

## **NEWS FROM U.S. DISTRICT COURT**

### **July 18, 2016**

**NEW CM/ECF CIVIL EVENT:** Last December, Rule 84 of the Federal Rules of Civil Procedure was abrogated (repealed) together with the related Appendix of Forms. As a result, the court will no longer issue an Order for Form 52 Report and Scheduling Information in a civil case. Instead, the court may issue an Order for Discovery Report or an Order for Discovery and Scheduling Information. In response to either of these orders, attorneys should electronically file a Discovery Report using the new Discovery Report event in CM/ECF located under Civil → Other Filings → Discovery Documents. The previous Form 52 Report event has been removed from CM/ECF.

**NEW CM/ECF CRIMINAL EVENT:** The new criminal Restitution Related Document event allows attorneys to electronically file documents related to restitution and sentencing. This event includes new functionality which allows documents filed using this event to either be sealed or unsealed. During filing, attorneys will be asked the following question, “Should this document be sealed because it contains unredacted personal data identifiers or because it contains confidential information derived from a Presentence Report?” Personal data identifiers include Social Security numbers, names of minor children, dates of birth, financial account numbers, and home addresses in criminal cases. If an attorney answers yes to this question, the document will be sealed. On the other hand, if an attorney answers no, the document will not be sealed. This new functionality which allows documents to either be sealed or unsealed by attorneys during filing will eventually be added to other CM/ECF events.

**EX PARTE CM/ECF EVENTS:** When an attorney files any civil or criminal ex parte motion, he or she can also file a separate ex parte memorandum using the Ex Parte Memorandum in Support of Motion event and/or a separate ex parte affidavit using the Ex Parte Affidavit in Support of Motion event. Remember, whenever an ex parte document is electronically filed in CM/ECF, only court staff and the attorney who filed the document will receive electronic notice of the document. In addition, no entry for the ex parte document will ever appear on the public docket sheet. An ex parte document is only visible on a docket sheet in PACER to the attorney who filed it and to court staff, including chambers’ office staff, Clerk’s Office staff, and Probation Office staff.