

**Summary of Major Amendments to the
Administrative Procedures for Electronic Case Filing - Effective May 2005
United States District Court - Southern District of West Virginia**

Last Amended: November 1, 2007

Date Modified	Section Modified	Summary of Change
11/1/2007	Section 13.5 - Large Documents	Increases the size limitation of each PDF document from two megabytes to five megabytes.
END OF 11/1/2007 REVISION		
Date Modified	Section Modified	Summary of Change
NOTE: Sections renumbered where needed to replace number/alphabet outline sequence with total decimal outline sequence.		
2/14/2007	NEW- Section 3.1.4	Requires civil cases commenced under seal pursuant to statute or sealed pursuant to order shall be filed in accordance with Section 11 of these procedures.
2/14/2007	Renumbered - (formerly Section 3.1(D), Section 3.1(E), and Section 3.1(F))	Are now numbered Sections 3.1.5, Section 3.1.6 and Section 3.1.8.
2/14/2007	NEW- Section 3.1.7 (formerly Section 3.1(G))	Directs the filer to New Section 13.11 for instructions regarding filing materials that cannot be converted to PDF.
2/14/2007	NEW Section 7.2	Requires a retention period of two (2) years for documents that are electronically filed that contain signatures (e.g., affidavits).
2/14/2007	Section 7.2 - Other-Civil DELETED	Eliminates the ability to file complaints, notices of removal and other initiating documents that require a filing fee via e-mail.
2/14/2007	Section 8 - Commencement of A Civil Action	Sections 8.1 and 8.2, have been rewritten, with the addition of Sections 8.3 and 8.4, which allow electronic filing of a complaint, petition, notice of removal or other initiating documents.

2/14/2007	Section 9.2 - Submission of the Civil Summons	Revises the procedure for submission of a summons to the Clerk's Office.
2/14/2007	Section 9.4 - Certificate of Service	Clarifies the procedure for filing a certificate of service that is part of a pleading
2/14/2007	NEW - Section 9.8 - Termination and Reactivating Electronic Service	Sets out the procedure for terminating electronic service due to withdrawal from the case or case no longer pending.
2/14/2007	NEW - Section 10.3 - Proposed Bill of Costs	Directs that proposed bills of costs are to be filed electronically.
2/14/2007	Section 11.5 - Motion to Seal - General	Re-titled 'Sealed Cases', which clarifies the procedure for filing sealed cases and sealed documents in public cases.
2/14/2007	Sections 11.6, 11.7, 11.8, 11.9	Combined into Section 11.6
2/14/2007	Section 13 - Documents	Re-titled 'Documents and Other Filings'.
2/14/2007	Section 13.5 - Large Documents	Broken down into 2 sections to clarify how the size of a document is determined and how to file large documents that are broken into separate parts.
2/14/2007	Section 13.8 - Document Retention	Changed retention period of documents containing original signatures of anyone other than the filing user from 60 days to 2 years after all dates for appellate review have expired.
2/14/2007	NEW - Section 13.11 - Materials that Cannot be Converted to PDF within ECF	Clarifies how to file exhibits or materials that cannot be converted to a PDF and filed electronically.
2/14/2007	Section 16.2 - Proposed Orders	Clarifies how to prepare and file proposed orders electronically.
2/14/2007	NEW - Section 17.5 (formerly 17 (E))	Sets out the procedure to be followed if the Clerk's Office is not able to make a corrective docket entry when an error is made by an electronic filer.
2/14/2007	NEW - Section 19.4 - Exemptions	Documents that are not covered by the redaction requirements in Section 19.2.
2/14/2007	Appendix A	Sample of format for proposed order to seal that is submitted with a motion to seal pursuant to Section 11.6.5 (formerly Section 11.6(E)).
END OF 2/14/2007 REVISIONS		

Date Modified	Section Modified	Summary of Change
8/1/2006	Section 5.A - Social Security Cases	“Personal Data Identification Form” to be filed along with the Complaint for Review of the Decision of the Commissioner of Social Security, both of which are posted on the court’s web site.

END OF 8/1/2006 REVISIONS

Date Modified	Section Modified	Summary of Change
6/12/2006	Section 3.1.C - Grand Jury Materials	Revised to clarify exact documents related to Grand Jury proceedings that must be filed in the traditional manner.
6/12/2006	Section 6.2.E - Registration	Revised to eliminate the requirement to serve a copy of a Notice of Change of Address on other parties to any case regarding changes to e-mail addresses, mailing addresses, telephone or fax numbers; Notice of Change of Address to be filed with the Clerk of Court only.
6/12/2006	NEW - Section 13.10 - Petitions for Writs of Habeas Corpus ad Prosequendum or ad Testificandum	Directs the filing user who files a petition for a writ of habeas corpus ad prosequendum or ad testificandum, with an accompanying order and writ filed as two separate attachments to the petition, to immediately notify the judicial officer who will be signing the proposed order directing the Clerk to issue the writ.

END OF 6/12/2006 REVISIONS

On April 3, 2006, the Administrative Procedures for Electronic Case Filing were completely revamped. Although the order and the numbering of the sections changed, only the amendments are noted below.

Date Modified	Section Modified	Summary of Change
4/3/2006	NEW - INTRODUCTION	Directs that the Administrative Procedures take precedence over the Court’s existing Local Rules; updates to be immediately posted on the Court’s web page.
4/3/2006	NEW - Section 1 - Definitions and Standards	Defines key words/phrases used throughout the Administrative Procedures.

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4/3/2006	Section 7.1 replaces II.A.1	Revised to clarify that filing electronically constitutes filing of the document for all purposes of the Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure and the Local Rules of this Court.
4/3/2006	NEW - Section 10.2 - Proposed Jury Instructions, Verdict Forms, Special Interrogatories and Voir Dire Questions	Added – to direct these documents be filed electronically unless the presiding judge requires the filing user to submit them in standard work processing software via e-mail.
4/3/2006	Section 11 replaces I.A.3	Revised to allow the electronic filing of a motion to file sealed documents. Service must be by paper in the traditional manner on the presiding judicial officer and on counsel if required by rule.
4/3/2006	NEW - Section 12 - Discovery	Added – requirement in accordance with the Local Rules that discovery shall not be filed with the Court; discovery materials to be used in support of any motion shall be filed electronically as an attachment to the motion.
4/3/2006	NEW - Section 13 - Documents	13.1 requires Consents to Proceed before a U. S. Magistrate Judge be e-mailed to the court, except for Consents in Social Security cases; 13.2 requires motions and responses be filed as separate documents; 13.3 requires filing a Memorandum or Brief in Support of a Motion be filed as a separate document, not as an attachment; 13.4 requires exhibits in support of a motion be attached to the motion, not to the memorandum in support of the motion; 13.5 restricts size of files to 2 megabyte segments or less; 13.6 requires filing documents in black and white; 13.7 requires the filing user to ensure legibility of the scanned document; 13.8 requires the filing user to retain all documents containing original signatures of anyone other than the filing user for a period of not less than 60 days after all dates for appellate review have expired;
4/3/2006	NEW - Section 14.5 - Authenticity (of Signature) Disputes	Added – procedure for filing a dispute over the authenticity of an electronically filed document or electronic signature.
END OF 4/3/2006 REVISIONS		

Date Modified	Section Modified	Summary of Change
11/30/2005	I.A. - In General	Extends the date for mandatory filing from January 1, 2006 to May 1, 2006
11/30/2005	I.A.3. In General	Deletes the requirement that the Clerk of Court maintain in paper form all electronically filed documents or cases that are filed under seal.
11/30/2005	New-I.A.6. - In General (the original I.A.6 becomes I.A.7)	Eliminates the requirement of paper courtesy copies to the assigned judge of electronically filed documents that are less than 50 pages in length or administrative records that are less than 75 pages in length.
11/30/2005	I.B. - Passwords	Modified to accept Court-conducted training either in WV or any other U.S. District Court, or completion of an on-line tutorial or other off-site training or has been filing in another district for at least 6 months.
11/30/2005	NEW - I.G.4 - Correcting Docket Entries	Added restriction for deleting entries on the docket card, allowing the Clerk's office to edit or modify an entry and delete and/or reattach correct images.
END OF 11/30/2005 REVISIONS		