

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**



**CLERK'S OFFICE
PROCEDURAL HANDBOOK**

JUNE 18, 2018

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ELECTRONIC CASE FILING SYSTEM

The United States District Court for the Eastern District of Pennsylvania utilizes an automated civil docketing system, Case Management/Electronic Case Filing (“CM/ECF”).

Effective May 27, 2003, dockets for all civil cases filed since July 1, 1990 and dockets for all criminal cases filed since July 1, 1992 will be available for viewing and printing from the CM/ECF system.

All new civil cases filed in this court are entered into this court’s Electronic Case Filing (“ECF”) system in accordance with provisions of the Electronic Case Filing Procedures (**Appendix A**). CM/ECF provides a new, easy-to-use electronic case filing feature that will allow users to file and view court documents over the Internet. Documents are automatically docketed as part of the filing process and are immediately available electronically. CM/ECF also offers the following benefits:

- 24-hour access to filed documents over the Internet;
- automatic e-mail notice of case activity to attorneys of record and judges;
- ability to download and print documents directly from the court system;
- concurrent access to case files by multiple parties; and
- secure storage of documents.

A. RULE 5.1.2 – ELECTRONIC CASE FILING PROCEDURES. All cases and documents filed in this court are required to be filed on the Electronic Case Filing (“ECF”) System in accordance with provisions of the *Electronic Case Filing (“ECF”) Procedures*, as set forth below unless excepted under these procedures.

Rule 5.1.2 Electronic Case Filing (“ECF”) Procedures

1. Definitions

- (a) "ECF Filing User" means those who have Court-issued log-ins and passwords to file documents electronically.
- (b) "Notice of Electronic Case Filing" means the notice generated by the ECF system when a document has been filed electronically, stating that the document has been filed.
- (c) "Judge" means the District Judge assigned to the case, or the Magistrate Judge to whom all or any part of a case has been referred pursuant to 28 U.S.C. § 636.
- (d) "Court" shall mean the United States District Court for the Eastern District of Pennsylvania.

2. Scope of Electronic Case Filing

- (a) All civil and criminal cases filed in this court are required to be entered into the court’s Electronic Case Filing (“ECF”) System in accordance with these Electronic Case Filing (“ECF”) Procedures. Unless an attorney is excused from ECF registration under Section 3 of these ECF Procedures or except as expressly provided in Section 16 and other sections of these ECF Procedures, or as ordered by the judge, all pleadings, documents, motions, memoranda of law, petitions, certificates of service and other documents required to be filed with the Clerk of Court in connection with a case must be electronically filed.
- (b) The filing of all initial papers in civil cases, such as the complaint and the issuance and service of the summons, and, in criminal cases, the indictment or information, warrant for arrest or summons, will be accomplished by paper copy filed in the traditional manner rather than electronically. Parties must concurrently provide the Clerk of Court with a computer disk, in PDF format (**Appendix B**) containing a copy of all documents provided in paper form at the time of filing. All subsequent documents and pleadings must be filed electronically,

except as provided in these ECF Procedures or as ordered by the judge. Under this paragraph, all attorneys are required to complete the ECF Validation of Signature form (**Appendix C**), as described in Section 3(c) below.

- (c) Once registered, an ECF Filing User may request to withdraw from participation in the ECF System by providing the Clerk of Court with written notice of the request which shall be forwarded to the Chief Judge for approval.
- (d) Nothing in these ECF Procedures shall be construed to nullify or contradict the provisions set forth in Rule 26.1 of the Local Rules of Civil Procedure, *Discovery*, directing that interrogatories, requests for production and inspection and requests for admission under Fed. R.Civ.P. 33, 34 and 36 that answers, responses and objections to interrogatories and to Rules 34 and 36, and that requests, notices of depositions and depositions under Fed.R.Civ.P. 30 and 31 shall not be filed with the court.
- (e) Nothing in these ECF Procedures shall be construed to nullify or contradict the provisions set forth in Rule 39.3 of the Local Rules of Civil Procedure, *Records, Files and Exhibits*, directing that the Clerk of Court maintain custody of all records, files and exhibits in all cases filed in this court until such time as the case is finally resolved, dismissed or abandoned, as set forth in paragraph (e) of Rule 39.3.
- (f) All cases filed in the ECF System in which a notice of appeal is filed shall be governed by Rule 10 of the Federal Rules of Appellate Procedure and relevant Local Rules and internal operating procedures of the United States Court of Appeals for the Third Circuit, with any differences about whether the record truly discloses what occurred in the district court to be submitted to and settled by the judge. Cases in which there is a right of direct appeal to the United States Supreme Court shall be governed by the rules of the United States Supreme Court.

3. Excuse From Registration; Format of Documents in Electronic Form

An attorney who believes he or she should be excused from registering as an ECF Filing User may apply for an exception to this rule by detailed letter to the Clerk of Court, who shall forward the letter to the chief judge for decision. Thereafter, attorneys and others who are excused from registering as ECF Filing Users in accordance with this section are required to comply with the procedures set forth below.

- (a) All complaints must be submitted on disk in portable document format (PDF) at the time of filing, so that the complaint may be entered into the District Court's ECF system, and must be accompanied by a courtesy copy of the complaint in paper format for use by the court; under this paragraph, all attorneys are required to complete the ECF Validation of Signature form (***Appendix C***), as described in Paragraph (c) below.
- (b) All documents filed by an attorney who has been excused from registering as an ECF Filing User, as defined under this rule, must be submitted on disk in PDF, so that the filings may be entered into the District Court's ECF system, and must be accompanied by a courtesy copy of the document in paper format for use by the court; under this paragraph, all attorneys are required to complete the ECF Validation of Signature form, as described in Paragraph (c) below.
- (c) Attorneys who complete the ECF Validation of Signature form will receive a signature code which must be used by the attorney on the signature line of all courtesy copies submitted with a disk for purposes of signature validation pursuant to Rule 11 of the Federal Rules of Civil Procedure; the document as submitted under Section 3 of this rule will constitute the original document, except for those documents which are excluded from the provisions of rule as set forth in Section 16 of the rule; attorneys are required to have submitted a completed ECF Validation of Signature form just once in order to file all complaints and documents in all subsequent cases in this court.
- (d) Service of process will continue to be made in accordance with those provisions set forth in Rule 5 of the Federal Rules of Civil Procedure.
- (e) For convenience of attorneys who do not have access to compatible hardware or software, a computer with PDF conversion capability is available in the Clerk's Offices at Philadelphia and Allentown, with

assistance for PDF conversion provided by Clerk's Office staff as needed; attorneys who have reason for not providing this material on disk are required to notice the Clerk's Office in writing attached to the document, explaining the reason for not providing this material on disk.

- (f) Attorneys who have been excused under this section from registering as ECF Filing Users are requested to register and participate in the court's Program for Facsimile Service of Notice to Counsel or Litigants in Civil and Criminal Cases (the "Fax Noticing Program").
- (g) Those documents and categories of cases which are now excluded from the provisions of this section consistent with the policy of the Judicial Conference of the United States, as may be amended from time to time, are set forth in Section 16 of this rule (***Appendix A, Section 16***).

4. Eligibility, Registration and Password

- (a) Unless otherwise excused, attorneys admitted to the bar of this court, including those admitted pro hac vice, are required to register as ECF Filing Users of the court's ECF system. Registration is in a form prescribed by the Clerk of Court (***Appendix D***) and requires the Filing User's name, address, telephone number, Internet e-mail address and a declaration that the attorney is admitted to the bar of this court and is a member in good standing.
- (b) Upon the approval of the judge, a party to a case who is not represented by an attorney may register as an ECF Filing User in the ECF System solely for purposes of the action. Registration is in a form prescribed by the Clerk of Court and requires identification of the case as well as the name, address, telephone number and Internet e-mail address of the party. If, during the course of the case, the party retains an attorney who appears on the party's behalf, the attorney must advise the Clerk of Court to terminate the party's registration as a Filing User upon the attorney's appearance.
- (c) Registration as an ECF Filing User constitutes agreement to receive and consent to make electronic service of all documents as provided in these ECF Procedures in accordance with Rule 5(b)(2)(D) of the

Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure, as referenced in Rule 49(b) of the Federal Rules of Criminal Procedure. This agreement and consent is applicable to all future cases until revoked by the ECF Filing User.

- (d) Once registration is completed, the ECF Filing User will receive notification of the user log-in and password. ECF Filing Users agree to protect the security of their passwords and immediately notify the Clerk of Court by telephone, with said notification confirmed immediately thereafter in writing delivered by e-mail, facsimile or hand-delivery to the attention of the Clerk of Court, if they learn that their password has been compromised. Users may be subject to sanctions by the judge for failure to comply with this provision. For security reasons, the court recommends that ECF Filing Users periodically change their passwords which shall be done by notifying the clerk of the court who shall implement the change.

5. Consequences of Electronic Filing

- (a) Electronic transmission of a document to the ECF System consistent with these ECF Procedures, together with the transmission of a notice of electronic case filing from the court, constitutes filing of the document for all purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of this court, and constitute entry of the document on the docket maintained by the Clerk of Court pursuant to Rules 58 and 79 of the Federal Rules of Civil Procedure and Rules 49 and 55 of the Federal Rules of Criminal Procedure.
- (b) A document that has been filed electronically is the official record of the document, and the filing party is bound by the document as filed. Except in the case of documents first filed in paper form and subsequently submitted electronically under Section 2 above, a document filed electronically is deemed filed at the time and date stated on the notice of electronic case filing from the court.
- (c) Filing a document electronically does not change any filing deadline set by the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Local Rules of the court, or an order of the judge.

- (d) All pleadings and documents filed electronically must be transmitted in the form prescribed by Rule 10(a) of the Federal Rules of Civil Procedure. All transmissions for electronic case filings of pleadings and documents to the ECF system shall be titled in accordance with the approved directory of civil and criminal events of the ECF system.

6. Attachments and Exhibits

ECF Filing Users may submit all documents identified as exhibits or attachments in either paper copy filed in the traditional manner or electronic form. If using electronic form, an ECF Filing User must submit as exhibits or attachments only those excerpts of the identified documents that are relevant to the matter under consideration by the court. Excerpted material must be clearly and prominently identified as such. ECF Filing Users who file excerpts of documents as exhibits or attachments electronically pursuant to these ECF Procedures do so without prejudice to their right to file timely additional excerpts or the complete document, provided however, that the total number of pages of attachments and exhibits electronically filed shall not exceed 50 without prior approval of the judge. Pages of attachments and exhibits in excess of 50 may be filed in paper copy filed in the traditional manner. Responding parties who choose to file exhibits and attachments electronically may also timely file additional excerpts or the complete document, subject to the same page limitations as set forth above.

7. Sealed Documents

Documents ordered to be placed under seal must be filed in paper copy filed in the traditional manner and not electronically. A motion to file documents under seal may be filed electronically unless prohibited by law. 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 be delivered to the Clerk of Court.

8. Service of Documents by Electronic Means

- (a) When an ECF Filing User electronically files a pleading or other document using the ECF system, a Notice of Electronic Case Filing shall automatically be generated by the system, and shall be sent automatically to all parties entitled to service under the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the

Local Rules of the Eastern District of Pennsylvania who have consented to electronic service. Electronic service of the Notice of Electronic Case Filing constitutes service of the filed document to all such parties and shall be deemed to satisfy the requirements of Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure and Rule 49 of the Federal Rules of Criminal Procedure.

- (b) All documents filed using the ECF system shall contain a Certificate of Service stating that the document has been filed electronically and are available for viewing and downloading from the ECF system. The Certificate of Service must identify the manner in which service on each party was accomplished, including any party who has not consented to electronic service.
- (c) Parties who have not consented to electronic service are entitled to receive a paper copy of any electronically filed pleading or other document. Service of such paper copy must be made according to the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of the Eastern District of Pennsylvania.
- (d) As set forth in Section 4 of these ECF Procedures, registration as an ECF Filing User constitutes agreement to receive and consent to make electronic service of all documents as provided in these ECF Procedures in accordance with Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure and Rule 49 of the Federal Rules of Criminal Procedure. This agreement and consent is applicable to all pending and future actions assigned to the ECF System until revoked by the ECF Filing User.
- (e) In accordance with Rule 6(d) of the Federal Rules of Civil Procedure, service by electronic means is treated the same as service by mail for the purpose of adding three (3) days to the prescribed period to respond.
- (f) In accordance with Rule 77(d) of the Federal Rules of Civil Procedure, the court may serve notice of entry of orders or judgments by electronic means as provided in Rule 5(b) and Section 4 of this Procedural Order.

- (g) In civil cases, the provisions of this Section 8 apply to service of documents covered by Rule 5(a) of the Federal Rules of Civil Procedure. Service of Original Process under Rule 4 of the Federal Rules of Civil Procedure is not authorized under these ECF Procedures to be accomplished electronically. This Section 8 does not apply to service of an arrest warrant, summons or subpoena in criminal cases.

9. Signature

- (a) The user log-in and password required to submit documents to the ECF System serve as the ECF Filing User's signature on all electronic documents filed with the court. They also serve as a signature for purposes of Rule 11(a) of the Federal Rules of Civil Procedure, the Local Rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court. Each document filed electronically must, if possible, indicate that it has been electronically filed. Electronically filed documents must include a signature block and must set forth the name, address, telephone number and the attorney's state bar identification number, if applicable. In addition, the name of the ECF Filing User under whose log-in and password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear.
- (b) No ECF Filing User or other person may knowingly permit or cause to permit a Filing User's password to be used by anyone other than an authorized agent of the Filing User.
- (c) Documents requiring signatures of more than one party must be electronically filed either by: (1) submitting a scanned document containing all necessary signatures; (2) representing the consent of the other parties on the document; (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than seven (7) days after filing; or (4) any other manner approved by the court.

10. Submission of Stipulations and Proposed Orders

An ECF Filing User electronically submitting stipulations or proposed orders which may require a judge's signature must promptly deliver on computer disk or e-mail the stipulation or proposed order to the Clerk of Court at ECF_clerksoffice@paed.uscourts.gov for delivery to the judge unless the judge orders otherwise. An ECF Filing User who electronically submits a stipulation or proposed order is bound by all signature requirements set forth in Section 9 of these ECF Procedures and Rule 11(a) of the Federal Rules of Civil Procedure.

11. Retention Requirements

Documents that are electronically filed and require original signatures other than that of the Filing User must be maintained in paper form by the ECF Filing User until three (3) years after the time period for appeal expires. The ECF Filing User must provide original documents for review upon request of the judge.

12. Public Access

- (a) Any person or organization, other than one registered as an ECF Filing User under Section 4 of these rules, may access the ECF Filing System at the court's Internet site, www.paed.uscourts.gov by obtaining a PACER log-in and password. Those who have PACER access but who are not Filing Users may retrieve docket sheets and those documents which the court makes available on the Internet for the fee normally charged for this service as set by the fee schedule authorized by the Administrative Office of United States Courts, but they may not file documents.
- (b) Documents should be made available electronically to the same extent that they are available for personal inspection in the office of the Clerk of Court at the U.S. Courthouse. Social Security numbers, dates of birth, financial account numbers and names of minor children should be modified or partially redacted in electronically filed documents.
- (c) In connection with the electronic filing of any material, any person may apply by motion for an order limiting electronic access to, or prohibiting the electronic filing of, certain specifically identified

materials on the grounds that such material is subject to privacy interests and that electronic access or electronic filing in the action is likely to prejudice those privacy interests. In further protection of privacy, reference is made to the provisions of Rule 5.1.3 of the Local Rules of Civil Procedure, *Excluded Personal Identifiers*, mandating the modification or redaction of such personal identifiers as Social Security numbers, dates of birth, financial account numbers and names of minor children in all documents filed either in traditional paper form or electronically.

13. Entry of Court Order

All orders, decrees, judgments and proceedings of the court will be filed in accordance with these rules which will constitute entry on the docket maintained by the Clerk of Court pursuant to Fed.R.Civ.P. 58 and 79, and Rules 49 and 55 of the Federal Rules of Criminal Procedure. All signed orders will be filed electronically by the Clerk of Court. Any order filed electronically without the original signature of a judge has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order and it had been entered on the docket in paper copy filed in the traditional manner.

14. Notice of Court Order and Judgment

Immediately upon the entry of an order or judgment, the Clerk of Court will transmit to ECF Filing Users in the case, in electronic form, a notice of electronic filing. Electronic transmission of the Notice of Electronic Case Filing constitutes the notice required by Rule 77(d) of the Federal Rules of Civil Procedure and Rule 49(c) of the Federal Rules of Criminal Procedure. In accordance with the Federal Rules of Civil Procedure, the Clerk of Court must

give notice in paper form to a person who has been excused under Section 3 of Local Rule 5.1.2 from registering as an ECF Filing User.

15. Technical Failure

An ECF Filing User whose filing is determined to be untimely as the result of a technical failure may seek appropriate relief from the judge, provided that the User immediately notifies the Clerk of Court of the technical failure by telephone, with said notification confirmed immediately thereafter in writing

delivered by e-mail, facsimile or by hand to the attention of the Clerk of Court. The clerk of the court shall forthwith notify the chambers of the judge.

16. Categories of Cases and Types of Documents in Civil and Criminal Cases Excluded from Electronic Case Filing

As provided in Section 2(b) above, all initial papers in civil and criminal cases, including the complaint, amended complaint, third-party complaint, notice of removal, the issuance and service of the summons, and the indictment and information in criminal cases, cannot be electronically filed on the court's CM/ECF system, but must be filed on paper accompanied by a copy of the document on disk in PDF format. Additionally, the following types of documents and categories of cases, as may be amended from time to time (***Appendix A, Section 16***), can neither be electronically filed on the court's CM/ECF system nor submitted on disk in PDF format by an attorney excused from participation from ECF pursuant to Section 3 of these procedures, but must be filed in paper copy, filed in the traditional manner, consistent with the policy of the Judicial Conference of the United States:

A. EXCLUDED CASES

1. Grand jury matters
2. Qui tam cases
3. Sealed cases

B. EXCLUDED DOCUMENTS

CIVIL CASES

1. Administrative records.
2. All documents filed by prisoners and pro se litigants, including the initial complaint and initial habeas corpus petitions, and death penalty habeas corpus petitions.
3. Bankruptcy appeal records.
4. Sealed documents.
5. State court records.

6. Transcript of civil proceedings shall be placed on CM/ECF or PACER, unless the presiding judge otherwise directs.
7. Discovery material, as set forth in Rule 26.1 of the Local Rules of Civil Procedure, *Discovery*, including:
 - a) interrogatories, requests for production and inspection and requests for admission under Rules 33, 34 and 36 of the Federal Rules of Civil Procedure;
 - b) answers, responses and objections to interrogatories and to Rules 34 and 36 of the Federal Rules of Civil Procedure;
 - c) requests, notices of depositions and depositions under Rules 30 and 31 of the Federal Rules of Civil Procedure.
8. Praecipe for Writ of Execution.
9. Applications for Writ of Continuing Garnishment.
10. Praecipe to Issue Writ of Revival.
11. Praecipe for Writ of Seizure.
12. Praecipe for Writ to Restore.
13. Civil Jury Verdict Sheets.
14. Civil Minute Sheets.
15. Ex Parte Motions.

CRIMINAL CASES

1. Sealed documents.
2. Transcript of criminal proceedings shall not be placed on CM/ECF or PACER, unless the presiding judge otherwise

directs after giving the prosecution and defense counsel an opportunity to be heard.

3. All documents requiring the signature of a defendant in a criminal or magistrate proceeding, such as waiver of indictment, waiver of presentence report, waiver of a jury trial, plea agreement, appearance bond, affidavit, and financial affidavit.
4. Criminal Jury Verdict Sheets.
5. Presentence Reports and any objections or other documents filed related to the Presentence Reports.
6. Criminal Minute Sheets.
7. Judgment and Commitment Orders.
8. Ex parte Motions.

17. Training Seminars

ECF training is available to members of the bar, paralegals, secretaries and automation support staff. For information regarding participation in the court's CM/ECF system, see *Appendix E*.

FILING A CIVIL ACTION

The filing of all initial papers in civil case, such as the complaint and the issuance and service of the summons, and, in criminal case, the indictment or information, and warrant for arrest or summons, will be accomplished by paper copy filed in the traditional manner, rather than electronically. Parties must concurrently provide the Clerk of Court with a computer disk containing a PDF format copy of all documents provided in paper form at the time of filing. All subsequent documents and pleadings must be filed electronically, except as provided in ECF Procedures or as ordered by the judge. Under this paragraph, all attorneys are required to complete the ECF Validation of Signature form, as described in Section 3(c) of the ECF Procedures.

All new civil actions are to be filed on 8 ½" x 11" paper in the Clerk's Office, Room 2609, second floor of the Federal Courthouse, or in the divisional office in Allentown, Pennsylvania, between the hours of 8:30 a.m. and 5:00 p.m. Filings are accepted by mail, as well as in person. The addresses are:

**United States District Court
Eastern District of Pennsylvania
U.S. Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106-1797
(215) 597-7704**

or

**United States District Court
U.S. Courthouse and Federal Building
504 West Hamilton Street, Suite 1601
Allentown, PA 18101-1500
(610) 434-3896**

Parties are invited to participate in a pilot filing complaints electronically on the CM/ECF system. If you are interested in this program, please complete an information form (**Appendix EE**) and you will be contacted by the Clerk's Office for training.

The total cost for filing a civil action is \$400.00

All subsequent filings, motions, pleadings and other papers are to be filed electronically by the ECF system or on disk in PDF format accompanied by a courtesy copy, by mail or, in person in Room 2609 at the courthouse in Philadelphia or Suite 1601 at the divisional office in Allentown.

Counsel should include the following in the drafting of the complaint or petition:

- (a) name of court;
- (b) name and address of both parties, in caption form;
- (c) title of action;
- (d) a short and plain statement of the grounds upon which the court's jurisdiction depends;

- (e) a short and plain statement of the claim showing that the pleader is entitled to relief;
- (f) a demand for judgment for the relief to which the plaintiff deems himself entitled;
- (g) jury demand; and
- (h) name, address, Pennsylvania attorney identification number and signature of plaintiff's attorney.

A. Civil Justice Expense and Delay Reduction Plan

In response to a mandate by the Civil Justice Reform Act of 1990 and, in an effort to reduce the cost and delay of civil litigation in the federal courts, this district adopted The Civil Justice Expense and Delay Reduction Plan with an effective date of December 31, 1991. A copy of the plan can be obtained by contacting Aida Ayala at (267) 299-7099. This district was selected as a pilot district and was required to implement a plan by December 31, 1991. An Advisory Group was appointed in April, 1991 to prepare a report and recommendation on the status of the Eastern District of Pennsylvania. Based on this report, the judges adopted the expense and delay reduction plan.

B. Designation Form

The designation form (*Appendix F*) is to be used by counsel to designate the category of the cause of action for the purpose of assignment to the appropriate calendar. It is to be completed by plaintiff's counsel and submitted at the time of filing.

The court requires two (2) copies of the designation form. Additional forms are not required for additional defendants, nor are additional forms required when the United States Government or an officer or agency thereof is involved.

INSTRUCTIONS FOR COMPLETING THE DESIGNATION FORM

1. **Address of Plaintiff and Defendant.** House or apartment address, street, city, county and zip codes are required in this section.
2. **Place of Incident.** The place of the accident, incident, or transaction; house or apartment address, street, city, county and zip code are required in this section. NOTE: Counsel should continue on reverse side if additional space is needed to fully explain this matter.
3. **Related Cases.** This refers to pending cases or cases disposed of in the United States District Court for the Eastern District of Pennsylvania within a one-year period.

If the case is related, counsel must indicate the case number, the presiding judge, and the date terminated.

The date of filing and signature of counsel is required in this section.

4. **Civil Category Checklist.** Counsel is required to determine whether the action arises under: (a) federal question, Title 28 U.S.C. § 1331; or (b) diversity, Title 28 U.S.C. § 1332. Counsel must check off the ***one*** specific category within the appropriate classification to which that case pertains. This is for the purpose of proper case assignment by classification.
5. **Arbitration Certification.** The arbitration certification is used to determine whether or not the case exceeds the damages threshold of \$150,000, which is the maximum amount for any arbitration proceeding. Counsel is advised to refer to Local Civil Rule 53.2, Section 3, Paragraph C, which states that damages will be presumed to be less than \$150,000 and thus, eligible for arbitration unless counsel, at the time of filing, states

that the damages exceed that amount. The effect of this certification is to remove the case from eligibility for arbitration. If certifying out of arbitration, date and signature must be included in this section, along with selection of the appropriate checkbox (either damages recoverable exceed \$150,000 or relief other than monetary damages is sought).

C. **Civil Cover Sheet (Form JS44)**

The Civil Cover Sheet (***Appendix H***) is required by the Clerk of Court for the purpose of initiating the civil docket sheet. It is completed by plaintiff's counsel and submitted at the time of filing. Only one civil cover sheet is required by the court to accompany the complaint, regardless of whether or not the United States of America, or an officer of any agency thereof, is a party.

INSTRUCTIONS FOR COMPLETING A CIVIL COVER SHEET

1. **Parties.** The complete name(s), and address(es) of plaintiff(s) and defendant(s) are required in this section.

2. **Attorneys.**

Plaintiff's Attorney: Firm name, address, Pennsylvania Bar identification number and telephone number are required.

Defendant's Attorney: Firm name, address, Pennsylvania Bar identification number and telephone number, if known, are required.

3. **Jurisdiction.** Counsel should place an "X" in the appropriate box corresponding to the jurisdictional basis of the action.

The following order of priority should be utilized in cases where more than one basis of jurisdiction is set out in the complaint.

- (a) United States Plaintiff. Jurisdiction is based on 28 U.S.C. §§ 1345 and 1348. Suits by agencies and officers of the United States are in this category.
- (b) United States Defendant. Jurisdiction is based on 28 U.S.C. § 1346 and includes suits against agencies and officers of the United States.
- (c) Federal Question. Various statutes give the district court jurisdiction to hear and determine controversies where federal rights between parties are covered by statute or Constitution.
- (d) Diversity of Citizenship. This refers to suits under 28 U.S.C. § 1332. In this situation, parties are residents of different states.

Note: If diversity is checked, it must be further categorized in the box to the right.

- 4. **Nature of Suit**. Counsel must indicate the general description of the suit by placing an “X” in the appropriate box. If more than one possible category applies, select the most explicit and specific classification.

Note: Only one check mark is to be made in this area.

Explanatory Information for Social Security. In the section for Social Security, six (6) possible types of claims or actions are listed.

SUIT CODE NUMBER	ABBREVIATION FOR CAUSE OF ACTION	SUBSTANTIVE STATEMENT EXPLAINING TYPE
861	HIA	All claims for health insurance benefits (Medicare) under Title XVIII, Part A, of the Social Security Act, as amended. Also includes claims by hospitals, skilled nursing facilities, etc. for certification as providers of services under the program. (42 U.S.C. § 395f(b)).
862	BL	All claims for "black lung" benefits under Title IV, Part B, of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. § 923).
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title II of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability (42 U.S.C. § 405(g)).
863	DIWW	All claims filed for widows' or widowers' insurance benefits based on disability under Title XVI of the Social Security Act, as amended (42 U.S.C. § 405(g)).
864	SSID	All claims for supplemental security income payments based upon disability filed under Title XVI of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors' benefits under Title II of the Social Security Act, as amended. (42 U.S.C. § 405(g)).

5. **Origin.** Counsel is required to indicate which one of the seven possible categories is applicable to the case being filed. The following explanatory guidelines should be consulted in this matter.
- (a) Original Proceeding. This category will be the appropriate one for most cases.
 - (b) Removed from State Court. Proceedings initiated in the State Courts may be removed to the District Court under Title 28 U.S.C. § 1441.
 - (c) Remanded from Appellate Court. Use the date of remand as the filing date.
 - (d) Reinstated or Reopened. Use the reopening date as the filing date.
 - (e) Transferred from Another District. Self-Explanatory.
 - (f) Multidistrict Litigation. Use when a multidistrict case is transferred into this district (Title 28 U.S.C. § 1407).
6. **Cause of Action.** In this section, a citation must be used for the U.S. civil statute under which the filing is made. In addition, a brief statement of the cause of action must also be included by counsel.
7. **Class Action.** This item should be checked if the case is alleged to be a class action under Fed. R. Civ. P. 23.

Demand: The dollar amount which is sought in the case should be inserted in this space.

Jury Demand: Counsel should check “yes” in this section only if a jury trial is demanded in the complaint.

8. **Related Case(s), if any.** This section is used to reference relating pending cases, if any. If there are related pending cases or cases disposed of within a one-year period, insert the docket numbers and the corresponding judges' names for such cases.
9. **Date and Signature.** The date of filing and the signature should be the final insertion on the Civil Cover Sheet.

D. Case Management Track Designation Form

Each civil case will be assigned to one of the following tracks (*Appendix I*):

1. **Habeas Corpus.** Cases brought under 28 U.S.C. § 2241 through § 2255.
2. **Social Security.** Cases requesting review of a decision made by the Secretary of Health and Human Services that denied the plaintiff Social Security benefits.
3. **Arbitration.** Cases designated for arbitration under Local Civil Rule 53.2.
4. **Asbestos.** Cases involving claims for personal injury or property damage from exposure to asbestos.
5. **Special Management.** Cases that do not fall into tracks 1 through 4 or that need special or intense management by the court do to one or more of the following factors:
 - (a) large number of parties;
 - (b) large number of claims;
 - (c) complex factual issues;
 - (d) large volume of evidence;
 - (e) problems locating or preserving evidence;
 - (f) extensive discovery;
 - (g) exceptionally long time needed to prepare for disposition;
 - (h) decision needed within an exceptionally short time; or
 - (i) need to decide preliminary issues before final disposition.
6. **Standard Management.** Cases that do not fall into any of the other tracks.

E. Verifications

Verifications or affidavits are not required to be filed with a complaint, except:

- (a) where the complaint seeks entry of a temporary restraining order [Federal Rule of Civil Procedure 65(b)]; and
- (b) in shareholder derivative actions [Federal Rule of Civil Procedure 23.1].

In lieu of a verification or an affidavit, it is appropriate to submit an unsworn declaration in the form set forth in 28 U.S.C. § 1746.

F. Filing an Amended Complaint

A party may amend its pleading once as a matter of course within: (a) 21 days after serving it; or (b) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading, or 21 days after service of a motion under Rule 12(b), (e) or (f), whichever is earlier.

G. Class Action Complaints - Local Rule 23.1

Class action complaints must bear next to their caption, the legend, “Complaint – Class Action.” In addition, they must set forth certain “Class Action Allegations” which are described in Local Civil Rule 23.1.

H. Copies of Complaints

It is not necessary to deliver multiple copies of the complaint and amended complaint to the Clerk’s Office to be served on the defendants. It is only necessary to deliver an original complaint or an original amended complaint for filing. The Clerk’s Office will process all completed summonses and return them to counsel for service on the opposing party.

I. Service of Process

Defendants have 21 days after the service of the summons and complaint to file an answer to the complaint unless otherwise ordered by the court.

The U.S. Attorney has 60 days after service to file an answer to the complaint in actions against the United States of America, an office or agency thereof.

J. Waiver of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving cost of the service of summons and complaint. A defendant who, after being notified of an action and asked to waive service of summons, fails to do so, will be required to bear the cost of such service unless good cause is shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must, within the time specified on the waiver form, serve on the plaintiff's attorney (or unrepresented party) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

If you need additional information on filing complaints contact Terry Milano, Operations Manager, at (267) 299-7013.

DOCUMENTS

The original docket sheets, record files, and indices to all cases are available for inspection in the Clerk's Office, Room 2609, in Philadelphia or in Suite 1601 of the divisional office in Allentown. The civil dockets are divided among ten (10) clerks and the *last* digit of each case number determines the docket clerk to whom the case is assigned for processing.

The following personnel perform case processing duties in the civil section in the Philadelphia Clerk's Office:

(#1)	Rob Fehrle	(267) 299-7001
(#2)	Vincent Alia	(267) 299-7002
(#3)	Kristin Pepin	(267) 299-7003
(#4)	Tashia Irving	(267) 299-7004
(#5)	Kimberly Williams	(267) 299-7005
(#6)	Michele Helmer	(267) 299-7006
(#7)	Joseph Lavin	(267) 299-7007
(#8)	Ashley Mastrangelo	(267) 299-7008
(#9)	Steve Gill	(267) 299-7009
(#10)	Frank DelCampo	(267) 299-7010

At the divisional office in Allentown, Pennsylvania, contact:

Evelyn Renner	(610) 434-3896
Matthew A. Sheetz	(610) 776-6116
Kris Yerry	(610) 776-6115

Criminal case processing is divided among clerks:

(#1-3)	Kirk Kopacz	(267) 299-7035
(#4-6)	Tom Giambrone	(267) 299-7024
(#7-8)	Mark Ciamai chelo	(267) 299-7145
(#9-0)	Angela Burge	(267) 299-7160

Angela Burge at (267) 299-7160, reviews overall compliance with the Speedy Trial Act. The Magistrate Judges' Docket Clerk is Mark Ciamai chelo at (267) 299-7145.

Rule 11 of the Federal Rules of Civil Procedure requires that every pleading, motion and other paper of a party represented by an attorney be signed by the attorney. Please be sure to date the pleadings, attach a certificate of service, and include the address and phone number of counsel. It is not necessary to send a cover letter when filing routine pleadings. However, if you are filing a pleading which requires special attention, please include a cover letter.

The user log-in and password required to submit documents to the ECF system serves as the ECF Filing User's signature on all electronic documents filed with the court. They also serve as a signature for purposes of Rule 11(a) of the Federal Rules of Civil Procedure, the Local Rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court. Each document filed electronically must, if possible, indicate that it has been electronically filed.

Electronically filed documents must include a signature block and must set forth the name, address, telephone number and the attorney's state bar identification number, if applicable. In addition, the name of the ECF Filing User under whose log-in and password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear. Documents requiring signatures of more than one party must be electronically filed either by:

- (1) submitting a scanned document containing all necessary signatures;
- (2) representing the consent of the other parties on the document;
- (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than three (3) business days after filing; or
- (4) any other manner approved by the court.

A. Copies of Paper Documents

Paper documents must be accompanied by a copy of the document on disk in PDF format. We suggest you do not combine pleadings, but file a separate pleading for each action in which a resolution is sought. When filing individual pleadings, it is easier and more efficient for the judge to have the option to sign an order ruling on the individual pleading rather than have to prepare an order.

It is important that pleadings be assembled with all documents in support thereof attached in sets. This ensures proper filing and also enables the judge to have complete sets.

***Note:* The Clerk's Office does not date-stamp copies of pleadings unless accompanied by self-addressed, stamped envelopes. The document will be date-stamped and returned by mail.**

B. Certificate of Service

When filing pleadings, it is necessary to attach a *Certificate of Service* indicating the names of all counsel and/or parties you have served.

When an ECF Filing User electronically files a pleading or other document using the ECF system, a Notice of Electronic Case Filing shall automatically be generated by the system, and shall be sent automatically to all parties entitled to service under the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of the Eastern District of Pennsylvania who have consented to electronic service. Electronic service of the Notice of Electronic Case Filing constitutes service of the filed document to all such parties and shall be deemed to satisfy the requirements of Rule 5(b)(2)(D) of the Federal Rules of Civil Procedure and Rule 49 of the Federal Rules of Criminal Procedure.

All documents filed using the ECF system shall contain a Certificate of Service stating the document has been filed electronically and is available for viewing and downloading from the ECF system. The Certificate of Service must identify the manner in which service on each party was accomplished, including any party who has not consented to electronic service.

C. Third-Party Complaint

Leave of court is not necessary to file a third-party complaint if it is filed by the defendant within 14 days after service of the original answer to the complaint. However, leave of court is necessary if the defendant files the third-party complaint after the expiration of 14 days of the service of the answer. Counsel must file a *Motion for Leave to File a Third-Party Complaint*, together with a memorandum, proposed order and the proposed third-party complaint. When the judge signs the order, the clerk will process the complaint. *(See Rule 14, Federal Rules of Civil Procedure.)*

D. Excluded Personal Identifiers – Local Rule of Civil Procedure 5.1.3

As documents in civil cases may be available for personal inspection in the office of the clerk at the United States Courthouse, or, if filed electronically, may be made available on the court's Electronic Case Filing system, such personal identifiers as Social Security numbers, dates of birth, financial account numbers and names of minor children should be modified or partially redacted in all documents filed either in traditional form or electronically. *(Appendix J).*

E. Electronic Case File Privacy – Local Rule of Criminal Procedure 53.2

In compliance with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, and in order to promote electronic access to documents in the criminal case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the court, including exhibits thereto, whether filed electronically or in paper format, unless otherwise ordered by the court:

- (1) Social Security Numbers. If an individual's Social Security number must be included, only the last four digits of that number should be used.
- (2) Names of Minor Children. If the involvement of a minor child must be mentioned, only the initials of the child should be used.
- (3) Dates of Birth. If an individual's date of birth must be included, only the year should be used.
- (4) Financial Account Numbers. If financial account numbers are relevant, only the last four digits of the number should be used.
- (5) Home Addresses. If a home address must be included, only the city and state should be listed.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may file an unredacted document under seal. This document shall be retained by the court as part of the record. The court may, however, still require the party to file a redacted copy for the public file. Trial exhibits may be safeguarded by means other than redaction, and the court may modify this rule to fit the requirements of particular cases.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk need not review filings for compliance with this rule.

F. Sealed Pleadings

Sealed cases and documents ordered to be placed under seal are excluded from the provisions of the ECF Procedures (*Appendix A*) and must be filed in paper format, filed in the traditional manner, and not electronically. A motion to file 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 to be delivered to the Clerk of Court. Include a cover letter identifying the contents of the envelope and information pertaining to the sealing of the document and/or case. The envelope containing the sealed pleading should reflect the caption and case number and should also identify the type of pleading contained in the envelope. If a document is being filed and sealed pursuant to a protective order or other order, refer to the sealed document in your cover letter. Please include the word “SEALED” near the top margin of the letter to alert the person opening the mail to exercise caution in processing the envelope.

Local Rule of Civil Procedure 5.1.5 provides that a document in a civil action may be filed under seal only if:

- (1) the civil action is brought pursuant to a federal statute that prescribes the sealing of the record or of certain specific documents; or
- (2) the Court orders the documents sealed.

Where a document is sealed pursuant to § 5.1.5(a)(1), the continued status of the document under seal shall be governed by the relevant federal statute. If no federal statute governs, §§ 5.1.5(b)(2) and (c) shall apply.

When a document is sealed pursuant to § 5.1.5(a)(2), the document, if it remains in the custody of the Court, shall not be unsealed for two years after the conclusion of the civil action, including all appeals, unless the Court orders otherwise.

If a document is still sealed at the conclusion of the two-year period and the Court has not entered an order continuing its sealed status beyond that time, the Clerk of Court shall notify the attorney for the party having submitted the sealed document at the attorney’s address on the docket that the document will be unsealed unless the attorney or the submitting party advises the Clerk within sixty (60) days that said attorney or submitting party objects. If the attorney or submitting party objects to the unsealing of the document, or if the Clerk’s notification is returned unclaimed, the Court will make a determination on a case-by-case basis, whether to maintain the document under seal, to unseal it, or to require further notification

G. False Claims Act Cases

All False Claims Act cases are filed *under seal*. The Complaint is docketed and no summons is issued. The Complaint is impounded and sent to the assigned judge.

The Government may file a number of motions for an extension of the seal on the False Claims Act cases. If the Government files a Notice of Election to Decline Intervention or Election to Intervene, it is docketed and forwarded to the Court. If there is a complaint or an amended complaint attached to the notice, it is also docketed and forwarded to the Court. A summons is never issued unless directed by the Court.

Only upon Court order is the complaint unsealed. At this point, the Court will issue an order directing the Clerk's Office and the U.S. Attorney's Office how to proceed.

H. Pleadings that are NOT Filed

The following pleadings are not filed pursuant to Local Civil Rule 26.1 – Discovery:

- Requests for Production of Documents;
- Requests for Admissions;
- Interrogatories;
- Answers to Interrogatories;
- Notices of Deposition; and
- Depositions.

I. Facsimile Transmission of Notice of Orders in Civil and Criminal Cases

Attorneys who do not register to participate in the ECF program are requested to register and participate in the Court's Program for Facsimile service of Notice to Counsel or Litigants in Civil and Criminal Cases (the "Fax Noticing Program"). This program allows attorneys and *pro se* litigants to waive the provisions of Federal Rule of Civil Procedure 77(d) or Federal Rule of Criminal Procedure 49(c), which requires service of Notice of Orders and Judgments by means of mail, and instead consent to receive Notice of Orders and Judgments by means of facsimile transmission.

Forms of Consent to Receive Notice of Orders and Judgments by means of Facsimile Transmission and Waiver of the Provisions of Fed.R.Civ.P. 77(d) or Fed.R.Crim.P. 49(c), providing for said Notice by means of mail are available through the Clerk's Office (**Appendix K**). Execution of the Facsimile Transmission Authorization form authorizes the Clerk of Court to serve notice of the entry of Orders and Judgments pursuant to Fed.R.Civ.P.

77(d) or Fed.R.Crim.P. 49(c) by facsimile in lieu of notice by means of mail. The Facsimile Transmission Authorization form also serves as Notice to and Authorization for the Clerk of Court to keep your name and the relevant information on file so that the Facsimile Transmission Authorization form will apply to all pending and future civil and criminal cases in which the attorney or *pro se* litigant is, or will be, either counsel or a party to litigation.

The waiver of the provisions providing for notice of the entry of Orders or Judgments by mail will include all pending civil and criminal cases in the Eastern District of Pennsylvania for the *pro se* litigant and all pending civil and criminal cases in the Eastern District of Pennsylvania in which the attorney either represents a party or is a party to the litigation, except for grand jury proceedings and impounded cases.

The Clerk of Court will make three attempts to transmit the Notice of Entry of Orders and Judgments by means of Facsimile. If after three attempts facsimile transmission is unsuccessful, Notice shall be made by means of mail pursuant to Fed.R.Civ.P. 77(d) or Fed.R.Crim.P. 49(c).

J. Mail

The court, in its ongoing commitment to provide more timely notice and enhance the level of service to members of the bar, litigants and the public, has joined efforts with the U.S. Postal Service to implement procedures to streamline and facilitate the delivery and processing of mail directed to and from the U.S. Courthouse.

MAIL SENT TO COUNSEL

In order to expedite delivery of notices from judicial officers and the Clerk of Court, members of the bar are requested to furnish the following information by completing an Information Form (**Appendix L**): Name; Bar I.D. Number; Firm; Address; City; State; Zip Code and **4-digit extension number**; and Facsimile Number. Please return the completed form to the Clerk of Court at:

**Kate Barkman, Clerk of Court
United States District Court
For The Eastern District of Pennsylvania
U.S. Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106-1797**

or, by facsimile to: (215) 597-6390, (267) 299-7135 or (610) 434-6174.

MAIL SENT TO THE COURT

In order to take full advantage of these procedures, all mail sent to the United States District Court for the Eastern District of Pennsylvania at 601 Market Street, Philadelphia, Pa and divisional office locations should include both the **zip code and 4-digit extension number**. Accordingly, all mail submitted to a judicial officer should be addressed as follows:

<p>(Name of Judicial Officer) United States District Court Eastern District of Pennsylvania U.S. Courthouse 601 Market Street, Room _____ Philadelphia, PA 19106-1797</p>	<p>Kate Barkman, Clerk of Court United States District Court Eastern District of Pennsylvania U.S. Courthouse 601 Market Street, Room 2609 Philadelphia, PA 19106-1797</p>
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The use of bar coding technology that is currently available in word processing software packages for addressing envelopes is encouraged. A listing of the room numbers and Zip Code and 4-digit extension numbers of the judicial officers is available in the Clerk's Office (*See Appendix M*).

MOTIONS

An application to the court for an order (unless made during a hearing or trial) shall be made in writing stating with particularity the grounds therefor, and shall set forth the relief sought. [See Federal Rule of Civil Procedure 7(b)(1) and Local Civil Rule 7.1(a).]

All motions shall contain a caption setting forth the name of the court, the title of the action, the file number, and a Rule 7(a) designation. [See Federal Rule of Civil Procedure 10(a).]

Every motion not certified as uncontested must be accompanied by a brief containing a concise statement of the legal contentions and authorities relied upon in support of the motion. Every motion shall be accompanied by a form of order which, if approved by the court, would grant the relief sought by the motion. Uncontested motions must be accompanied by a written statement as to the date and manner of service of the motion and supporting brief.

Every motion of a party represented by an attorney shall be signed by at least one attorney of record in the attorney's individual name, whose address shall be stated. A party who is not represented by an attorney shall sign each motion and state their correct address as indicated.

A brief in opposition to the motion, together with such answer or other response as may be appropriate, is required if the served party opposes the motion.

The response to the motion must be made within fourteen (14) days after service of the motion and supporting brief: [See Local Rule 7.1(c)]

SUMMONS

Summonses shall be prepared by counsel (*Appendix N*). At the time of the filing of a complaint, all summonses shall be submitted to the Clerk of Court's Office for signature and seal. Each defendant's name, as it appears on the complaint (without its address), is to be typed on a summons and submitted to the deputy clerk. The original and sufficient copies for each defendant will be returned to counsel. To issue a second summons, file a Praecipe to Issue Alias Summons, naming the defendants.

JURISDICTION

The Eastern District of Pennsylvania includes the counties of Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton and Philadelphia. Please take note that effective April 19, 1999, jurisdiction of the county of Schuylkill was transferred to the U.S.D.C. for the Middle District of Pennsylvania.

Court for the Eastern District is held at Philadelphia, Reading, Allentown and Easton. When it appears from the designation form filed by counsel, or from the complaint, petition, motion, answer, response, indictment, information or other pleading in a civil or criminal case, that a plaintiff or defendant resides in or that the accident, incident or transaction occurred in the counties of Berks, Lancaster, Lehigh or Northampton, said case shall be assigned for trial and pretrial procedures to a judge assigned to hear cases from Reading, Allentown or Easton.

All other cases, unless otherwise directed by the court, shall be tried in Philadelphia, and as each case is filed, assigned to a judge, who shall thereafter have charge of the case for all purposes. [See Local Civil Rule 40.1]

The Office of the Clerk of Court maintains two Clerks' Offices and accepts all filings in Philadelphia and Allentown, Pennsylvania at the following addresses:

<p>United States District Court Eastern District of Pennsylvania United States Courthouse 601 Market Street, Room 2609 Philadelphia, PA 19106-1797</p> <p>(215) 597-7704</p>	<p>United States District Court Edward N. Cahn United States Courthouse & Federal Building 504 West Hamilton Street, Suite 1601 Allentown, PA 18101-1500</p> <p>(610) 434-3896</p>
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SUBPOENAS

**(Rule 45, Federal Rules of Civil Procedure as amended December, 1991
and Rule 17, Federal Rules of Criminal Procedure)**

A. Civil

Under Rule 45 of the Federal Rules of Civil Procedure, attorneys are authorized to issue subpoenas in the name of any court in which they are authorized to practice, and in the case of a deposition or a production of documents taking place in another district, in the name of the court where the deposition or the production is to take place. Attorneys issuing subpoenas must comply with the appropriate Federal Rules and Local Rules.

Although it is no longer necessary that subpoenas be issued by the Clerk, the Clerk still has the authority to do so. In those instances in which counsel elects to have the Clerk of Court issue the subpoena, an original and one copy is needed for each witness to be served. The requirement that a subpoena be issued under seal has been abolished.

For a foreign deposition (deposition being taken in a state other than Pennsylvania), subpoenas are issued in blank by the Clerk's office, completed and served by counsel. They are not signed by the court where the original notice to take the deposition is filed.

All subpoenas may be served by a person who is not a party and is not less than 18 years of age. There is no provision in the rules for subpoenas to be served by mail.

Pursuant to F.R.C.P. 45(b)(2), a subpoena may be served anywhere within the district. However, subpoenas may only be served outside the district if they are within 100 miles of the place designated in the subpoena for the deposition, trial, production of documents, hearing, or inspection. The federal rules also permit the service of a subpoena that is outside of the district, but within the state if certain conditions are met. See, F.R.C.P. 45(b)(2). All subpoenas must be accompanied by a check made payable to the witness for the witness fee (\$40 per day) and mileage (57.5 cents per mile, round trip).

A copy of the subpoena is left with the witness and the original subpoena is returned to counsel.

B. Criminal

Under Rule 17 of the Federal Rules of Criminal Procedure, the Clerk of Court or the Magistrate Judge hearing the matter shall issue subpoenas. An original and one copy are needed for each witness to be served. All subpoenas issued by the Clerk are: (1) completed by counsel; (2) signed by the Clerk of Court; and (3) have the seal of the court placed over the name of the Clerk of Court before being served on the witness.

All subpoenas may be served by a person who is not a party and is not less than 18 years of age. There is no provision in the rules for subpoenas to be served by mail.

All subpoenas must be accompanied by a check made payable to the witness for the witness fee (\$40.00 per day) and mileage (57.5 cents per mile, round trip), unless the subpoena was issued on behalf of the United States or the court has determined upon an *ex parte* motion that the defendant is financially unable to pay.

A criminal subpoena requiring the attendance of a witness at a hearing or trial may be served at any place within the United States. Subpoenas which are directed at witnesses in a foreign country shall be issued in accordance with 28 U.S.C. § 1783.

For more detailed information on criminal subpoenas, refer to Federal Rule of Criminal Procedure 17.

FOREIGN SUBPOENAS

(Rule 45, Federal Rules of Civil Procedure)

A foreign subpoena is one issued out of a court other than where the original case is pending. For example, a case is pending in California, but counsel would like to take the deposition of someone in the Eastern District of Pennsylvania.

A. Filing Procedure in Out-of-State Court

Counsel should complete the subpoena forms, attach a check for the witness fee and mileage in the sum of \$40.00 per day, plus 57.5 cents per mile, round trip, and send them, together with the notice to take the deposition, to the United States District Court nearest where the deponent resides. The referred court, where the deposition shall issue will stamp the name of the clerk, have the form signed by a deputy and affix the seal of its court over the signature.

B. Service

Service of the deposition subpoena must be by process server. There is no provision for service by mail. The subpoena is left with the witness, together with the witness fee. Counsel should make arrangements with a special process server for serving the subpoena.

C. To Contest

To contest a foreign (deposition) subpoena, file a motion to quash the deposition subpoena in the district where the subpoena was issued. File an original motion with the court. The case is filed as a miscellaneous case, with an associated filing fee of \$47.00.

D. Attendance

A person to whom a civil subpoena for the taking of a deposition is directed may be required to attend at any place within 100 miles from the place where the person resides, is employed or transacts business in person, is served, or at such other convenient place is fixed by an order of the court.

DISCOVERY

In accordance with Local Civil Rule 26.1, discovery material is not filed with the court. The party serving the discovery material or taking the deposition shall retain the original and be the custodian of it. Every motion governing discovery shall identify and set forth, verbatim, the relevant parts of the interrogatory, request, answer, response, objection, notice, subpoena or deposition. Any party responding to the motion shall set forth, verbatim, in that party's memorandum, any other part that the party believes necessary to the court's consideration of the motion.

TEMPORARY RESTRAINING ORDER (T.R.O.)

The assigned judge will set a time (usually the same day you file the T.R.O.) to meet with you and opposing counsel, if any. File the case in the Clerk's Office and give the clerk sufficient time to assemble the case for the judge and prepare the docket. If the judge grants the temporary restraining order, it is the responsibility of counsel for plaintiff to make service of the T.R.O. on the defendant.

We suggest you call: Terry Milano, Operations Manager, at (267) 299-7013; Nicole D'Urso, Supervisor, at (267) 299-7017; or Kevin Eibel, Supervisor, at (267) 299-7035, with any questions.

WRITS OF GARNISHMENT, ATTACHMENT AND EXECUTION

Writs of Garnishment and Attachment are prepared by counsel, filed with the Clerk's Office for processing and served by the U.S. Marshal. Counsel is responsible for notice to opposing counsel. Notice must be given to all owners of the property. (***Appendix O***).

You must wait 14 days before you can execute on a judgment, unless a Motion to Vacate, Motion to Stay, Motion for Reconsideration, or Motion for a New Trial is pending. If counsel requests, we will process the Praecipe for a Writ of Garnishment or Execution immediately, referring the matter to the assigned judge, if available, or to the judge's chambers for guidance. (See, Rule 62, Federal Rules of Civil Procedure).

FILING A JUDGMENT BY DEFAULT

A. Rule 55(a), Federal Rules of Civil Procedure

You must file a request with the Clerk for the entry of a default for want of answer or other defense. Set forth the following information: (1) defendant was properly served on a particular date; (2) the time for defendant to file an answer to the complaint has expired; (3) that as of the date of the filing of the request for entry of the default, no answer (or motion to dismiss or motion for summary judgment) has been filed; and (4) instruct the Clerk to enter a default against the defendant (name the defendant if more than one in a case) for want of answer or other defense.

If the defendant is an individual, be sure that the defendant was served a copy of the complaint by either special process server, or waiver of service provisions of the Federal Rules of Civil Procedure, Rule 4(d) or otherwise in accordance with Federal Rules of Civil Procedure, Rule 4.

B. Rule 55(b), Federal Rules of Civil Procedure

To file a request for judgment by default for an individual, file an affidavit indicating the individual is (1) not an infant; (2) not incompetent; (3) not in the military; (4) amount due and owing; and (5) form of judgment.

To file a request for judgment by default for a corporation, file only an affidavit of amount due. If the amount requested in the complaint differs from that requested in the proposed judgment, the affidavit of amount due should explain the discrepancy.

MULTIDISTRICT LITIGATION

Due to the volume of litigants and the complexity of procedural requirements, those cases that are classified as being multidistrict litigation are governed by a separate and unique set of procedural rules. These rules are contained in the ***Procedural Manual for Multidistrict Litigation***. Counsel may review this manual in the Clerk's Office, Room 2609, or may purchase copies from the Multidistrict Litigation Panel in Washington, D.C. Specific requests for information and related inquiries should be directed to Jeffrey N. Luthi, Clerk of the Panel, Multidistrict Litigation Panel, One Columbus Circle, N.E., Suite G-255, North Lobby, Washington, D.C. 20002-8004 or at (202) 502-2800.

On July 29, 1991, the Judicial Panel on Multidistrict Litigation entered an opinion and order transferring all asbestos cases that were not on trial and were pending outside the Eastern District of Pennsylvania to this Court and assigned them to the late Honorable Charles R. Weiner for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407, MDL 875, In Re: Asbestos Products Liability Litigation. MDL 875 has been reassigned to the Honorable Eduardo C. Robreno. The deputy clerk with general responsibility for local involvement in multidistrict litigation matters is Eric Sobieski, at (267) 299-7018.

ARBITRATION

Our arbitration program provides litigants with a more prompt and less expensive alternative to the traditional courtroom trial. It has been in operation since 1978 and includes all civil cases (except social security cases, cases in which a prisoner is a party, cases alleging a violation of a constitutional right and cases where jurisdiction is based on 28 U.S.C. § 1343) where money damages only are sought in an amount not exceeding \$150,000. Counsel is advised to refer to Local Civil Rule 53.2 for the specific types and categories of cases that are considered to be eligible for arbitration.

A. Procedure for Cases Eligible for Arbitration

When a complaint is filed, our local civil rule provides that damages are presumed to be not in excess of \$150,000 unless counsel certifies that the damages exceed that amount. Immediately after the answer is filed, the attorneys receive a letter from the Clerk's Office advising them of the date for the arbitration hearing and also notifying them that discovery must be completed within 90 days. The clerk schedules the arbitration hearing for a specific day; usually a date about four months after an answer has been filed. In the event a party files a motion for judgment on the pleadings, summary judgment, or similar relief, our local rule provides that the case may not be heard until the court has ruled on the motion. However, the filing of a motion after the judge designates the arbitrators who will hear the case (usually about 30 days prior to the arbitration hearing) shall not stay the arbitration unless the judge so orders.

B. Trial Procedure

Although the Federal Rules of Evidence are designated as guides for the admissibility of evidence at the arbitration hearing, copies of photographs of exhibits must be marked for identification and delivered to the adverse party at least ten (10) days prior to arbitration. The arbitrators shall receive such exhibits in evidence without formal proof, unless counsel has been notified at least five (5) days prior to the hearing that their opponent intends to raise an issue concerning the authenticity of the exhibit. The arbitration hearing is not recorded unless a party, at their own expense, arranges for a recording. The arbitrators are authorized to change the date of the arbitration hearing, provided it takes place within thirty (30) days of the date originally scheduled.

C. Arbitrators

We currently have over 1500 lawyers certified as arbitrators. In order to qualify for certification, the lawyer must be admitted to practice before our court, be a member of the bar for at least five (5) years, and be determined by our Chief Judge to be competent to perform the duties of an arbitrator. An arbitrator receives \$150 for each case arbitrated. Three arbitrators are appointed for each case. They are randomly selected by the Clerk and each panel of three arbitrators is composed of one whose practice is primarily representing plaintiffs, one whose practice is primarily representing defendants, and one whose practice does not fit either category. The arbitrators are scheduled for hearing dates several months in advance. However, it is not until the judge signs the order designating the arbitrators who will hear the case (approximately 30 days prior to the arbitration hearing) that counsel learn the identity of the arbitrators and the arbitrators become aware of the a case assigned to them.

D. Arbitrator's Award

Immediately after the hearing, the arbitrators make a simple award, e.g., "Award in favor of defendant" or "Award in favor of plaintiff" in the amount of \$ XXX against (naming one or more defendants). The arbitrators are instructed that they should not file findings of fact, conclusions of law, nor opinions of any kind. The arbitrator's award shall be entered as the final judgment of the Court, unless within 30 days of the filing of the award a party demands a trial de novo.

E. Demands for Trial De Novo

Upon the filing of a demand for trial de novo, the case proceeds as if it had never been heard by the arbitrators.

APPEALS

A. Civil

In civil cases, you have 30 days to file an appeal, unless the government is a party, in which case you have 60 days. The time commences from the date the order or judgment is entered on the docket (calendar days, not working days). A cross appeal should be filed 14 days from the filing of the first appeal.

All cases filed in the ECF System in which a notice of appeal is filed shall be governed by Rule 10 of the Federal Rules of Appellate Procedure and relevant Local Rules and internal operating procedures of the United States Court of Appeals for the Third Circuit, with any differences about whether the record truly discloses what occurred in the district court to be submitted to and settled by the judge. Cases in which there is a right of direct appeal to the United States Supreme Court shall be governed by the rules of the United States Supreme Court.

B. Criminal

In criminal cases you have 14 days to file an appeal. Cross appeals should also be filed within 14 days.

If the attorney is court-appointed, pursuant to the provisions of the Criminal Justice Act, a filing fee is not required.

C. Report and Recommendation of U.S. Magistrate Judge

A party has 14 days to file objections. An original and one copy are required.

D. Bankruptcy

A party has 14 days to file a bankruptcy appeal to the District Court. This appeal is filed in the Bankruptcy Court. An original and copies for all counsel of record are required. Counsel must file designation of record on appeal (Bankruptcy's Rule 8006).

E. Patent, “Little Tucker Act” and Claims Court Transfer Cases

Appeals in patent and “Little Tucker Act” cases [28 U.S.C. §§ 1295(a)(1)-(2)] from certain interlocutory orders in these cases [28 U.S.C. § 1295(c)], and from orders transferring or refusing to transfer cases to the United States Claims Court [28 U.S.C. § 1292(d)(4)(B)], go to the United States Court of Appeals for the Federal Circuit. Federal Circuit Rules, practice notes, and appendix of forms are found in the Rules of Practice before the United States Court of Appeals for the Federal Circuit, available from the Clerk of that Court upon request. Call (202) 633-6550 or write to: 717 Madison Place, N.W., Washington, DC 20439.

F. Service

Appellate Rule 25(c) outlines the procedures for service of the notice of appeal.

The Clerk of Court is responsible for serving a copy of the notice of appeal by mail / e-mail to counsel of record other than the appellant. The date the notice of appeal was filed is noted on each copy served. A notation is made on the docket by the clerk of the names of the parties to whom copies are mailed and the date of mailing.

G. Filing Fee

The \$5 filing fee for the notice of appeal and the \$500 docket fee for the Court of Appeals are tendered to the Clerk of Court at the time of filing the notice of appeal. If the fee is not paid within 14 days after the docketing, the clerk is authorized to dismiss the appeal.

H. Preparation of the Record on Appeal

Rule 11 of the Federal Rules of Appellate Procedure provide for certification and transmittal of the original district court records file and exhibits to the Court of Appeals. However, the United States Court of Appeals for the Third Circuit has initiated an experimental program for retention of records in the district courts. In order to monitor record and case management, the district courts have been directed to retain the court records and to certify to the Court of Appeals that the record is available on ECF.

However, Rule 11 of the Third Circuit Rules provides that all reinstated parts of the record are to be transmitted if any party or the court requests such at any time during the pendency of the proceeding.

Rule 11 requires the appellant within 14 days after filing of the notice of appeal, to order from the court reporter, a transcript of the proceedings not already on file that the appellant deems necessary for inclusion in the record (**Appendix P**). Rule 11 of the Third Circuit Rules also requires that a deposit be made with the court reporter of the estimated cost of transcript.

Any questions you may have concerning appeals should be directed to a supervisor in the Civil Section, (Nicole D'Urso, at (267) 299-7017), or Criminal section (Kevin Eibel, at (267) 299-7035).

CERTIFICATION OF JUDGEMENT (AO 451)

Check Appellate Rule 4(a)(4) before issuing an AO 451. Also check the docket sheet for any post-judgment motions which may have the effect of “staying” the execution on the judgment.

The clerk does not have the authority to issue an AO 451 if a Motion to Vacate the Judgment, Motion for Reconsideration or Motion to Stay is pending or unless the “appeal time” has expired, except when ordered by the court that entered the judgment for good cause shown. (28 U.S.C. § 1963, as amended). The appeal time commences to run from the date the judgment is entered on the docket, unless otherwise ordered by the Court. The clerk is not authorized to issue an AO 451 before the expiration of the appeal time because the case may be “reversed” on appeal and result in substantial loss to plaintiff because of the executions on the property of the defendant.

Normally, all civil cases may be appealed within 30 days from the date of entry of the final judgment on the docket. The United States always has 60 days within which to file an appeal. Be sure to attach a certified copy of the judgment to the AO 451 form.

REFERRAL TO UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 28 U.S.C. § 636(c) and Local Civil Rule 72.1, U.S. Magistrate Judges may conduct, upon consent of all the parties in a civil case, any or all proceedings, including a jury or non-jury trial, and order the entry of a final judgment.

Your decision to consent, or not to consent, to the referral of your case to a U.S. Magistrate Judge for disposition is entirely voluntary and should be communicated solely

to the Clerk of Court. Appropriate consent forms for this purpose are available from the Clerk's Office (*Appendix Q*).

Only if all the parties in the case consent to the referral to a magistrate judge will either the district court judge or the magistrate judge be informed of your decision. The judge will then decide whether or not to refer the case to a magistrate judge for disposition, but no action eligible for arbitration will be referred by consent of the parties until the arbitration has been concluded and trial *de novo* demanded pursuant to Local Civil Rule 53.2. The court may, for good cause shown on its motion, or under extraordinary circumstances shown by any party, vacate a referral of a civil matter to a magistrate judge.

When a case is referred to a magistrate judge for all further proceedings, including the entry of final judgment, the final judgment may be appealed directly to the Court of Appeals for the Third Circuit, unless the parties elect to have the case reviewed by the appropriate district judge (in which event any further appeal to the Court of Appeals would only be by petition for leave to appeal). (See Local Civil Rule 721.).

POST JUDGMENT INTEREST RATE

In accordance with 28 U.S.C. § 1961 and 40 U.S.C. § 258, interest shall be allowed on any money judgment in a civil case recovered in a district court. Execution therefor may be levied by the marshal, in any case where, by the law of the State in which such court is held, execution may be levied for interest on judgments recovered in the courts of the State.

Such interest shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the judgment. Requests for the current rate and any questions should be directed to Terry Milano, Operations Manager, at (267) 299-7013. Current rates are available through a link to the Federal Reserve from our website: <http://www.paed.uscourts.gov>.

COURTROOM DEPUTY CLERKS

Each judge is assigned a courtroom deputy clerk who is responsible for scheduling and monitoring cases on the judge's calendar. The courtroom deputy clerk acts as a liaison between the judge and counsel, scheduling dates and times for hearings or motions, pretrial hearings and trials, and conferring with attorneys on any special trial procedures.

A. New Case Procedures

The Eastern District of Pennsylvania operates on an individual calendar system, as opposed to a master calendar system, which means that the assigned judge is responsible for all cases assigned, from filing to disposition.

After a case is filed, the courtroom deputy clerk checks the docket for timely service of process and the filing of an answer. If service has not been made within 60 days, a letter will be sent by the courtroom deputy clerk asking that service be made by the 90th day. If service has been made, but the complaint has not been answered, again a letter will be sent by the courtroom deputy requesting counsel to motion for judgment by default. Please do not ignore these notices. If you do, it could result in dismissal of the case for lack of prosecution. [See Federal Rule of Civil Procedure 4m and 12A].

Counsel may receive a status request form by contacting the courtroom deputy to the judge to whom the case is assigned. This form contains questions relating to the scheduling of the case, such as, length of time needed for discovery and estimated length of time for trial.

B. Pretrial Practices

After a complaint is filed, service has been made, and an answer is filed, an order is prepared which sets forth a discovery schedule. The order will specify a date by which all discovery must be completed and schedules a final pretrial conference, generally four to six weeks after the discovery deadline. Usually the case is put in the civil pool for trial in one month. However, not all judges follow the same pretrial practices. If you have questions, call the courtroom deputy clerk of the judge to whom the case is assigned, or check the court's website at <http://www.paed.uscourts.gov> for judges' policies and procedures.

C. Scheduling Cases

When discovery has been completed and pretrial conferences have been held, there are three ways in which a case can be scheduled for trial:

1. **Civil Trial Pool** – Most judges have the majority of cases in this pool.
2. **Date Certain** – This is a target date set weeks or months in advance and depends on the judge's calendar and availability of attorneys for the date to be met.

3. **Special Listing** – An agreement exists between the District Court judges and the State Court judges in the nine county area of Bucks, Chester, Delaware, Montgomery, Philadelphia, Berks, Lancaster, Lehigh and Northampton. (**Appendix S**).

These special listings take precedence over all other trial engagements provided the following requirements are met:

- the listing is established 30 days in advance by notice to counsel involved and all active judges;
- all district court judges and the judges in the 9-county area are notified at least 30 days in advance of counsel involved and of probable duration of trial:
- that not more than one such special listing shall be granted by the same judge to one lawyer in a six-month period, except for good cause.

The notice which is sent to district court judges and to court administrators in other courts must contain the name of the case, the date the case is scheduled, name of counsel, and the approximate amount of time required for trial.

D. Trial List

Each judge maintains a trial list of cases generally ready for trial. The federal trial list is published in the Legal Intelligencer from Monday through Friday. Below is a sample listing:

J. Curtis Joyner, C.J.
Courtroom 17A
Deputy Clerk: Sharon Scott
Phone: 267-299-7419

Mon., March 5, 2007
On Trial
Civil Jury Trial
10:00 a.m.
2006-8995 J. Smith
Becker v. ABC Company
M. Doe; J.P. Stewart

Trial Pool
2005-7213 p.p.
Jones v. Friedman
D. Wood

The following notice is published each day in the Legal Intelligencer and explains the policy of the Judges of the United States District Court for listing cases in the Eastern District of Pennsylvania.

1. Counsel shall promptly notify the deputy clerk to each judge before whom he/she has a case listed upon becoming attached for trial in another court. To be accorded recognition, a busy slip, using the designated form, ***MUST*** be filed in Room 2609 before 1:00 p.m. on the day after counsel becomes attached.
2. Cases in the trial pools do not necessarily appear in the order in which they will be called. Counsel should therefore be ready to begin trial upon receiving telephone call notice, subject to the following:
 - (a) Counsel whose cases are in the pools will be given 48 hours' notice, if feasible, but not less than 24 hours' notice to be ready for trial with witnesses.
 - (b) It is counsel's responsibility to check with each judge's deputy clerk on the status and movement of criminal and civil cases in that judge's pool.
 - (c) Counsel will not be required to commence trial less than 24 hours after completing trial of another case.

E. Court Proceedings Schedule

The Court Proceedings Schedule provides up-to-date information on the status of trials scheduled in the United States District Court seven days a week, twenty-four hours a day. The Court Proceedings Schedule is offered free of charge and is accessible to any individual office with a PC and internet access.

Events, such as verdicts, settlements, and continuances constantly change the status of cases on the Court's trial list. The Court Proceedings Schedule immediately reflects the daily status of listings as the information becomes available to the Clerk of Court.

All cases scheduled for trial, presently on trial, in the trial pool and special notices from the Court are included on the system. The Court Proceedings Schedule also provides the capability of viewing a report on the disposition of cases previously listed on the system. For user convenience, all information contained in this system is available by judge, date, case number, party name and/or attorney name. The user may choose the option which is most convenient to view listings. For example, the Court Proceedings Schedule allows the user to retrieve a list of cases in which a specified attorney is involved, then the information can be printed at the user's computer. If you have any questions on scheduling, please contact the courtroom deputy.

The Court Proceedings Schedule can be accessed through the District Court's website at <http://www.paed.uscourts.gov>.

F. Lobby Kiosk Information System

An automated informational kiosk system, located in the U.S. Courthouse lobby, includes current information on district court and court of appeals hearings, as well as a directory of judges and court clerks, location of other government agencies and general information. The kiosk provides touch screen technology, as well as mapping techniques to guide visitors to their destinations.

G. Busy Slips

It is important that busy slips (*Appendix T*) be filed promptly so that cases can be properly scheduled. Busy slips can be obtained at the front counter of the Clerk's Office, Room 2609, and should be filed in the Clerk's Office by 1:00 p.m. the day after counsel becomes attached. If a conflict arises before a particular judge, priority is given to the oldest case by date of filing. Please advise the courtroom deputy when the attorney is again available, or if the case was settled.

H. Attachments for Trial

Attorneys can only be attached three business days prior to a date of trial and can only be held for attachment for three business days.

I. Continuances – Criminal Cases

The Speedy Trial Act requires that defendants be brought to trial within a 70-day period after indictment or initial appearance before a judicial officer. This 70-day period can be extended only by a judge for specific reasons set forth in the Speedy Trial Act Plan which is on file and available for inspection in the Clerk’s Office.

J. Motions

When filing a motion, please include a proposed order for the judge’s signature. Since courtroom deputies are responsible for tracking motions, it is important that a certificate of service be attached to the motion so that they can calculate the date a response is due. If the parties have reached an agreement, notify us by stipulation. If a motion has been filed and the parties have settled their dispute, let the courtroom deputy know as soon as possible.

K. Exhibits

At the completion of trial, either the courtroom deputy clerk will keep exhibits or the Court will have counsel maintain custody until all appeals are exhausted or the appeal time has expired. If the courtroom deputy clerk has custody, the exhibits will be returned to counsel. If the exhibits are too large or too bulky to mail, the courtroom deputy will send a letter to the attorney requesting that the exhibits be picked up. If the exhibits are not picked up, they will be deemed abandoned and will then be destroyed (see Local Civil Rule 39).

L. Other Duties

Some additional duties performed by courtroom deputy clerks are:

- noting the appearance of counsel in matters before the court;
- impaneling the jury and administering oaths to jurors; providing liaison with the jury clerk as to ordering and canceling or juries; and keeping required records on other jury matters;

- administering oaths to witnesses, interpreters, attorneys on admission, and oaths of allegiance to applicants for citizenship;
- recording proceedings and rulings for minutes of the court; filing, marking, storing, and returning exhibits; and composing minute orders to carry out expressed intention of the judge;
- preparing verdict forms and judgments;
- advising the financial section of the Clerk's Office on matters affecting that section, particularly the imposition of fines and orders or restitution by the judge in criminal cases.

The following charts list the courtroom deputy clerks according to their assigned judge, along with their telephone numbers.

DISTRICT COURT JUDGES	COURTROOM DEPUTY	PHONE NUMBER
Lawrence F. Stengel, Chief Judge	Sharon Lippi (Civil) Laura Buenzle (Criminal)	267-299-7761 267-299-7769
Petrese B. Tucker	Kimberly Scott Hayden	267-299-7619
Cynthia M. Rufe	Velma White (Civil) Erica Pratt (Criminal)	267-299-7491 267-299-7499
Timothy J. Savage	Alex Eggert	267-299-7489
Gene E.K. Pratter	Rose E. Barber (Civil) Michael Coyle (Criminal)	267-299-7350 267-299-7359
Paul S. Diamond	Rich Thieme (Civil) Lenora Kashner Wittje (Criminal)	267-299-7730 267-299-7739
Juan R. Sánchez	Stacy Wertz (Civil) Nancy DeLisle (Criminal)	267-299-7781 267-299-7789
Joel H. Slomsky	Kelly Haggerty (Civil) Matthew Higgins (Criminal)	267-299-7340 267-299-7349
C. Darnell Jones II	Betty Harper (Civil) A'ishah El-Shabazz (Criminal)	267-299-7750 267-299-7759
Mitchell S. Goldberg	Carole Ludwig (Civil) Steve Sonnie (Criminal)	267-299-7500 267-299-7509
Nitza I. Quiñones Alejandro	Carey Doris Widman (Civil) Rosalind Burton-Hoop (Criminal)	267-299-7461 267-299-7467
Jeffrey L. Schmehl	Barbara A. Crossley (Civil) Teri Lefkowith (Criminal)	610-320-5099 610-320-5030

DISTRICT COURT JUDGES	COURTROOM DEPUTY	PHONE NUMBER
Gerald A. McHugh	Patricia K. Clark (Civil) Christian Henry (Criminal)	267-299-7302 267-299-7307
Edward G. Smith	Shana Restucci (Civil) Jaime M. Kulick (Criminal)	610-333-1836 610-333-1837
Wendy Beetlestone	Aaris M. Wilson (Civil) Michael Mani (Criminal)	267-299-7451 267-299-7459
Mark A. Kearney	Ulrike Hevener (Criminal)	267-299-7688
Gerald J. Pappert	Katie Rolon (Civil) Jeff Lucini (Criminal)	267-299-7530 267-299-7537
Joseph F. Leeson, Jr.	Diane J. Abeles (Civil) Justin F. Wood (Criminal)	610-391-7020 610-776-6118

SENIOR JUDGES	COURTROOM DEPUTY	PHONE NUMBER
J. William Ditter, Jr.	Chambers	215-597-9640
Robert F. Kelly	Mark Rafferty	267-299-7319
Jan E. DuBois	Milahn Hull	267-299-7339
Harvey Bartle III	Kristin Makely	267-299-7389
John R. Padova	Michael Beck (Criminal)	215-597-1178 267-299-7409
J. Curtis Joyner	Sharon Scott	267-299-7419
Eduardo C. Robreno	Ronald Vance	267-299-7429
Anita B. Brody	Marie O'Donnell (Civil) James Scheidt (Criminal)	267-299-7431 267-299-7439
Berle M. Schiller	Jean Pennie (Civil) Christopher Campoli (Criminal)	267-299-7621 267-299-7629
R. Barclay Surrick	Donna Donohue Marley (Civil) Christina Franzese (Criminal)	267-299-7631 267-299-7639
Michael M. Baylson	Lori Di Santi (Civil) Janice Lutz (Criminal)	267-299-7520 267-299-7291

MAGISTRATE JUDGES	COURTROOM DEPUTY	PHONE NUMBER
Linda K. Caracappa, Chief Magistrate Judge	Ian Broderick	267-299-7640
Thomas J. Rueter	Deb Owens	215-597-0048
Carol Sandra Moore Wells	Edward Andrews	215-597-7833

MAGISTRATE JUDGES	COURTROOM DEPUTY	PHONE NUMBER
Timothy R. Rice	Chavela Settles	267-299-7660
David R. Strawbridge	Danielle Puchon	267-299-7790
Henry S. Perkin	Carlene Kohut	610-434-3823
Elizabeth T. Hey	Lara Karlson	267-299-7670
Lynne A. Sitariski	Regina M. Zarnowski	267-299-7810
Marilyn Heffley	Sharon Hall-Moore	267-299-7420
Richard A. Lloret	Sheila McCurry	267-299-7410
Jacob P. Hart	Deborah Stevenson	215-597-2733

STANDING ORDER RE: SENTENCING REFORM ACT OF 1984

In accordance with the resolution approved by the Judges of this Court on January 19, 1988, a standing order (*Appendix U*) was adopted for use in criminal cases in which sentences are imposed under the Sentencing Reform Act of 1984 (Chapter II of the Comprehensive Crime Control Act, Public Law No. 98473, 98 Stat. 1837, 1976 (enacted October 12, 1984)).

AFTER-HOURS CONTACT FOR EMERGENCY MATTERS

A deputy clerk is on duty in the Clerk's Office each week day from 8:30 a.m. to 5:30 p.m. Attorneys who wish to contact the United States District Court for the Eastern District of Pennsylvania during the evenings after 5:30 p.m. or on weekends may do so by calling (215) 597-0374 or toll-free at (800) 525-5726 or (877) 437-7411. These numbers connect with the Court Security Office and Federal Protective Service which is staffed 24 hours a day, 7 days a week. Attorneys who call these numbers will be referred to the Clerk or a deputy clerk on duty. This service is available for attorneys who have to file an injunction, ship attachment, or other emergency business during non-business hours.

AFTER-HOURS FILING DEPOSITORY

An After-Hours Filing Depository is provided in the lobby of the courthouse past the metal detectors and is able to receive documents for filing after 5:00 p.m. A time recorder is affixed to the depository which enables the person submitting documents for filing to note the time and date the documents are placed in the depository. If the documents are submitted after the doors are locked, access to the building may be gained by activating the buzzer adjacent to the main entrance on Market Street.

OPINION / CORRESPONDENCE CLERK

Matthew Cocci is responsible for answering general correspondence inquiries. Matthew can be reached at (267) 299-7094.

We maintain civil case files for calendar years 2012 to the present year and criminal case files from 2011 to the present, in addition to all open cases, in the Clerk's Office. Files for previous years are stored at the Federal Records Center. Send a letter to the attention of the correspondence clerks specifying the case number of the file you need and the documents in which you are interested. They will obtain the file and send you a copy of the papers that you need at a cost of 50¢ per page. There is an additional fee of \$11 for a certified copy. The cost of retrieving a file from the Federal Records Center is \$64 for the first box and \$39 for each additional box.

Any inquiries to search the index for case numbers, judgment, decrees, etc., will be handled by the correspondence clerks. The fee is \$30 per name searched.

Judicial opinions filed in the Eastern District since June 1, 1997, as well as opinions filed in Civil Action Number 96-963, A.C.L.U., et al. v. Janet Reno, Attorney General of the U.S., in Civil Action Number 96-1458, American Library, et al. v. U.S. Department of Justice, in Civil Action Number 96-2486, Cyber Promotions, Inc. v. American Online, Inc., and in Civil Action Number 96-5213, America Online, Inc. v. Cyber Promotions, Inc., may be obtained through the opinion section on the Eastern District of Pennsylvania's Internet website at <http://www.paed.uscourts.gov>.

HOW TO FIND A CASE NUMBER

Cases are indexed using the microfiche system, public access computers and **PACER** (see section on **PACER**). At the computers located in the Clerk's Office, you will find printed explanations on the procedure to locate a case number in order to find the docket sheet for that case. Every microfiche index is labeled with the filing time frames for each category. Information on cases filed prior to the specified time frames may be obtained from the Records Room.

CLERK'S INDEX FILE BY NATURE OF SUIT

The Clerk's Office makes this service available at no cost. It is an Index to Civil Actions by Subject prior to March 21, 1994, and is arranged under these main topics: Persons, Property, Contracts, Torts & Other Statutes. Subject headings are exactly the same as those specified on the Civil Cover Sheet.

Refer to the Table of Contents under the appropriate main heading and find the page number on which reference is made to civil actions on the desired subject. Copy down the case number(s) shown and draw the case file jackets or docket sheets to see if the cases listed are helpful.

COPY WORK

Adjacent to Room 2609 is the Reproduction Room. To have copies made, you must complete a request form and prepay the cost, either in person or by mail.

It is possible to obtain copy work the same day. However, it depends on the quantity of work and the time constraints of the photocopy operator.

RECORDS ROOM

Adjacent to the Reproduction Room is the Records Room where all open case files for civil and criminal cases are maintained. In addition to all open case files, all civil files from 2012 to the present year, and all criminal cases from 2011 to the present year, are located in the file room. Individual files and papers may be inspected in this area by the

general public. Files are available from the Federal Records Center through our office. The fee for this service is \$64 for the first box and \$39 for each additional box retrieved. If you have questions, you may contact the records room at (267) 299-7082.

CREDIT CARD COLLECTION NETWORK

In September of 1987, the Department of Treasury established a government credit card collection network to enable federal agencies to accept credit cards (Visa, MasterCard, American Express, Discovery and Diners Club) for the collection of receipts due the government.

Credit cards are accepted as payment at the counter for the following transactions in the Clerk's office:

- filing fees;
- copy work (docket sheets, opinions, etc.);
- copies of ESR-taped proceedings;
- attorney admission fees;
- searches and certifications;
- retrieval fees for case files maintained at the Federal Records Center.

For counter transactions, submit the charge card for recording, validating, and imprinting onto a bank charge slip. The amount of the charge, transaction code, date and time appear on the bank charge slip and cash register receipt. The original cash register receipt and bank charge slip are given to the customer, and the copies are kept on file in the Clerk's Office.

For those law firms that are concerned with the safekeeping of the actual credit card, the Clerk's Office will maintain the firm's credit card number, expiration date and signature of one of the firm's partners after completion of an authorization form (**Appendix V**). The courier will reference the authorization form and the transaction will be processed. On the bank charge slip, "**AUTHORIZATION ON FILE**" would appear in the signature block.

Credit Cards are ***not*** accepted as payment for mail or telephone requests.

REQUIRED CHECK CONVERSION DISCLOSURE

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution. For inquiries, please call (267) 299-7107.

If the electronic fund transfer cannot be completed because there are insufficient funds in your account, we may impose a one-time fee of \$53.00 against your account, which we will also collect by electronic fund transfer.

A Privacy Act Statement required by 5 U.S.C. § 552a(e)(3) stating our authority for soliciting and collecting the information from your check, and explaining the purposes and routine uses which will be made of your check information, is available from our internet site at www.paed.uscourts.gov or by calling toll free at (866) 945-7920 to obtain a copy by mail. Furnishing the check information is voluntary, but a decision not to do so may require you to make payment by some other method.

DEPOSITING / WITHDRAWING MONIES

The Fiscal Department is responsible for coordinating all financial transactions involving the district court. All court-related fees are paid and disbursements are made through this department. In order to deposit or withdraw monies from the registry, you must submit a proposed order. Please call Mary Grace O'Connor, the Financial Manager at (267) 299-7066 with any questions on this procedure.

A. Deposits

All checks should be made payable to "**Clerk, U.S. District Court.**" It is recommended that all deposits made into the registry of the court for subsequent disbursement be accomplished by a treasurer's check or a certified check.

B. Court Registry Investment System “CRIS”

Disbursements are made from the registry fund upon order of the court only. The case docket is reviewed to determine if disbursement is appropriate, then the financial ledger amount is compared with the court order amount. A voucher is prepared by the financial deputy and a United States Treasury check is drawn and mailed to the payee.

Where, by Order of the Court, funds on deposit with the Court are to be placed in an Interest-bearing account or invested in a court-approved, interest-bearing instrument, The Court Registry Investment System (“CRIS”), administered by the Administrative Office of the US Courts, shall be the only investment mechanism authorized.

Interpleader funds deposited under 28 U.S.C. §1335 meet the IRS definition of a “Disputed Ownership Fund” (DOF), a taxable entity that requires tax administration. Unless otherwise ordered by the court, interpleader funds shall be deposited in the DOF established with the CRIS and administered by the Administrative Office of the US Courts, which shall be responsible for meeting all DOF tax administration requirements.

The custodian is authorized and directed by the September 22, 2016, Order Regarding Deposit and Investment of Registry Funds, attached as **Appendix DD**, to deduct the CRIS fee of an annualized 10 basis points on assets on deposit for all CRIS funds, excluding the case funds held in the DOF, for the management of investments in the CRIS.

According to the Court’s Miscellaneous Fee Schedule, the CRIS fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases.

The custodian is also authorized and directed to deduct the DOF fee of an annualized 20 basis points on assets on deposit in the DOF for management of investments and tax administration. According to the Court’s Miscellaneous Fee Schedule, the DOF fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made. The custodian is further authorized and directed by this Order to withhold and pay federal taxes due on behalf of the DOF.

These fees do not apply to unclaimed monies held for individuals or persons whose whereabouts are unknown.

CRIMINAL DEBT

(SPECIAL ASSESSMENT, RESTITUTION AND FINES)

Criminal debt payments to be paid in person or received through the mail are sent to the Fiscal Department. A payment is checked against the court's financial accounting system to ascertain that the amount received is proper and not an overpayment. After the payment is verified as correct, the cashier accepts and processes the payment. A receipt is issued if the debt is paid in person; if a special request accompanies a mailed check, a receipt will be issued. The money is deposited into the U.S. Treasury (General or Special Fund). Restitution payments are disbursed to victims on a monthly basis.

Criminal debt that is recovered through the Probation Office is hand-delivered by Probation personnel to the cashier.

CENTRAL VIOLATIONS BUREAU (CVB)

In the district courts, the CVB provides a case management system for petty offenses (and some misdemeanors) which originate with the filing of a violation notice sent by the issuing government agency directly to the CVB. If collateral is forfeited to the CVB within the specified time, the date and amount is entered and the case is closed. In cases which are not disposed of through forfeiture of collateral, the CVB schedules a hearing before a Magistrate Judge, notifies the defendant, and records the Magistrate Judge's disposition of the case.

BAIL BONDS

Bail is generally set by the court from one of the following categories:

1. **Own Recognizance** – In this instance, the defendant signs an Appearance Bond in the amount fixed by the court without posting any security.

2. **In an Amount Equal to 10% of the Total Amount of the Bond** – When ordered by the Court, the defendant or someone on their behalf deposits 10% of the amount of the bond. If it is the defendant's cash, only the defendant signs the appearance bond. If it is the surety's cash, then both must sign. Local Civil Rule 67.1(a) states that "no attorney, or officer of this court shall be acceptable as surety bail, or security of any kind in any proceeding in this court."

3. **In an Amount with Good Security** – In this instance, both the defendant and the surety must sign the appearance bond with acceptable security being posted. Security may be one of the following:
- **Cash** – only cash, certified or cashier’s check, or money order are acceptable:
 - **Corporate Surety** – with power of attorney;
 - **Individual Sureties – Real Estate** – explained on sample form “Bail Bond Secured by Property or Real Estate Bail” (*Appendix W*);
 - **Securities** – only negotiable securities are acceptable.

ATTORNEY ADMISSIONS

Applications for admission to the bar of our court for those attorneys who are currently members in good standing of the bar of the Supreme Court of Pennsylvania pursuant to Local Rule of Civil Procedure 83.5(a) may be obtained at the front counter of the Clerk’s Office. Admission ceremonies are held once a week. The fee for attorney admission is \$206.⁰⁰. There is a \$19.⁰⁰ fee for a duplicate certificate of admission or certificate of good standing. For further information on attorney admissions, call Aida Ayala, the attorney admissions clerk at (267) 299-7099.

Pursuant to Local Rule of Civil Procedure 83.5(b), attorneys who are not currently admitted to either the bar of this court or the bar of the Supreme Court of Pennsylvania shall not actively participate in the conduct of any trial or pre-trial or post-trial proceeding before this court unless, upon motion of a member of the bar of this court containing a verified application, leave to do so is granted (*Appendix X*). A \$40 fee is assessed for such admissions.

COURT REPORTING / RECORDING SERVICES

Orders for transcripts produced by court reporters can be accomplished through the Court Reporter Supervisor, Joan Carr at (267) 299-7104, by means of a Transcript Order Form (*Appendix Y*).

Orders for transcripts produced by electronic sound recording can be accomplished through the Transcript Coordinator, David Hayes at (267) 299-7041 or Connie Flores at (267) 299-7191, by means of a Transcript Order Form (*Appendix Y*). Orders for tapes or CDs produced by ESR can be accomplished by means of the Tape Order Form (*Appendix Z*).

ELECTRONIC TRANSCRIPTS OF COURT PROCEEDINGS

With the exception of sealed transcripts which are excluded from electronic filing, effective June 2, 2008, electronic transcripts of court proceedings in the United States District Court, Eastern District of Pennsylvania, will be made available to the public as follows:

- Transcripts of civil court proceedings will be placed on CM/ECF or PACER with the approval of the presiding judge.
- Transcripts of criminal court proceedings will not be placed on CM/ECF or PACER unless approved by the presiding judge.

If electronic transcripts are to be made available to the public upon approval of the assigned judge:

- A transcript provided to the court reporter or transcriber will be available at the office of the Clerk for inspection for a period of 90 days after it is delivered to the Clerk.
- During the 90-day period a copy of the transcript may also be obtained by purchase from the court reporter or transcriber through the office of the Clerk. An attorney who obtains the transcript from the office of the Clerk will be allowed remote access to the transcript through the court's CM/ECF system.
- After the 90-day period has expired, the filed transcript will be available for inspection and copying in the Clerk's office. With the approval of the presiding judge, the transcript may also be available for download from the court's CM/ECF system through the PACER system.

In addition, amendments to the Federal Civil and Criminal Rules of Procedure (Civil Rule 5.2 and Criminal Rule 49.1) require that personal identification information be redacted from documents filed with the court, including Social Security numbers, names of minor children, financial account numbers, dates of birth, and in criminal cases, home addresses.

For more information on electronic transcripts, please contact Joan Carr, Supervisor of Court Reporters, at (267) 299-7104 or Michael Hearn, Electronic Sound Recording Coordinator, at (267) 299-7039. (See **Appendix AA**).

DIGITAL AUDIO FILE ELECTRONIC ACCESS

Digital audio recordings of courtroom proceedings will be publicly available on PACER upon the approval of the presiding judge. The project enables PACER users to download, in MP3 format, court proceedings that have been recorded using electronic sound recording technology. (See **Appendix BB**).

For more information, contact Michael Hearn, Electronic Sound Recording Coordinator, at (267) 299-7039.

VIDEO RECORDING SERVICES

The Clerk's Office has video recording facilities for the taking of depositions of witnesses. These services are provided at the discretion of the assigned judge. To request video recording of witnesses, contact Edward Morrissy at (267) 299-7044. There is no charge for the use of the video recording service, but counsel is required to supply the necessary dvds.

Counsel is required to give notice to the opposing party as to their intention to utilize the video recording procedure.

VIDEO TELECONFERENCING

On June 1, 1995, the Eastern District of Pennsylvania started a video teleconferencing pilot program sponsored by the United States Marshal Service and the Federal Bureau of Prisons. This program establishes a closed-circuit television link between the United States District Court in Philadelphia and the Federal Correctional Institute at Fairton, New Jersey. In May 1988, this program was expanded to include links between the District Court and State Correctional Institutions, including Graterford, Greene and Camp Hill. The program allows criminal defendants incarcerated at these institutions to fully participate in court appearances, interviews and conferences. The equipment and facilities are also available to the Office of Pretrial Services, the United States Probation Office, the Federal Defender, the United States Attorney, and the defense bar when not in use by the Court. All requests to use the VTC equipment for conferences are to be submitted to the VTC Coordinator, who can be reached at (267) 299-7044.

The VTC Program has not been limited to only cases in which defendants are incarcerated. For visiting judge cases in which judges of this court sit by designation in Middle or Western District Court cases, this program has been successfully utilized to conduct conferences between this court and counsel from outside districts which are similarly equipped with VTC equipment. For further information on this service, please contact the VTC coordinator.

COURTROOM TECHNOLOGY

Several courtrooms provide an array of technical components that support evidence presentation, remote site interactions, language interpreting and audio enhancement. The state-of-the-art technologies include assisted listening systems, integrated court interpreting systems, video teleconferencing systems, document/video presentation systems, evidence trolleys, annotation pads, document cameras, as well as connectivity at counsel tables for use with court-or-attorney-provided PCs. The court welcomes the bar to make use of these technologies and training is available at the courthouse. For further information, contact Mark Boraske at (267) 299-7052 or Edward Morrissy at (267) 299-7044.

INTERPRETERS' SERVICES

Effective September 1, 1997, the Clerk's Office became responsible for scheduling interpreters for all criminal proceedings and for all civil cases initiated by the Government. The interpreter coordinator, Larry Bowman, (267) 299-7029, will schedule all interpreters required for court appearances.

Once the need for an interpreter has been established, the courtroom deputy to the assigned judge will be responsible for notifying the interpreter coordinator of all court proceedings requiring the use of an interpreter.

JURY SELECTION

The jury section is responsible for selecting and maintaining a pool of citizens qualified to serve as grand and petit jurors in this district and summoning these individuals for jury service. Jurors are selected pursuant to the *Plan for the Random Selection of Grand and Petit Jurors for the Eastern District of Pennsylvania, amended July 19, 2016*. A copy of this plan is available for inspection in the Office of the Clerk of Court. The jury section is also responsible for preparation of vouchers and documentation required to reimburse jurors for their service.

A. Term of Jury Service

If selected for a trial, jurors are required to serve until the completion of the trial.

B. Excuse from Jury Service on Request

In addition to members of groups and occupational classes subject to excuse from jury service pursuant to 28 U.S.C. §§ 1863(b)(5) and (7), any person summoned for jury service may, on request, be excused temporarily by a judge of this court. The person must show undue hardship or extreme inconvenience by reason of great distance, either in miles or travel time, from the place of holding court, grave illness in the family or any other emergency which outweighs in urgency the obligation to serve as a juror when summoned, or any other factor which the court determines to constitute an undue hardship or to create an extreme inconvenience to the juror. Additionally, in situations where it is anticipated that a trial or grand jury proceeding may require more than thirty days of service, the court may consider, as a further basis for temporary excuse, severe economic hardship to an employer which would result from the absence of a key employee during the period of such service.

The period for which such prospective jurors may be excused shall be the period of time which the judge deems necessary under the circumstances, which shall be fixed in the order granting the excuse. At the expiration of the period so fixed, such persons shall be summoned again for jury service within a reasonable time.

C. Payment

Jurors receive \$40 for each day in attendance, plus .535 cents per mile (eff. 1/1/2017) as measured from their residence to the courthouse (roundtrip). The court calculates the computation of this fee. If a juror lives more than 50 miles from the courthouse and remains overnight, the juror will be reimbursed for room and living expenses. Subsistence allowance is:

LOCATION	DATE	AMOUNT
PHILADELPHIA	10/01/16 - 11/30/16	\$247
PHILADELPHIA	12/01/16 - 03/31/17	\$215
PHILADELPHIA	04/01/17 - 06/30/17	\$252
PHILADELPHIA	07/01/17 - 08/31/17	\$216
PHILADELPHIA	09/01/17 - 09/30/17	\$247
READING	Through 09/30/17	\$156
ALLENTOWN	Through 09/30/17	\$157
EASTON	Through 09/30/17	\$157

If you have any questions regarding jury matters, you may call (267) 299-7299.

PACER – PUBLIC ACCESS TO COURT ELECTRONIC RECORDS

The **PACER** system provides improved access to court records for attorneys and other members of the public. This electronic access system allows any member of the public to access information contained in the court’s civil/criminal docket database via internet access. The user is able to access a search of information either through a case name or a case number and can request docket reports. The information is either saved on the user’s PC or the report is printed during online access.

All civil cases filed since July 1, 1990 and all criminal cases filed since July, 1992 are contained on the **PACER** system. In addition, the **PACER** system will allow an end-user to check recent activity. If there has been no recent activity, the **PACER** system will confirm that fact in seconds.

The **PACER** system is available 24 hours a day, 7 days a week. Electronic case filings and updates to the docket are available for immediate view.

The Eastern District of Pennsylvania's **PACER** system is administered by the **PACER** Service Center. The center provides all support services as well as billing services for **PACER** access.

Many Eastern District of Pennsylvania **PACER** users are already registered with the **PACER** Service Center for access to the **PACER** systems throughout the federal court system. If you are currently registered with the **PACER** Service Center, please call the center at (1-800) 676-6856 to add the Eastern District of Pennsylvania to your account.

If you are not registered with the center, complete a **PACER** registration form (*Appendix CC*) available on the court's website at <http://www.paed.uscourts.gov> and forward it to the **PACER** Service Center, P.O. Box 780549, San Antonio, TX 78278-0549, or fax it to: (201) 301-6441, or a completed application may be submitted via e-mail. The address for **PACER** is <http://www.pacer.gov>. Users may access **PACER** by using their **PACER** login and password. The fee for accessing **PACER** is 10¢ per page.

Should you have any questions concerning **PACER** service or registration, please contact the center at (1-800) 676-6856.

INTERNET WEBSITE

Information on multiple services and all judicial opinions filed since June 1, 1997 in the United States District Court for the Eastern District of Pennsylvania, as well as e-mail capabilities are available on the internet at <http://www.paed.uscourts.gov>. The site contains the following:

- Judicial opinions filed since June 1, 1997, including a *Recent Opinions* section:
- E-mail capabilities with the Office of the Clerk of Court;
- Local civil, criminal and Bankruptcy rules;
- Court notices;

- Electronic Case Filing;
- Forms:
- Report of cases specially listed for U.S. District Court and surrounding county courts;
- Multidistrict litigation information;
- Criminal documents;
- Frequently asked questions;
- Clerk's Office Procedural Handbook containing information on: filing civil actions / documents, general motion practice and pretrial procedures, fees, judicial chambers information (phone numbers, addresses, staff), forms (appendices), Clerk's Office directory, appeals, bill of costs and after hours filing;
- Telephone directory and address information;
- The Court Proceedings Schedule;
- Search capabilities;
- Link to **PACER**;
- Judicial policies and procedures;
- Juror information;
- Federal holidays; and
- Arbitrator and mediator applications.

LOCAL RULES

The local rules of court-civil, criminal, admiralty and bankruptcy are available from the Clerk's office and also on the internet at <http://www.paed.uscourts.gov>. Inquiries should be directed to Aida Ayala at (267) 299-7099, in room 2625.

PORTABLE ELECTRONIC DEVICES AND PUBLIC TELEPHONES

Visitors to the U.S. Courthouse are permitted to carry portable electronic devices, such as cell phones and laptops into the courthouse, but all equipment will be subject to x-ray and visual inspection by the Court Security Officers at the security screening station. All equipment must be turned off before entering courtrooms and chambers, unless otherwise authorized by the presiding judge. Failure to follow this restriction may result in sanctions by the judge.

U.S. DISTRICT COURT CLERK'S OFFICE

CLERK OF COURT

KATE BARKMAN (215) 597-9221

SECRETARY

Miriam Coco, Secretary..... (267) 299-7085

INFORMATION DESK

Steve Carey (215) 597-7704

CASE REASSIGNMENTS

Susan Renz..... (267) 299-7218

CHIEF DEPUTY

LUCY CHIN..... (267) 299-7112

HUMAN RESOURCES

Human Resources Administrator

Deana May..... (267) 299-7091

Human Resources Coordinator

Jamie L. McDermott..... (267) 299-7092

Human Resources Specialist

Lauren Moran (267) 299-7090

FISCAL

Financial Manager

Mary Grace O'Connor (267) 299-7066

Financial Supervisor

Maria Andrews..... (267) 299-7108

Voucher/Disbursements

Terryl Richardson (267) 299-7109

CJA Vouchers

Peter Mordeczko (267) 299-7110

Jury Payments

Zachary Robinson (267) 299-7111

Restitution

Michael O'Reilly (267) 299-7131

Criminal Debt

Liana Delara (267) 299-7243

Nelly Lu (267) 299-7086

Greg Williams (267) 299-7244

Budget Analyst

Kelly Stratton..... (267) 299-7113

CJA Analyst

Heather Gaul (267) 299-7159

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ASSISTANT ADMINISTRATIVE SERVICES MANAGER

Trevor McDermott..... (267) 299-7096

PROCUREMENT HELP DESK..... (267) 299-7101

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Charles Parkinson (267) 299-7144

ADMINISTRATIVE SERVICES CLERKS

Space & Facilities Administrator

Stanislaw Furtek..... (267) 299-7095

Telecommunications Specialist

James Finegan..... (267) 299-7097

Technical Support Specialist

Gregg Keller (267) 299-7194

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Donna Bakker (267) 299-7171

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Peter O’Driscoll (Supplies) (267) 299-7100

Jordan Todd..... (267) 299-7170

Brian Weissman..... (267) 299-7215

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Frederick Druding, Jr..... (267) 299-7046

Budget Analyst

Joseph Hall (267) 299-7107

NATURALIZATION/ATTORNEY ADMISSIONS

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JURY ADMINISTRATOR

Paul Lombardi (267) 299-7078

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FILE/MAIL METERING CLERKS

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John Szymanski (267) 299-7186

XEROX OPERATOR

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Michael Hearn (267) 299-7039

ESR OPERATORS

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Jimmy Cruz (267) 299-7224

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Patrick Kelly (267) 299-7236

Chris Kurek (267) 299-7231

Nicole Phillippi (267) 299-7288

Dennis Taylor (267) 299-7121

Crystal Wardlaw (267) 299-7212

COURTROOM DEPUTY SUPERVISORS

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Michael Finney (267) 299-7042

COURTROOM DEPUTY CLERKS

Rosalind Burton-Hoop – Judge Nitza I. Quiñones Alejandro..... (267) 299-7467
Nancy DeLisle - Judge Juan R. Sánchez (267) 299-7789
Alexander Eggert - Judge Timothy J. Savage..... (267) 299-7489
Milahn Hull- Judge Jan E. DuBois (267) 299-7339
Kristin Makely - Harvey Bartle, III..... (267) 299-7389
Kimberly Scott –Judge Petrese B. Tucker (267) 299-7619
Sharon Scott – Judge J. Curtis Joyner (267) 299-7419
Ronald Vance - Judge Eduardo C. Robreno (267) 299-7429

COURTROOM DEPUTY CLERKS/ESR OPERATORS

Michael Beck - Judge John R. Padova..... (267) 299-7409
Laura Buenzle – Chief Judge Lawrence F. Stengel (267) 299-7769
Christopher Campoli - Judge Berle M. Schiller..... (267) 299-7629
Michael Coyle - Judge Gene E. K. Pratter (267) 299-7359
A`iShah El-Shabazz - Judge C. Darnell Jones II (267) 299-7759
Christina Franzese - Judge R. Barclay Surrick..... (267) 299-7639
Christian Henry – Judge Gerald A. McHugh (267) 299-7307
Ulle Hevener – Judge Mark A. Kearney (267) 299-7688
Matthew Higgins - Judge Joel H. Slomsky (267) 299-7349
Jaime Kulick – Judge Edward G. Smith..... (610) 333-1837
Teri Lefkowitz – Judge Jeffrey L. Schmehl (610) 320-5030
Jeff Lucini – Judge Gerald J. Pappert (267) 299-7537
Janice Lutz- Judge Michael M. Baylson..... (267) 299-7291
Michael Mani – Judge Wendy Beetlestone..... (267) 299-7459
Erica Pratt - Judge Cynthia M. Rufe (267) 299-7499
Mark Rafferty - Judge Robert F. Kelly..... (267) 299-7319
James Scheidt - Judge Anita B. Brody (267) 299-7439
Steve Sonnie - Judge Mitchell S. Goldberg (267) 299-7509
Lenora Kashner Wittje - Judge Paul S. Diamond..... (267) 299-7739
Justin Wood – Judge Joseph F. Leeson, Jr (610) 776-6118
Donna Croce..... (267) 299-7659
Jennifer Fitzko... (610) 391-7019
Andrew Follmer..... (267) 299-7226
Jenna Gallelli (267) 299-7047
Mia Harvey..... (267) 299-7174
Nelson Malave (267) 299-7691
Anthony Tumminello..... (610) 391-7022

SECRETARY/COURTROOM DEPUTY CLERKS

Christine Stein..... (610) 391-7012
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MAGISTRATE JUDGES DEPUTY CLERKS

Edward Andrews – Judge Carol Sandra Moore Wells..... (267) 299-7771
Ian Broderick – Chief Judge Linda K. Caracappa..... (267) 299-7641
Sharon Hall-Moore - Judge Marilyn Heffley..... (267) 299-7421
Lara Karlson - Judge Elizabeth T. Hey..... (267) 299-7670
Carlene Kohut – Judge Henry S. Perkin (610) 434-3823
Sheila McCurry - Judge Richard A. Lloret..... (267) 299-7410
Deborah Owens – Judge Thomas J. Rueter..... (267) 299-7701
Danielle Puchon - Judge David R. Strawbridge..... (267) 299-7791
Chavela Settles - Judge Timothy R. Rice (267) 299-7661
Deborah Stevenson - Judge Jacob P. Hart (267) 299-7721
Regina M. Zarnowski - Judge Lynne A. Sitarski (267) 299-7810
Shelli MacElderry (267) 299-7023

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