

Summary of Changes to Administrative Procedures, June 2004

Addition to Section 1.c(iii), Registration

The login and password issued to an individual attorney may be used only to file documents on behalf of that attorney.

Addition to Section 2(a)(iii), Filing

Courtesy copies of certain documents may be required. Filers should refer to the "Who Wants Paper" matrix published on the Court's website, www.nywd.uscourts.gov.

Addition to Section 2.o (I) (3), Conventional Filing of Documents

Magistrate Judge Consents. Pursuant to Fed.R.Civ.P. 73(b), parties' filings of consent to jurisdiction by United States Magistrate Judge will continue to be treated as non-public documents until all parties have consented. Therefore, parties must file their consent forms in paper (either mailed or delivered to the Clerk's Office), because electronic filing of a Magistrate Judge consent form will create a public document. If all parties consent to the jurisdiction of the Magistrate Judge, the Clerk will scan all consent forms which will then become public documents.

Addition to Section 3(b), Internet Access

Parties' initial access to a document filed electronically is free of charge. Parties are encouraged to download or print the filed document when it is initially accessed via the Notice of Electronic Filing generated by the System. If parties remotely access the document again, they will be charged a fee of seven cents per page, up to a maximum of \$2.10 per document. Each attachment in CM/ECF is considered a separate document. Therefore the cap will apply separately to each attachment over 30 pages.

Attorney Signatures (Section 2(g)(iii) of Administrative Procedures Guide)

Former Language	New Language
<p>A pleading or other document requiring an attorney's signature must include a signature block and must set forth the name, address, telephone number, and e-mail address of the attorney, and shall be signed in the following manner, whether filed electronically or submitted on disk to the Clerk's Office: "s/(attorney name)."</p>	<p>A pleading requiring an attorney's signature must include a signature block in the following format:</p> <p style="text-align: center;">s/attorney's typed name Attorney for [plaintiff/defendant] Firm Name Address Telephone Number Email Address</p> <p>For certificates of service, affidavits, affirmations and declarations only, the signature block may be in the following format:</p> <p style="text-align: center;">s/attorney's typed name</p>

Sealed Documents (Section 2(o)(I)(1) of Administrative Procedures Guide)

Former Language	New Language
<p>Documents ordered to be placed under seal must be filed conventionally and not electronically unless specifically authorized by the court. A motion to file documents under seal may be filed electronically unless prohibited by law. Except as otherwise provided herein, a party wishing a document to be filed under seal must file, electronically, a motion or application to file documents under seal. If the motion or application is granted, the assigned judge will enter an order authorizing the filing of the documents under seal. The order of the court authorizing the filing of documents under seal may be filed electronically unless prohibited by law. A paper copy of the order must be attached to the documents under seal, and the Filing Party shall then deliver the documents to the Clerk's Office for conventional filing under seal. The party filing a sealed document shall file electronically a notice of manual filing.</p>	<p>Documents ordered to be placed under seal must be filed conventionally and not electronically unless specifically authorized by the court. Except as otherwise provided herein, a party wishing a document to be filed under seal shall submit a paper motion to seal, along with the paper document to be sealed in a sealing envelope, and deliver same directly to chambers. If approved, the Judge will sign the sealing envelope and both the motion and the sealed document will be maintained in the envelope. The documents shall then be delivered to the Clerk's Office for conventional filing under seal. If the motion is denied, the documents will be returned to the attorney.</p>

Stipulations (Section 2(g)(iv))

Former Language	New Language
<p>The following procedure applies when a stipulation or other document requires two or more signatures:</p> <p>The filing party or attorney shall initially confirm that the content of the document is acceptable to all persons required to sign the document and shall obtain the signatures of all parties on the document.</p> <p>The filing party or attorney then shall file the document electronically indicating the signatories, e.g., “s/Jane Doe,” “s/John Smith,” etc.</p> <p>A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves must file an objection to the document within ten days of receiving the Notice of Electronic Filing.</p> <p>Originals of all documents containing signatures must be retained by the filing party and made available, upon request, to the Court and other parties for a period of five years following the expiration of all time periods for appeals.</p>	<p>For all judges except Judge Elfvin, the following procedure applies when a stipulation or other document requires two or more signatures:</p> <p>The filing party or attorney shall initially confirm that the content of the document is acceptable to all persons required to sign the document and shall obtain the signatures of all parties on the document.</p> <p>The filing party or attorney then shall file the document electronically indicating the signatories, e.g., “s/Jane Doe,” “s/John Smith,” etc.</p> <p>A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signatures or the authenticity of the signatures themselves must file an objection to the document within ten days of receiving the Notice of Electronic Filing.</p> <p>Originals of all documents containing signatures must be retained by the filing party and made available, upon request, to the Court and other parties for a period of five years following the expiration of all time periods for appeals.</p> <p>Judge Elfvin requires, <u>for stipulations only</u>, that the original document with the signatures be scanned and emailed to his proposed order mailbox, or the original document with the signatures be submitted on paper.</p>