

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

**GENERAL ORDER
(Electronic Filing Procedures)**

[Federal Rule of Civil Procedure \(F.R.C.P.\) 5\(e\)](#) authorizes this Court to establish practices and procedures for the filing, signing and verification of documents by electronic means. This order provides direction for the filing and maintenance of documents electronically.

This Court maintains court files in an electronic format using the Case Management / Electronic Case Filing (CM/ECF) system. The electronic file constitutes the original of all documents. The [CM/ECF Civil and Criminal Administrative Procedures Manual and User's Guide](#), available on the District's website, governs electronic filing.

1. **Logins and passwords.** Access to the CM/ECF system may only be obtained by submitting an e-filing request through the [PACER Service Center](#).
 - a. Each attorney in good standing in this Court shall be entitled to a CM/ECF system login and password to permit the attorney to electronically file and retrieve pleadings and other documents.
 - b. The e-filing request should be submitted through the attorney's individual PACER account at: <https://pacer.psc.uscourts.gov/pscof/login.jsf>.
 - c. No person shall knowingly permit or cause to permit his/her login/password to be used by anyone other than an authorized employee of his/her law firm or organization.

2. Electronic filing of documents.

- a. Except as expressly provided in paragraph 6a herein, or as ordered by the Court, all motions, pleadings, legal memoranda or other documents required to be filed with the Court shall be electronically filed.
- b. The electronic filing of a pleading or other document in accordance with these procedures shall constitute filing of the document for all purposes under the [F.R.C.P.](#) and the [Local Rules](#) of this Court and shall constitute entry of that pleading or other document on the docket kept by the Clerk pursuant to [F.R.C.P. 79\(a\)](#).
- c. All orders, decrees, judgments, and proceedings of the Court will be entered in accordance with these procedures and shall constitute entry of said document(s) on the docket kept by the Clerk under [F.R.C.P. 79\(a\)](#).
- d. The person electronically filing a pleading or other document must title the document using one of the filing categories available in CM/ECF.
- e. For filings that require a fee to be paid to the Clerk's Office, those payments will be made using the appropriate CM/ECF event via pay.gov or by presentation of cash, or a check/money order made payable to "Clerk of Court".

3. Signatures.

- a. Use of the attorney's login/password to electronically file a pleading or document constitutes the attorney's signature for all purposes.
- b. It is preferred that any pleading or document containing original signatures indicate on the electronically filed document an electronic signature (e.g., "/s/ Jane Doe"). The originally executed copy must be

maintained by the filer for two (2) years after final resolution of the action, including final disposition of all appeals.

- c. A non-filing signatory or party who disputes the authenticity or alleged endorsement of an electronically filed document must file an objection to that document within twelve (12) days of the generation of the Notice of Electronic Filing (“NEF”) by the CM/ECF system.

4. Service.

- a. The CM/ECF system electronically notifies all parties of record upon the entry of information into the system. Parties are relieved, absent order of the Court, of the responsibility to separately notice any party who is listed as receiving electronic notice on the NEF.
- b. Each person electronically filing a pleading or other document shall serve a paper copy of said filing, along with a copy of the NEF, on those parties not designated to receive electronic notice or who are not able to receive electronic notice. If such service of a paper copy is required, it shall be made pursuant to the [F.R.C.P.](#) except as otherwise provided by Order of the Court.
- c. Participants in CM/ECF agree to receive notice and service as provided herein.
- d. Pleadings or other documents which are not filed electronically shall be served in accordance with the [F.R.C.P.](#) except as otherwise provided by Order of the Court.

5. Conventional filing of documents.

- a. The following documents shall be filed conventionally and not electronically unless specifically authorized by the Court:
 - (1) Attachments to a filing which are not available in an electronic format. The filer should, however, extract and file electronically any part of the attachment which the filer has in an electronic format.

6. Hyperlinks.

- a. Electronically filed documents may contain the following types of hyperlinks:
 - 1. Hyperlinks to other portions of the same document.
 - 2. Hyperlinks to a location on the Internet that contains a source document for a citation.
 - 3. Hyperlinks to other documents filed within the CM/ECF system.
- b. Hyperlinks to personal web sites, inclusive of law firms, are strictly forbidden.
- c. Hyperlinks to cited authority may not replace standard citation format. Complete citations must be included in the text of the filed document.
- d. Neither a hyperlink, nor any site to which it refers, shall be considered part of the record, as they are simply convenient mechanisms for accessing material cited in a filed document.
- e. The court accepts no responsibility for, and does not endorse, any product, organization, or content at any hyperlinked site, or at any site to

which that site may be linked. The court accepts no responsibility for the availability or functionality of any hyperlink.

7. **Misuse of the CM/ECF system.**

Any party who intentionally, maliciously, or negligently causes to be filed, or attempts to cause to be filed, any submission which violates the integrity of the CM/ECF system is subject to full disciplinary actions, inclusive of [F.R.C.P.](#) Rule 11 sanctions and/or criminal prosecution.

IT IS SO ORDERED.

/s/ David Gregory Kays
David Gregory Kays, Chief District Judge

/s/ Beth Phillips
Beth Phillips, District Judge

/s/ Brian C. Wimes
Brian C. Wimes, District Judge

/s/ M. Douglas Harpool
M. Douglas Harpool, District Judge

/s/ Stephen R. Bough
Stephen R. Bough, District Judge

/s/ Roseann A. Ketchmark
Roseann A. Ketchmark, District Judge

/s/ Howard F. Sachs
Howard F. Sachs, Senior District Judge

/s/ Dean Whipple
Dean Whipple, Senior District Judge

/s/ Ortrie D. Smith
Ortrie D. Smith, Senior District Judge

/s/ Fernando J. Gaitan, Jr.
Fernando J. Gaitan, Jr., Senior District Judge

/s/ Nanette K. Laughrey
Nanette K. Laughrey, Senior District Judge

/s/ Gary A. Fenner
Gary A. Fenner, Senior District Judge

Signed: Kansas City, Missouri
December 1, 2018