

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST. COURT
MIDDLE DIST. OF LA

2005 JUN -6 P 2:3

GENERAL ORDER

NUMBER: 2005-06 B DEPUTY CLERK

PROCEDURAL RULES FOR
ELECTRONIC CASE FILING

Rules 5 and 83 of the Federal Rules of Civil Procedure, and Rule 57 of the Federal Rules of Criminal Procedure, authorize courts to establish practices and procedures for filing, signing, and verifying documents by electronic means. Consistent with the general authorization contemplated by these rules, this court intends to implement an electronic case filing (ECF) system effective August 1, 2005, for civil and criminal cases.

Later this year, the court will publish and invite comment from the practicing bar concerning proposed amendments to the court's local rules. In the interim, however, this General Order will set forth those rules that are necessary and appropriate to implement ECF.

In consideration of the foregoing,

IT IS HEREBY ORDERED:

1 As of August 1, 2005, in civil and criminal cases, the court will accept for filing all documents submitted, signed, or verified by electronic means that comply with procedures established by the court.

The specific provisions needed to implement ECF in civil cases will be contained in a new local rule (proposed LR 5.7.01M). The anticipated local rule amendments dealing with ECF in civil cases are set forth in Exhibit 1 hereto and, pursuant to this General Order, shall be effective August 1, 2005, until further

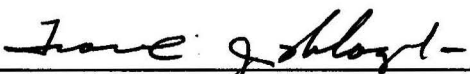
*Jud. Officers
Clerk's Office*

court order.

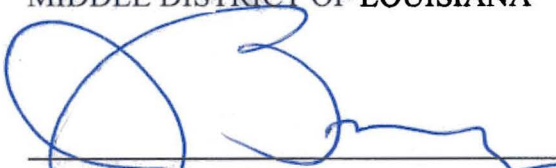
3. The specific provisions needed to implement ECF in criminal cases will be contained in a new local rule (proposed LCrR49.1). The anticipated local rule amendments dealing with ECF in criminal cases are set forth in Exhibit 2 hereto and, pursuant to this General Order, shall be effective August 1, 2005, until further court order.
4. The Clerk of this court is authorized to develop, implement, publish, and modify as necessary *Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means in Civil and Criminal Cases*, which will include further necessary regulations, including the procedures for registration of attorneys and distribution of passwords to permit electronic filing and notice of pleadings and other papers.

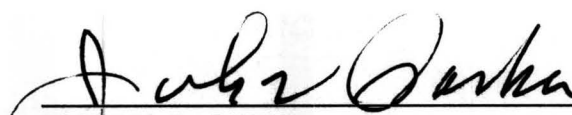
IT IS SO ORDERED.

Baton Rouge, Louisiana, this 6 day of June, 2005.


FRANK J. POLOZOLA, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA


RALPH E. TYSON
UNITED STATES DISTRICT JUDGE


JAMES J. BRADY
UNITED STATES DISTRICT JUDGE


JOHN V. PARKER
UNITED STATES DISTRICT JUDGE

PROPOSED LOCAL CIVIL RULES FOR ELECTRONIC FILING

LR 5.7.01M - Filing by Electronic Means

The court will accept for filing documents submitted, signed, or verified by electronic means that comply with procedures established by the court, as authorized by Rule 5(e) of the Federal Rules of Civil Procedure. The electronic record shall be the official record of the court.

Notwithstanding the foregoing, attorneys and others who choose not to become Filing Users in the Electronic Filing System are not required to file electronically, but rather may continue to file by conventional means as set forth in the Federal Rules of Civil Procedure.

The filing of initial papers, including the complaint and the issuance and service of the summons, shall be accomplished as set forth in the administrative procedures guide for the U.S. District Court, Middle District of Louisiana, which is authorized by General Order 2005: _____. A copy of the administrative procedures may be obtained from the clerk's office or downloaded from the court's website at www.lamd.uscourts.gov.

LR5.7.10M - Service of Documents By Electronic Means

The "Notice of Electronic Filing" automatically generated by the court's Electronic Filing System, except as provided below, constitutes service of the filed document on all parties who have consented to electronic service. Parties who have not consented to electronic service must be served with a copy of any pleading or other document filed electronically in accordance with the Federal Rules of Civil Procedure and the Local Rules.

Most sealed filings do not produce a Notice of Electronic Filing, and therefore, service by the filer of any sealed document must be in accordance with the Federal Rules and the Local Rules.

A certificate of service must be included with all electronic filings. The certificate of service must identify the method of service upon each party.

Proposed change to LR10.1M (Paragraph 2 only)

In addition to the requirement of FRCvP 10(a), after allotment the caption shall also indicate the initials of the judge and the magistrate judge to whom the case is assigned. (e.g., 00-204-FJP-SCR).

(this change removes the designation of section letter and number; the CM system indicates judges' & magistrates' initials instead of section letters and numbers.)

PROPOSED CRIMINAL LOCAL RULE FOR ELECTRONIC FILING

LOCAL CRIMINAL RULE 49 - SERVICE AND FILING OF PAPERS

LCrR49.1M - Filing By Electronic Means

The court will accept for filing documents submitted, signed, or verified by electronic means that comply with procedures established by the court, as authorized by Rule 49(d) of the Federal Rules of Criminal Procedure. The electronic record shall be the official record of the court.

Notwithstanding the foregoing, attorneys and others who choose not to become Filing Users in the Electronic Filing System are not required to file electronically, but rather may continue to file by conventional means as set forth in the Federal Rules of Criminal Procedure.

The filing of charging documents, including the complaint, information, indictment and superseding information or indictment, shall be accomplished as set forth in the administrative procedures guide for the U.S. District Court, Middle District of Louisiana, which is authorized by General Order _____. A copy of the administrative procedures may be obtained from the clerk's office or downloaded from court's website at www.lamd.uscourts.gov.

LCrR49.2M - Service of Documents By Electronic Means

The "Notice of Electronic Filing" that is automatically generated by the court's Electronic Filing System, except as provided below, constitutes service of the filed document on all parties who have consented to electronic service. Parties who have not consented to electronic service must be served with a copy of any pleading or other document filed electronically in accordance with the Federal Rules of Criminal Procedure and the Local Rules.

Most sealed filings do not produce a Notice of Electronic Filing, and therefore, service by the party of any sealed document must be in accordance with the Federal Rules and the Local Rules.

A certificate of service must be included with all electronic filings. The certificate of service must identify the method of service upon each party.