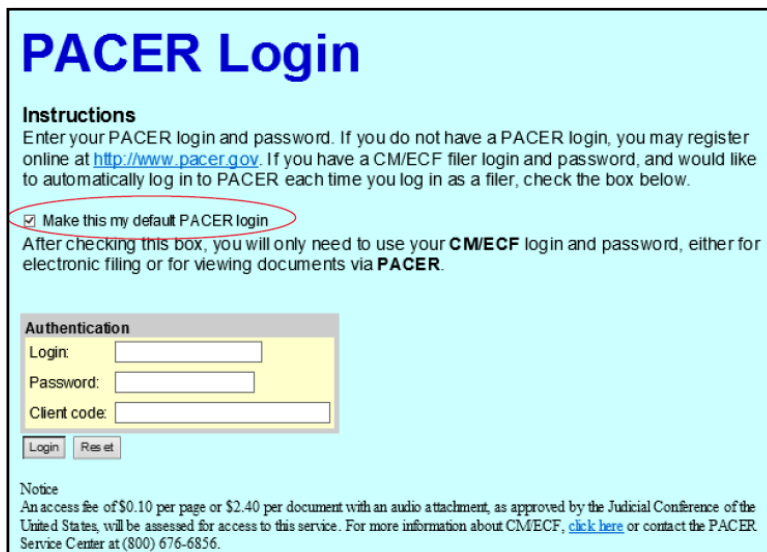
Login:

Password:

Client code:

Notice
An access fee of \$0.10 per page or \$2.40 per document with an audio attachment, as approved by the Judicial Conference of the United States, will be assessed for access to this service. For more information about CM/ECF, [click here](#) or contact the PACER Service Center at (800) 676-6856.

3. Check the **Make this my default PACER login** box on this screen, enter the username and password (and client code if desired) for your PACER account, and click the **Login** button.



PACER Login

Instructions
Enter your PACER login and password. If you do not have a PACER login, you may register online at <http://www.pacer.gov>. If you have a CM/ECF filer login and password, and would like to automatically log in to PACER each time you log in as a filer, check the box below.

Make this my default PACER login
After checking this box, you will only need to use your **CM/ECF** login and password, either for electronic filing or for viewing documents via **PACER**.

Authentication

Login:

Password:

Client code:

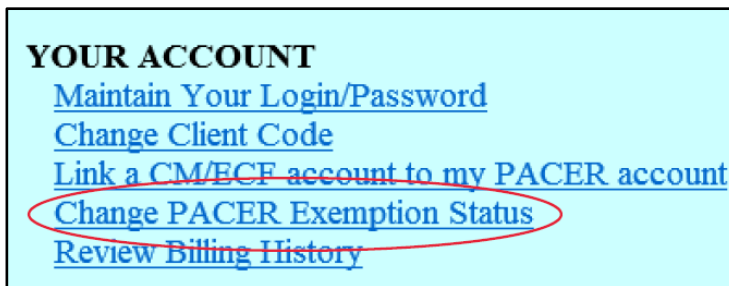
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Your default PACER login is now set in CM/ECF.

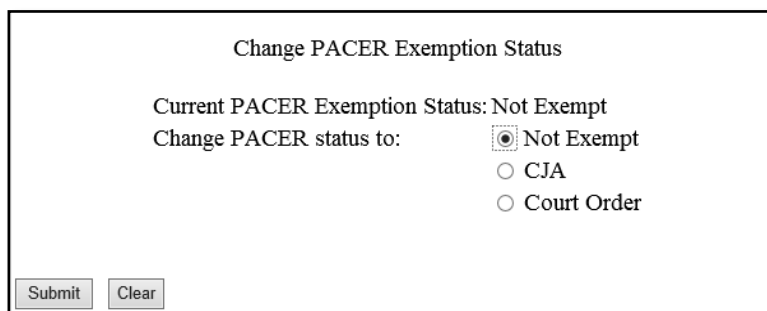
4.2 Using the Change PACER Exemption Status Utility and Toggle

Before continuing, you must set your default PACER login as outlined above in Section 4.1 above. To use the **Change PACER Exemption Status** utility, do the following:

1. Log into CM/ECF as outlined above in Section 3.2 above.
2. Click on **Utilities** on the **blue** menu bar and select the **Change PACER Exemption Status** utility located under **YOUR ACCOUNT**.



3. The **Change PACER Exemption Status** utility will redirect you to the national Change PACER Exemption Status toggle interface where the following **Change PACER Exemption Status** screen appears. Your current PACER fee exemption status is reflected on this screen. You can switch back and forth or “toggle” between non-fee exempt status and fee exempt status by clicking the **CJA** radio button or the **Not Exempt** radio button and then clicking **Submit**.



A screenshot of the 'Change PACER Exemption Status' form. The form displays 'Current PACER Exemption Status: Not Exempt'. Below this, it asks 'Change PACER status to:' with three radio button options: 'Not Exempt' (which is selected), 'CJA', and 'Court Order'. At the bottom of the form are two buttons: 'Submit' and 'Clear'.

When you are returned to the main **Query** screen, you will see a **red** visual indicator at the bottom of the screen reflecting your current PACER fee status.

Query

WARNING: Search results from this screen are NOT subject to the 30 page limit on PACER charges. Please be as specific as possible with your search criteria.

Search Clues [Mobile Query](#)

Case Number

or search by

Case Status: Open Closed All

Filed Date to

Last Entry Date to

Nature of Suit
 110 (Contract: Insurance)
 120 (Contract: Marine)
 130 (Contract: Miller Act)

Cause of Action
 02:0431 (02:431 Fed. Election Commission: Failure Enforce C)
 02:0437 (02:437 Federal Election Commission)
 05:0075 (05:75(2) Contract - Reduction in Grade)

Last Business Name Exact matches only

First Name Middle Name

Type

PACER fee: Exempt CJA [Change](#)

Query

WARNING: Search results from this screen are NOT subject to the 30 page limit on PACER charges. Please be as specific as possible with your search criteria.

Search Clues [Mobile Query](#)

Case Number

or search by

Case Status: Open Closed All

Filed Date to

Last Entry Date to

Nature of Suit
 110 (Contract: Insurance)
 120 (Contract: Marine)
 130 (Contract: Miller Act)

Cause of Action
 02:0431 (02:431 Fed. Election Commission: Failure Enforce C)
 02:0437 (02:437 Federal Election Commission)
 05:0075 (05:75(2) Contract - Reduction in Grade)

Last Business Name Exact matches only

First Name Middle Name

Type

PACER fee: Not Exempt [Change](#)

This **red** visual indicator also appears on the **Selection Criteria** page for applicable reports and on screens prior to viewing PDFs from document hyperlinks.

- The [Change](#) link associated with the **red** visual indicator allows you to easily change your PACER fee exemption status. Clicking on the [Change](#) link will route you to the **Change PACER Exemption Status** screen where you can toggle between fee exempt (CJA) status and Not Exempt status. After you click **Submit**, the **red** visual indicator will be updated to reflect your new PACER fee exemption status.

5 Other CM/ECF Utility Changes

Attorneys and pro se filers will no longer use a CM/ECF login and password to access CM/ECF. Instead, you will use a PACER Service Center (PACER) login and password to access CM/ECF. The ability to manage your password via the **Maintain Password** utility in CM/ECF has been replaced with the **Maintain Your Login/Password** utility.

Attorneys and pro se filers should no longer contact our district court directly for login and password assistance. When assistance is needed, click on the new **Maintain Your Login/Password** utility in CM/ECF. You will be redirected to the **Manage My Account** utility in PACER where you must use the available **Forgot Your Password?** functionality to reset your password or the **Forgot Username?** functionality to retrieve your username.

Attorneys with e-filing privileges and pro se filers should make changes to their contact information at the national level using the **PACER Manage My Account** utility in PACER. The changes will filter down to our local court. Attorneys are also able to click on the **Edit Name and Address Information** link in the **Maintain Your Account** utility in CM/ECF to make changes to their contact information at the national level. Again, the changes will filter down to our court. Please note that attorneys admitted pro hac vice do not have e-filing privileges in our court and must still contact our court directly to update their contact information in CM/ECF.

6 Free Look at a Document from an NEF

Some attorneys and pro se filers with virus scanning software included with their email software have had issues where the virus scanning software accesses hyperlinks included in Notice of Electronic Filing (NEF) emails, thereby utilizing the recipient's "one free look" when they receive the NEFs. A "free look usage verification" option has been added to the NextGen CM/ECF software application, as described below. This change allows users experiencing this issue to prevent the problem in the future.

Attorneys and pro se filers who log into NextGen CM/ECF can click on **Utilities** on the **blue** menu bar, select **Maintain Your Account** or **Maintain Your Email** located under **YOUR ACCOUNT**, and select either their primary email address or a secondary email address on their account. In so doing, you will see the following new **Verify free look when viewing NEF documents** configuration option.

The screenshot shows the 'Email Information for Adam Smith' configuration page in CM/ECF. The page has a yellow background and a navigation bar at the top with links like 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', 'Search', 'Help', 'What's New', and 'Log Out (SysadminDD Gilger)'. The main content is divided into two columns. The left column, titled 'Registered e-mail addresses', shows the primary email address 'testing_users@gmail.com' and two secondary email addresses: 'smceftester-default@gmail.com' and 'add_new_e-mail_address'. The right column, titled 'Configuration options', contains several settings: a text input for the email address (filled with 'testing_users@gmail.com'), a radio button for 'Should this e-mail address receive notices?' (set to 'Yes'), a radio button for 'Verify free look use when viewing NEF documents?' (set to 'Yes'), radio buttons for 'How should notices be sent to this e-mail address?' (set to 'Per Filing') and 'Summary Report', radio buttons for 'In what format should notices be sent to this e-mail address?' (set to 'HTML') and 'Text', and a radio button for 'Should this e-mail address receive general announcement notices from this court?' (set to 'Yes'). Below these are 'Case-specific options' with two dropdown menus and buttons to 'Remove selected cases' and 'Change selected cases to notice as a summary report' or 'per filing'. At the bottom, there is a button 'Show all cases for this e-mail address' with a note '(Copy case lists from here)'.

By selecting “Yes,” the NextGen CM/ECF software application will confirm the free look usage before providing the document and consuming the “one free look” option. The following free look usage prompt will display:

“This action will use your one free look for this document. Additional viewings of this document in the future will incur a billing charge.”

At the prompt, you can either select **Continue** to use the one free look or **Cancel**. Selecting **Continue** will trigger viewing of the document and will use the one free look. The **Cancel** hyperlink will send you to the default menu page and NOT use your “one free look.” In the event that the document being viewed is a restricted document, the NextGen CM/ECF software application will generate a warning alerting you to the access limitations and the free look usage prompt (if applicable and you have opted for the prompt) will also display.

When not configured, the software application’s behavior will remain the same. Attorneys and pro se filers will not be prompted for free look verification.

7 Known Pay.gov Issue

The very first Pay.gov payment made by an attorney or a pro se filer after our court’s transition to NextGen CMECF Release 1.5 may not appear in their **Internet Payment History Report**. Please contact Sandie Thielen or Sarah Connell in the Clerk’s Office if this is an issue for you.