

NEWS FROM U.S. DISTRICT COURT

February 12, 2021

NextGen CM/ECF is Coming April 12: As we've been telling you for some time, the U.S. District Court for the District of South Dakota is transitioning from CurrentGen CM/ECF to NextGen CM/ECF, the latest iteration of its Case Management/Electronic Case Files (CM/ECF) software system.

NextGen will impact how attorneys and pro se filers access CM/ECF to electronically file documents in this district court. Our go-live date for NextGen is **April 12, 2021**. On that date, attorneys and pro se filers will no longer be able to log into their CM/ECF accounts to electronically file documents and access restricted documents as they currently do. Instead, attorneys and pro se filers will log in through the PACER Service Center website, utilizing Central Sign-On. For more information about NextGen and Central Sign-On, please see the [January 2020 Attorney Newsletter](#).

To continue to electronically file documents in this district court after April 11, attorneys and pro se filers must take the following action as soon as possible, but no later than March 31, 2021.

1. Verify you have an upgraded individual PACER account.

Go to www.pacer.gov to verify you have an upgraded account. Go to **Manage Your Account** and select **Manage My Account Login**. Click on **Log in to Manage My Account** and enter your PACER username and password. If your Account Type is still listed as a **Legacy PACER Account**, click the [Upgrade](#) link.

Firm accounts will no longer be allowed. If you don't have an individual PACER account you must go to www.pacer.gov and register for one. Click on **Manage Your Account** and select **Register for an Account**.

Firms can set up a PACER Administrative Account (PAA) to manage and pay access fees associated with multiple individual PACER accounts through the PACER Service Center by clicking [here](#).

2. Ensure you know your current case sensitive CM/ECF login and password.

Click [here](#) to log into CM/ECF using your current CM/ECF login and password for electronically filing documents in this district court. When you are logged in you should see the **Civil** and **Criminal** options on the blue menu bar. If you do not see these options, you are not logged into CM/ECF. Please call the NextGen Helpline at 605-357-2482 if

you do not know your current CM/ECF login and/or password or you have trouble logging into CM/ECF.

3. Ensure you know your case sensitive PACER username and password.

Click [here](#) to log into PACER using your username and password. If necessary, click [here](#) to retrieve your PACER username or [here](#) to retrieve your PACER password.

COVID Update: On January 7, 2021, Chief Judge Lange entered [Standing Order 21-01](#), which resumes jury trials effective January 25. A judge can still continue trials in a particular division, however, if the judge is convinced there is an inability to safely call and retain an adequate cross-section of jurors due to COVID-19. In this situation, the judge can make a finding that the ends of justice served by continuing criminal jury trials outweigh the best interest of the public and any defendant's right to a speedy trial.

Adjusted Criminal Justice Act Rates: Last month we told you about new Criminal Justice Act (CJA) rates that were included in the Consolidated Appropriations Act of 2021. Those rates have since been revised upward. The non-capital hourly rate for attorneys is now \$155; the capital hourly rate for attorneys is \$197. The case compensation maximum in non-capital cases is now \$12,100.

The case compensation maximum for investigative, expert, and other services in non-capital cases also increased. The new case compensation maximum amount with prior authorization is \$2,700 for each individual service provider. The case compensation maximum amount without prior authorization remains \$900.

The new rates apply to services performed on or after January 1, 2021.