

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA

CMECF ADMINISTRATIVE GUIDE

INTRODUCTION

The following policies and procedures govern electronic filing in this District unless, due to circumstances in a particular case, the assigned judge determines that these policies and procedures should be modified.

CHANGE OF CONTACT INFORMATION

Electronic Filers are required to maintain and update their personal contact information in CM/ECF through their PACER account.

PRO SE FILERS

Pro Se. As a matter of routine practice, approved litigants proceeding pro se will not be authorized to file electronically. If the Court permits, a pro se party may register as a CM/ECF User solely for purposes of the action. If, during the course of the action, the party retains an attorney who appears on the party's behalf, the attorney must advise the Clerk to terminate the party's registration as a CM/ECF User upon the attorney's appearance.

EMAIL FILING

Local Rule LGnR2-3 Email Filings allows pro se parties representing themselves to submit documents by email for filing. Procedures for Pro Se email filings are located on our Public Website at the following [link](#).

CONVENTIONAL FILING OF DOCUMENTS

- A) The Court still requires some types of documents to be filed conventionally (in paper). The Court will keep the paper copy of any imaged document that was filed conventionally for a short period of time to ensure the scanned image is legible.
- B) The following documents are typically filed conventionally and then scanned by the Court:
 - 1) Initiating documents in criminal and magistrate cases.
 - 2) Documents filed by pro se litigants and other non-CM/ECF Users.
 - 3) Documents filed in sealed cases (no public access to the case or the documents).
 - 4) Other filings approved by the assigned judge to be filed conventionally.
- C) The following documents are typically filed conventionally, not imaged, but maintained in paper format by the Court:
 - 1) Original state court records and transcripts in capital (death penalty) habeas matters.
 - 2) Items that cannot be converted to Portable Document Format (PDF) (e.g., video tapes, CDs, DVDs, blueprints, etc.)

TITLES OF DOCUMENTS

- A) To the extent possible when creating a document to be filed, the party should use the correct title that matches one of the CM/ECF event titles prescribed by the Court. The CM/ECF event categories and titles are contained in the [CM/ECF Event Lists](#), which can be found on the court's website.
- B) Do not file a document that contains multiple CM/ECF events (e.g., Answer and Counterclaim, Motion and Response, Witness and Exhibit List, etc.). Each event should be filed as a separate document. You may file a document using an event that has multiple parts, such as multiple motions, multiple responses, etc.

PROPOSED DOCUMENTS

The term "proposed documents" in this section includes proposed orders, proposed judgments, and proposed documents to be issued by the Court.

- A.) All proposed documents shall be emailed to the Court Clerk via the designated mailbox at CM-ECFIntake_OKND@oknd.uscourts.gov or through CM/ECF using the Civil or Criminal Proposed Order feature. Do not file proposed documents as an attachment to a document.
- B.) All proposed documents must refer to the docket number of the motion, if applicable.
- C.) All proposed documents shall be in a format compatible with Microsoft Word, which is a "Save As" option in most word processing software. Proposed orders in PDF will not be accepted.

REDACTIONS

As stated in LCvR5.2-1 the responsibility for redacting personal data identifiers rests solely with counsel and the parties. The clerk will not review each pleading for compliance with the rule. Additional information regarding redacting can be found on the court's website.

FILING ERRORS

- A) Once a document is submitted and becomes part of the case, the CM/ECF system will not permit the e-filer to change the document or the docket entry.
- B) E-filers should make every effort to ensure that they do not file a document other than the one intended to be filed, that it is filed in the correct case, and that it does not contain information that should have been redacted or filed under seal.
- C) The Clerk's Office should be immediately notified of any mistakes by telephone at 918-699-4844 or by email at CM-ECFIntake_OKND@oknd.uscourts.gov. The notifier should provide the Clerk's Office with the case number, docket number, and a description of the erroneous entry. The e-filer may file a motion to withdraw, but should not file a replacement document unless directed to do so.

REFUNDS OF ELECTRONICALLY FILING FEES

- A) Background. The Judicial Conference generally prohibits refunds of fees due upon filing even if a party filed the case in error or the court dismissed the case or proceeding. This policy remains in effect. However, the Judicial Conference allows limited refund authority related specifically to electronic payments and has provided guidance to the courts in addressing such errors.
- B) The authority to approve a refund has been delegated by the Court to the Court Clerk. The Court will refund a fee paid electronically by a CM/ECF User when the CM/ECF User has used CM/ECF to pay by credit card or Automated Clearing House (ACH) payment and the fee was paid erroneously in the following situations:
 - 1) A fee payment was erroneously submitted two or more times related to the submission of a single document.
 - 2) A fee was paid when no fee was due (i.e., when no document was attached to a submission, or the submission did not require payment of a fee).
- C) Requests for refunds should be made as follows:
 - 1) Requests for a refund of a credit card payment should be made to the U.S.D.C. Court Clerk in letter form.
 - 2) Requests for a refund of an ACH payment should be made by filing a motion in CM/ECF using the civil or criminal motion event "Refund of Fees Paid Electronically."
- D) Credit Card refunds will only be issued to the credit card that was originally charged.
- E) If a CM/ECF User makes an erroneous filing for which a fee payment was submitted, but the fee has not yet been fully processed, the Court may correct the erroneous filing administratively and void the payment without the need to file a motion.
- F) If a CM/ECF User or CM/ECF Users from the same firm continue to make repeated mistakes when submitting fees electronically, the Court may consider remedial action, such as issuing an order to show cause why further requests for refunds should be considered.

FILING NEW ACTIONS

- A) Attorneys may choose to file new cases electronically by following the appropriate event filing instructions which are located on the Court's website. To access the instructions, go to www.oknd.uscourts.gov > CM/ECF Information tab > Filing Instructions – Civil. New case instructions are listed under the Initial Type Documents category.
- B) After receiving a party's new case email containing the appropriate new case documents, the Clerk's Office will set up a case shell which includes assignment of a case number and a judge. The Clerk's Office will attempt to set up the case shell by the end of the following business day. After such setup, an email will be sent by the Clerk's Office to the original email sender who shall file the new case documents within three (3) business days and electronically pay any appropriate filing fee using CM/ECF.

- C) The official file date for the case and the new case documents will be the date on which your new case documents are e-filed by you into CM/ECF in the case and NOT on the date which the new case documents were emailed to the Clerk’s Office or on the date that the case shell was set up.
- D) If the case is resolved during the filing process for any reason, the party must still complete the filing process, pay any filing fee due, and may dismiss the case immediately thereafter. If the party fails to file the new case documents within three (3) business days, the Clerk shall file the documents and notify the party of any filing fee that is due. In all instances, the filing date will be the actual date the new case documents are e-filed into CM/ECF.
- E) If the case is later re-filed for any reason and assigned a new case number, the filing party shall file a notice of related case advising of the earlier filing and dismissal.
- F) These policies are implemented to maintain the integrity of random case assignment and to enhance compliance with judiciary auditing procedures.
- G) If you have a statute of limitations issue/problem with this case, contact our CM/ECF Help Desk at 918-699-4844 or toll free at 866-213-1957 during regular business hours (8:30 a.m. - 4:30 p.m., Monday - Friday).

SUPPORT

- A) For technical problems you should first contact the Pacer Service Center at 800-676-6856.
- B) If the Pacer Service Center is unable to provide the information needed, contact the Clerk’s Office CM/ECF help desk line at 918-699-4844 or toll free at 866-213-1957 during regular business hours.

REVISION HISTORY

DATE:	REVISIONS:
03/17/2021	Added section on Pro Se Email Filing
01/27/2020	Simplified Guide, removing items now covered under local rule or mute.