



NEWS FROM U.S. DISTRICT COURT

August 12, 2022

Changes coming to NextGen CM/ECF. On September 10, the Court will implement NextGen CM/ECF Release 1.6. This upgrade is designed to make CM/ECF more secure. It includes new PDF Check and PDF Merge functionality which will have an impact on the user's ability to upload and view PDF documents.

The PDF Check is used to evaluate PDFs as they are uploaded for filing in CM/ECF to ensure they meet system validity and security requirements. This service scans all files and checks the file size and file type before allowing the documents to be filed into a specific case.

1. PDFs with the following content will be rejected:
 - Does not comply with PDF format standards
 - Contains JavaScript
 - Is encrypted or password-protected
 - Contains scripts which can launch an external application
 - Contains internal attachments
 - Contains audio or video content
 - Created with Mac OS X using a fillable form in the Safari browser
 - Created with Mac OS X using MS Word and selecting the option "Best for printing"
2. PDFs with the following content will be accepted:
 - Contains editable forms
 - Contains non-restricted hyperlinks to external web sites (see Civ. LR 5.1 E and Crim. LR 49.1 E)
 - Meets the PDF-A standard
 - Contains optical character recognition (OCR) meta-data
 - Comprised of scanned documents
 - Created with Mac OS X using a fillable form in the Chrome browser

- Created with Mac OS X using MS Word and selecting the option “Best for Electronic Distribution”

If you try to upload a PDF with any of the prohibited content listed above, it will be rejected. The simplest way to address most PDF upload rejections is to flatten the PDF and then upload it into CM/ECF. The PACER website includes instructions on how to flatten a PDF

<https://pacer.uscourts.gov/file-case/developer-resources/cmecf-release-notes/pdf-related-functionality-public-filers-nextgen> and other related information <https://pacer.uscourts.gov/file-case/developer-resources/cmecf-release-notes/nextgen-release-16-0>.

Tip of the Month – Preparing Summonses. If you practice in state and federal court, preparing summonses can be confusing since the time to respond differs. A fail-safe way to get it right, is to use an [AO 440 form](#). This form and others are available on our website. When issuing a summons, be sure it is directed to the defendant(s) named in the lawsuit (not their attorneys) and includes a **physical** address for service. Pursuant to Rule 4, in order for service of process to be affected, the named defendant(s) must either be personally served; the documents left at the defendant(s) physical address with someone over the age of 18 who resides at that address; or, if serving an organization, corporation, etc., by leaving the documents with someone designated by law to accept service on that organization’s behalf.