

United States District Court District of South Dakota

Office of the Clerk
Room 128, Federal Building & U.S. Courthouse
400 South Phillips Avenue
Sioux Falls, South Dakota 57104

Matthew W. Thelen
Clerk of Court

Telephone
605.330.6600

POLICIES ON ELECTRONIC FILING AND SERVICE

The United States District Court for the District of South Dakota utilizes an electronic filing system called Case Management/Electronic Case Files (CM/ECF) to store electronic civil and criminal case files. CM/ECF is available 24 hours a day, seven days a week to public users.

With some exceptions, attorneys are required to electronically file (e-file) their documents in CM/ECF. Unlike attorneys, however, persons not represented by counsel (pro se parties), must receive permission from the court before they may e-file documents in their cases.

CM/ECF may be used for service. In most instances, when documents are filed in CM/ECF, the system transmits e-mail notification of the filing to case participants.

1. Electronic Filing

A. Mandatory

Local counsel must e-file documents in their court cases, unless nonelectronic filing is allowed by the court consistent with Rule 5(d)(3) of the Federal Rules of Civil Procedure and Rule 49(b)(3) of the Federal Rules of Criminal Procedure.

Attorneys admitted pro hac vice cannot file documents. All case documents must be signed and filed by local counsel. D.S.D. Civ. LR 83.2(E) and D.S.D. Crim. LR 44.1(E).

B. Permissive

Pro se parties may request to e-file documents in their cases. The court may grant such requests on a case-by-case basis.

2. Electronic Service

Fed. R. Civ. P. 5(b)(2)(E) and Fed. R. Crim. P. 49(a)(3) allow service of documents through the court's transmission facilities on registered users.

For purposes of electronic service *only*, attorneys admitted pro hac vice and pro se parties who have requested electronic notification are registered users.

For more information about electronic filing and service, see the [CM/ECF User Manual and Administrative Procedures](#) located on the district court's website.