

## NEWS FROM U.S. DISTRICT COURT

April 13, 2018

**FILING UNOPPOSED MOTIONS:** When possible, it's good practice to file an unopposed motion rather than a joint motion in CM/ECF. This way you don't have to worry about obtaining opposing counsel's ink signature on the document or scanning the document to PDF. In addition, when a motion is unopposed, the Court doesn't have to wait to rule. Normally, the Court must give opposing counsel an opportunity to object to the motion by waiting the prescribed period of time outlined in D.S.D. Civ. LR 47.1(C) or D.S.D. Crim. LR 7.1(B) before ruling on a motion.

When preparing an unopposed motion, be sure to indicate the motion is unopposed in both the body and the caption. You should also include the word "unopposed" in the docket text when electronically filing the motion. If the word "unopposed" is included in the docket text, the Court can immediately identify the motion as unopposed and rule on it. To include the word "unopposed" in your docket text, select it from the drop-down list of modifiers available in CM/ECF on the Docket Text Modification screen. Be sure to confirm the word "unopposed" is included in the docket text on the Final Docket Text screen before you finish e-filing.

**COURT FACILITIES:** From time to time the Clerk's Office receives inquiries about using court facilities for depositions and other out-of-court appearances. Although we are sometimes able to assist other courts with court hearings when a witness residing in our district wishes to appear by video, we are not able to assist with depositions and other out-of-court appearances.

**CM/ECF FILING TIP OF THE MONTH:** Documents electronically filed in CM/ECF should have optical character recognition (OCR) functionality. OCR functionality is desirable because documents with OCR functionality can easily be searched for words and phrases and sections of the document can be highlighted and/or copied. To determine if a PDF document has OCR functionality before it is e-filed in CM/ECF, follow these steps while in Adobe Acrobat. (These steps may vary depending on your version of Adobe Acrobat.)

- Open the PDF document
- Hold down the Ctrl + F keys so the Find dialog box opens
- In the Find dialog box, enter a known word or phrase in the document
- Click on Next in the Find dialog box
- If the word or phrase is highlighted in the document, the document has OCR functionality. If the word or phrase is not highlighted, the document does NOT have OCR functionality

Documents converted to PDF normally have OCR functionality, but documents scanned to PDF may not. For help scanning a document to PDF so that it has OCR functionality go to the "How to Scan a Document to PDF so it has OCR Functionality" section of the CM/ECF User Manual.