

Docketing Training Manual

Welcome to Part III of the US Court of Appeals for Veterans Claims Electronic Filing Training Module. The Court has implemented an application called CM/ECF which stands for Case Management and Electronic Case Filing. The application is the Court's main case management application and the Court's only electronic filing program. Electronic filing, or efilng, is a method of filing court documents that uses an electronic format rather than a traditional paper format. By utilizing efilng, all parties, attorneys, and the Court will be able to docket events, file pleadings, and retrieve court documents instantly through this application on their computers via the Internet.

NOTE: ALL PARTS OF THE TRAINING MUST BE COMPLETED. THE REGISTRATION FORMS REQUIRE THAT THE PARTICIPANT CERTIFY TO THE COURT THAT THE TRAINING HAS BEEN COMPLETED.

Here are the topics that will be covered in this training:

- 1 Review the location of the Participant's Docketing Events List on the Court's main website http://www.uscourts.cavc.gov/electronic_filing/
- 2 Review the process for Docketing different pleadings using the Court's CM/ECF Application <https://efiling.uscourts.cavc.gov>
 - Docketing a Motion and selecting the desired relief and/or requesting a specific date
 - Docketing an Appellant's Brief
 - Docketing a Notice of Appearance

Step 1: Accessing the list of the Participant's Docketing Events List from the Court's Main Website

We'll begin by reviewing the Participant's Docketing Events. From the website, you may download a list of the Docketing Categories and Events. An Event specifies what type of pleading you are filing to the Court. A few examples of Events are the Attorney Appearance, Appellee Response, Appellant Reply, Motion, and Response to Court Order, Oppositions, and Notices. Events are broken down into Categories, so you don't have to search through a long list. Some Events are also included in multiple Categories. Each Event will ask for different information, though usually it will only ask for the filer's Party and the PDF document of the pleading.

See the example below – always check the Court's website for a current list:

The screenshot shows the website for the US Court of Appeals for Veterans Claims. The page title is "Attorney Events". There are three main sections of events listed:

- Events Category: Processing**
 - CAVC Amended Certification of Service
 - CAVC Copy of BVA decision
 - CAVC Correspondence from Appellant
 - CAVC Counter Designation of Record
 - CAVC Designation of Record
 - CAVC Designation of Record Agreement
 - CAVC Motion filed
 - CAVC Motion filed (Opposed)
 - CAVC Notice of Appeal (Supplemental)
 - CAVC Notices and Other Pleadings
 - CAVC Preliminary Record
 - CAVC Record Before the Agency Notice
 - CAVC Record Before the Agency Response/Dispute
 - CAVC Record of Proceeding
 - CAVC Record of Proceeding Response/Dispute
 - CAVC Record on Appeal
 - CAVC Record on Appeal (Supplemental)
 - CAVC Response to Court Order/Opposition
 - CAVC Sealed Document filed
 - CAVC Supplemental Authorities under Rule 30b
- Events Category: FCC / Supreme Court**
 - FCC Notice of Appeal
- Events Category: EAJA**
 - CAVC Attorney Notice of Appearance
 - CAVC Motion filed
 - CAVC Motion filed (Opposed)
 - CAVC Notices and Other Pleadings
 - CAVC Response to Court Order/Opposition
 - EAJA Appellant Reply
 - EAJA Appellant Reply (Supplemental)
 - EAJA Appellee Response
 - EAJA Appellee Response (Supplemental)
 - EAJA Application (Amended)
 - EAJA Application (Supplemental)
- Events Category: Fees**
 - CAVC Attorney Notice of Appearance and Fee Agreement
 - CAVC Declaration of Financial Hardship
 - CAVC Fee Agreement
- Events Category: Party-Attorney**
 - CAVC Attorney Notice of Appearance
 - CAVC Attorney Notice of Appearance and Fee Agreement
 - CAVC Correspondence from Appellant

A blue arrow points to the "Events Category: Processing" section. A blue horizontal line is drawn under the "CAVC Motion filed" item in the Processing list.

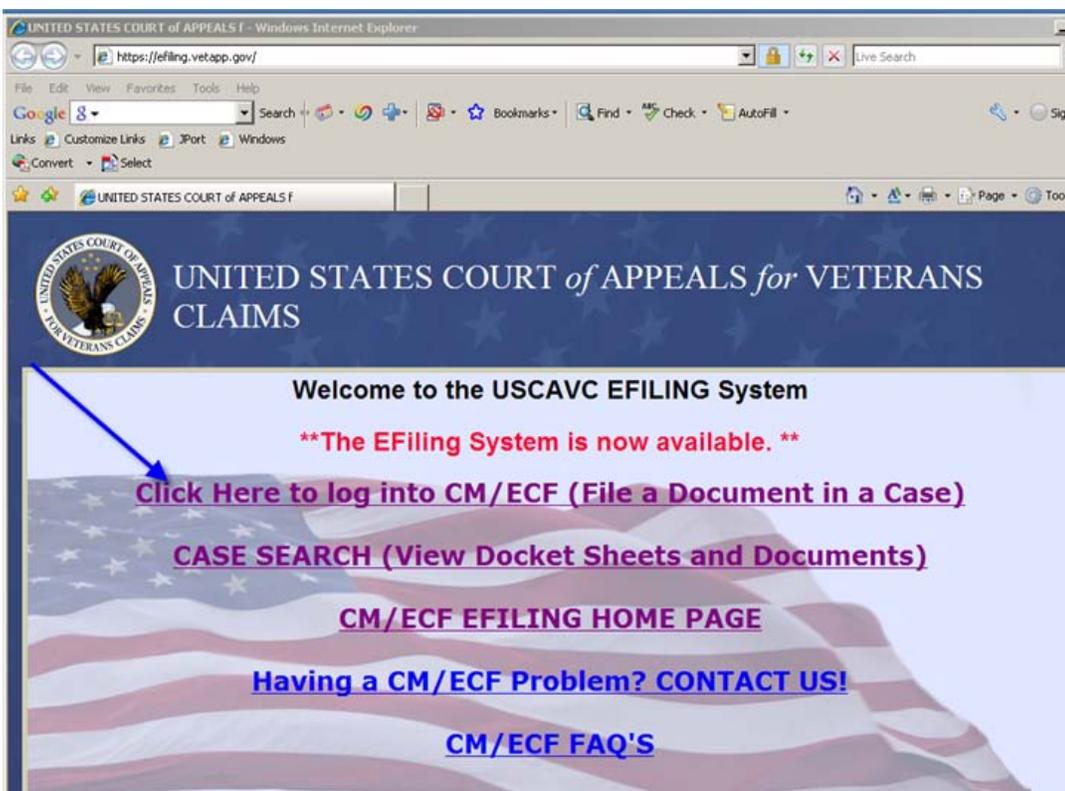
From the above list, note the different categories and the actual event name below the categories. It is important to learn the concept behind the different categories to facilitate the selection of the current event when docketing a pleading.

The following list contains useful information for the success of docketing within CM/ECF:

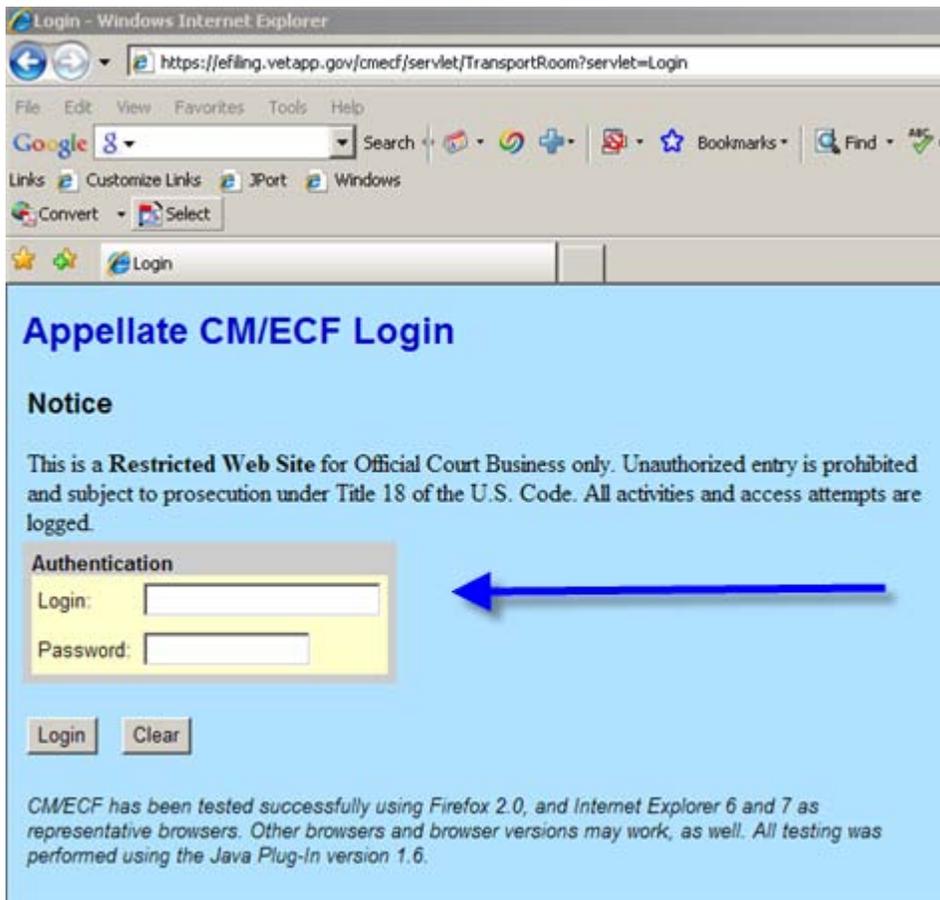
- Other information to become familiar with before docketing:
 - a. Attorneys must log in to file pleadings.
 - b. Person filing is responsible for **redacting** personal information from the documents before it is e-filed to the Court. NOA, Petition, Copy of BVA dec, ROP, DR, ROA are automatically locked – attorneys associated with the case must log in to view document
 - c. All pleadings must be e-filed by attorneys using CMECF, except for NOAs and Petitions and other case opening documents. (declaration, notice of appearance if with NOA/Petition, fee agreement if with NOA/Petition)
 - d. All pleadings must be e-filed individually. Ex: Mot for leave and mot for extension (First example) are two separate filings/docketing events.
 - e. Must be an attorney for the case to file a pleading.
 - f. Must fill out an exemption form if attorney cannot e-file and the Clerk of the Court will decide to allow an exemption or not.
 - g. Only pro se appellants (and very few attorneys exempt from e-filing) may file by paper/fax.
 - h. Check the courts website for news and updates

Step 2: Login to the Court’s Efiling Website

Let’s login to the CM/ECF Application in preparation for the first example of docketing a Motion for Leave. Open your browser and either select it from your Favorites or type in the following URL in the address bar <https://efiling.uscourts.cavc.gov> and press Enter.



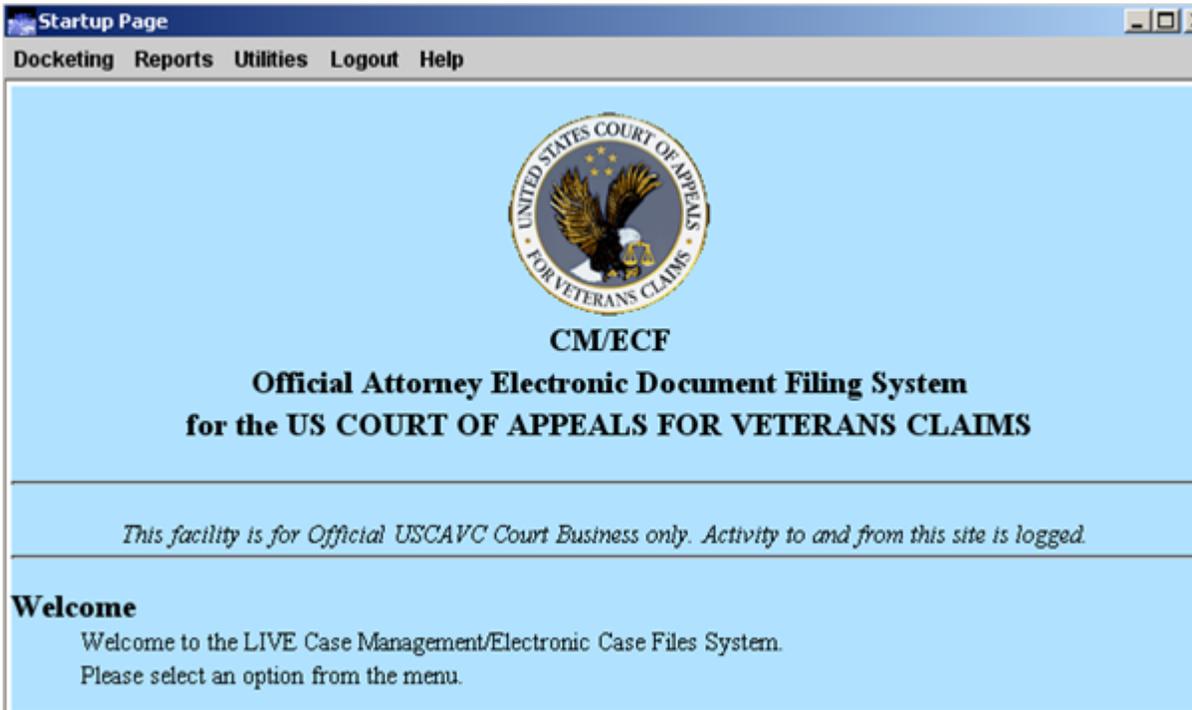
Select the first link on the Court's Efiling Page titled "Click here to log into CM/ECF (File a Document in a Case)" and a second window will open that will allow the Efiler to login using the username and password previously supplied to the Efiler.



After entering the Login information and selecting the Login Button, two windows will open. The first will be a Grey Window that will contain a warning about closing it. If you close the Window, the application will immediately log the user out of the application. Instead, the Court recommends that you minimize it or allow it to stay in the background. The Startup Page will also be open and that's the page that the Filer will use to get started. See the two windows below:

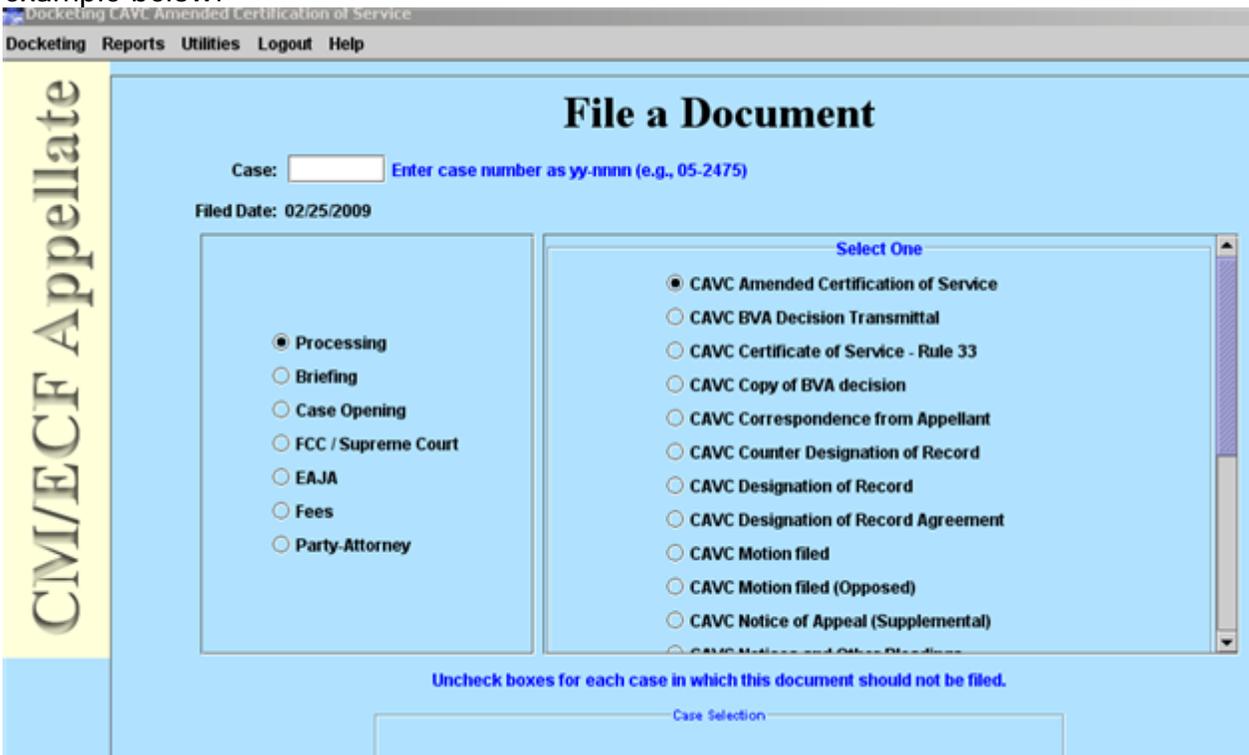
Window 1: DO NOT CLOSE





Step 2-A: Docketing a Motion for Leave to File

From the Startup Page, Select "Docketing" from the Menu at the top of the Page and from the sub-menu, select "File a Document". A new window will open and the title will be "File a Document". See example below:



To get started, type in the Case number in the blank white box next to "Case:" Once you type in the Case Number, hit the tab key or use the mouse to select the Category for the document that you want to file. For our sample docketing item, we will select "Processing" on the left pane and then "CAVC Motion Filed" in the right pane of the File a Document window. See below:

Docketing CAVC Motion filed

Docketing Reports Utilities Logout Help

Case 08-90268 Esther Kim v. Eric K. Shinseki

File a Document

Case: 08-90268 Enter case number as yy-nnnn (e.g., 05-2475)

Filed Date: 02/25/2009

Processing

- Processing
- Briefing
- Case Opening
- FCC / Supreme Court
- EAJA
- Fees
- Party-Attorney

Select One

- CAVC Amended Certification of Service
- CAVC BVA Decision Transmittal
- CAVC Certificate of Service - Rule 33
- CAVC Copy of BVA decision
- CAVC Correspondence from Appellant
- CAVC Counter Designation of Record
- CAVC Designation of Record
- CAVC Designation of Record Agreement
- CAVC Motion filed
- CAVC Motion filed (Opposed)
- CAVC Notice of Appeal (Supplemental)

Uncheck boxes for each case in which this document should not be filed.

Case Selection

- 08-90268 Esther Kim v. Eric K. Shinseki (Target Case)

Total: 0 Selected: 0

All Reset

Continue

After making the correct selections in this Window, select the "CONTINUE" button at the bottom of the page.

Case Selection

- 08-90268 Esther Kim v. Eric K. Shinseki (Target Case)

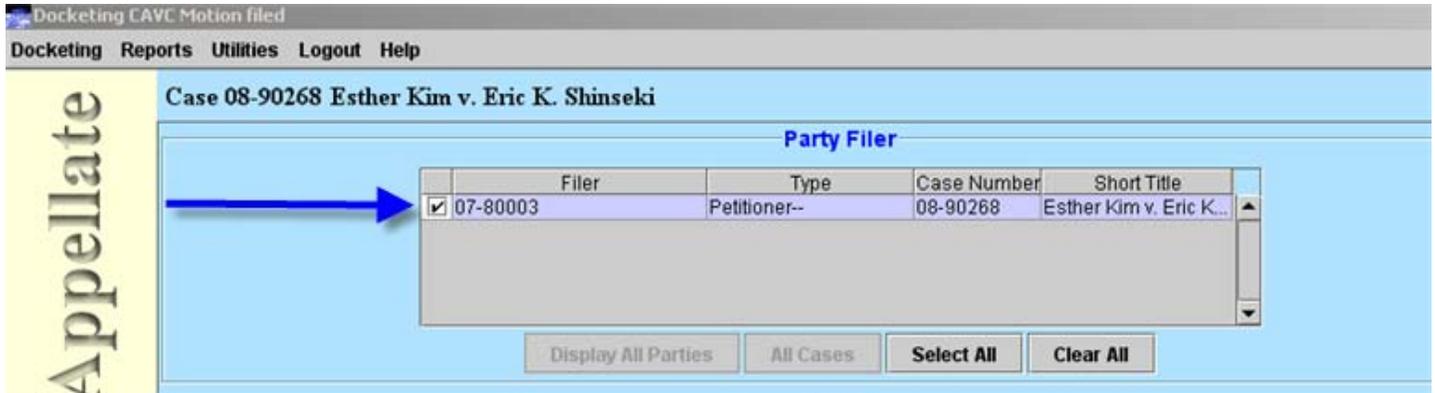
Total: 0 Selected: 0

All Reset

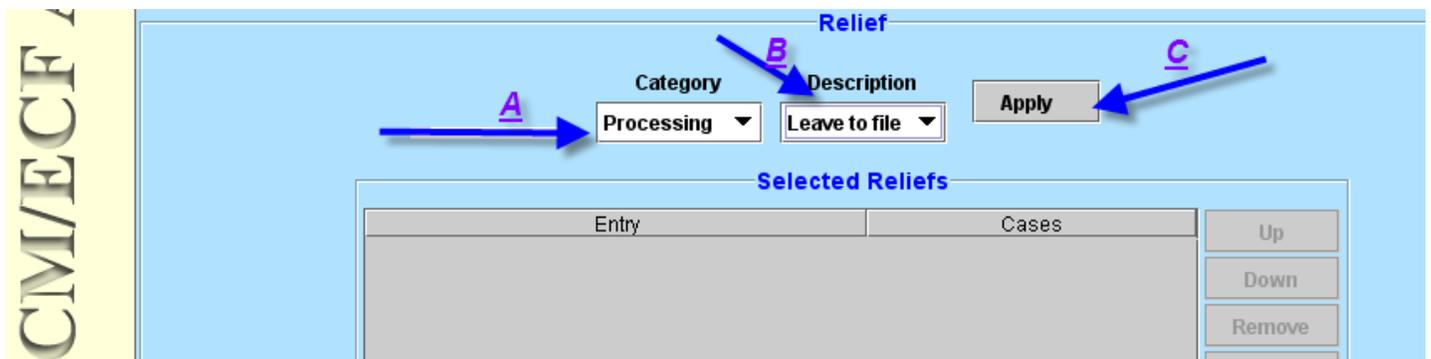
Continue

The next window that appears requires the Filer to select the Party that the Filer is filing on behalf of and also select the category and description of the Relief that the motion is requesting. See the following windows with examples and the knowledge that the test filing will be a "Motion for Leave to File" on behalf of the Petitioner:

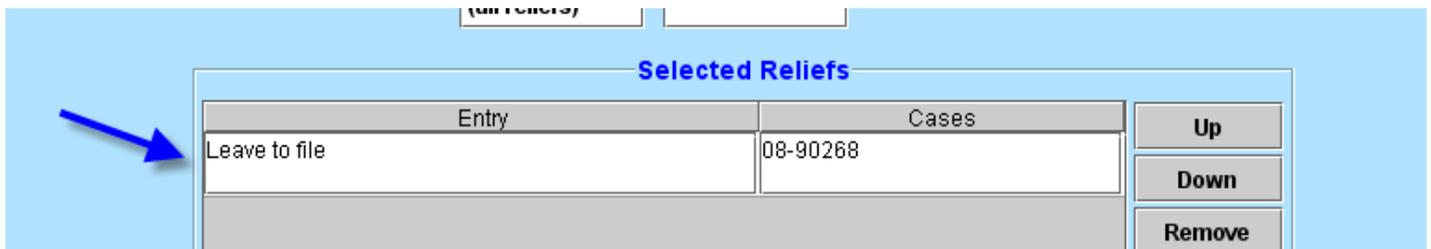
First – select the Party Filer by selecting the box next to the correct Filer. When the Filer selects the box, the application will put a check mark in the box.



Second – select the Category and the Relief Description using the drop down arrows next to each. After making the selections, select the Apply Button.



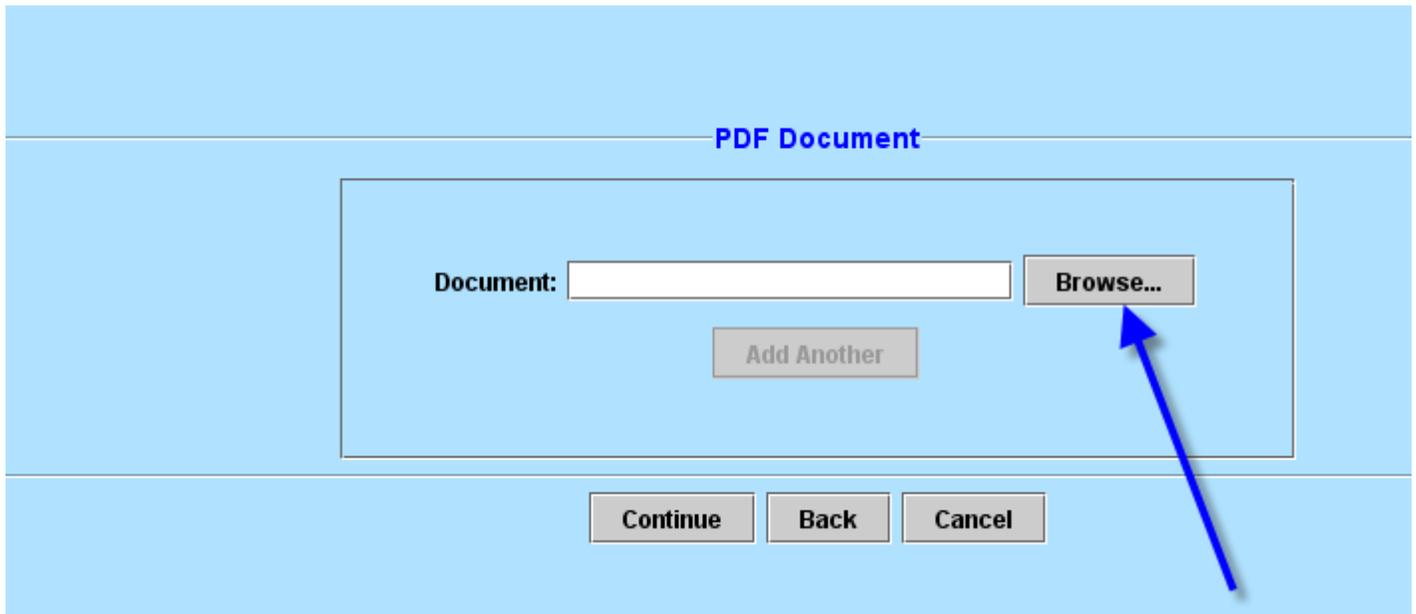
Once the "Apply Button" has been selected, the Selected Relief box will reflect the selections:



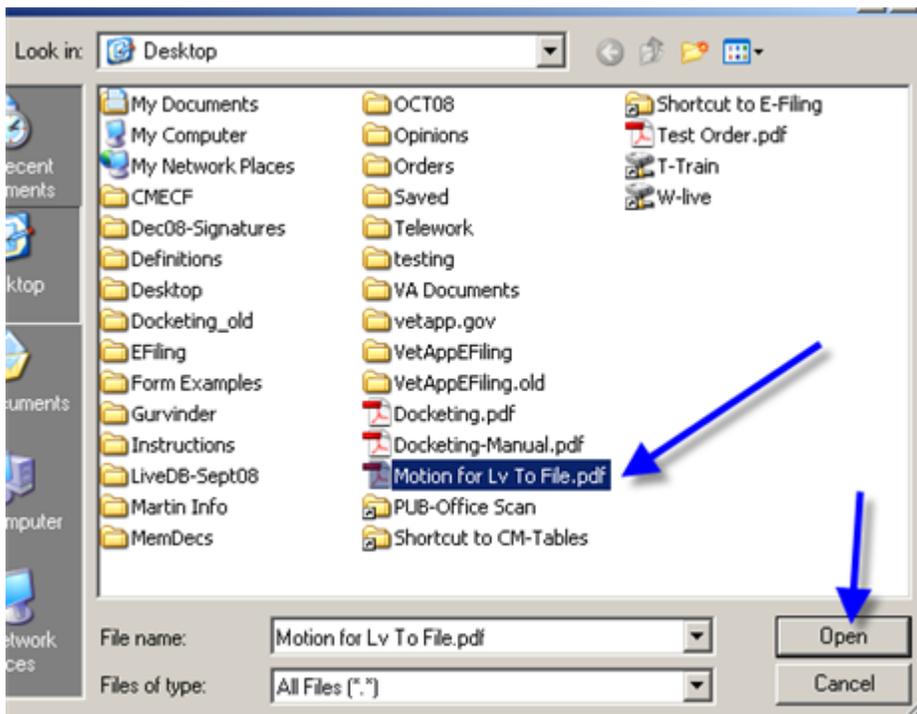
The final step for this page is to select the "Continue" Button at the bottom of the page:



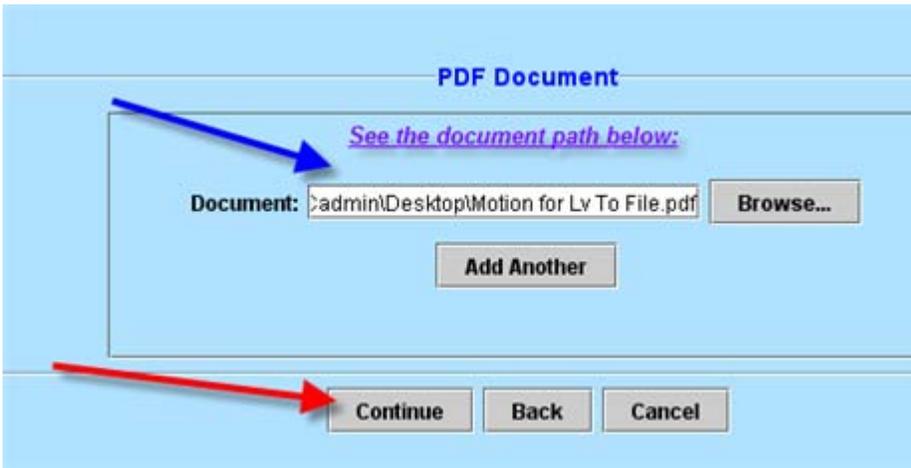
The next page contains a "Browse" Button that the Filer will use to access the PDF Document that needs to be attached to the Docket Event.



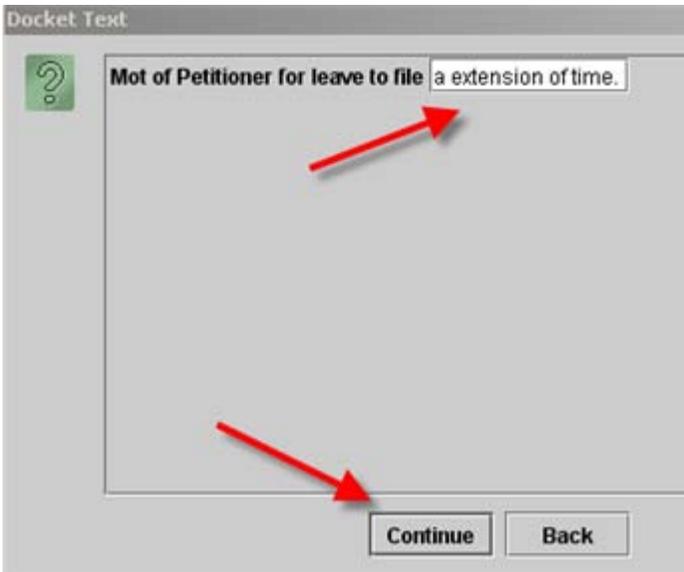
Once the Filer selects the Browse button, a browse dialog box will open to allow the Efiler to select the PDF Document that is being filed. See the dialog box below and once the selection of the document is made, the user will need to select the "OK" button:



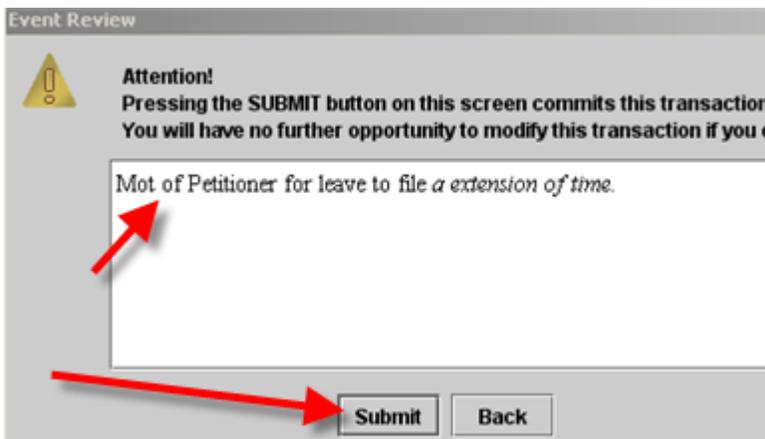
After selecting OK, the application will return back to the PDF Document Screen and the document path will be in reflected in the box. Select the "Continue" Button for the next window.



The next window is titled "Docket Text" and contains a "white box" that allows the Efiler to type in the requested relief information. For our example, we are requesting leave to file for an extension of time. The final step for this page is to select continue.



A new dialog box will then open with a Final Warning about submitting the docket entry. If the entry is correct, select the "Submit" button or select the "Back" button if the Filer needs to correct information.



A final notification window will appear. Just select "OK" and the box will close.



Once the Efiler selects "OK", a new window will open that will contain the "Notice of Docket Activity" that will be e-mailed to the participants listed in the Notice. Once you verify the information, you can close the window.

08-90268 Esther Kim v. Eric K. Shinseki "CAVC Motion filed" - Windows Internet Explorer
https://efiling.vetapp.gov/cmecf/servlet/TransportRoom?servlet=ShowDoc/0121286089&type=n-html

File Edit View Favorites Tools Help
Google Search
Links Customize Links JPort Windows
Convert Select

08-90268 Esther Kim v. Eric K. Shinseki "CAVC Motion ...

*****NOTE TO PUBLIC ACCESS USERS***** The United States Court of Appeals for Veterans Claims permits case (including pro se litigants) to receive an electronic view of all documents filed electronically which are included where the receipt is required by law, administrative rule, or directed by the filer.

United States Court of Appeals for Veterans Claims

Notice of Docket Activity

The following transaction was filed on 02/25/2009

Case Name: Esther Kim v. Eric K. Shinseki
Case Number: [08-90268](#)
Document(s): [Document\(s\)](#)

Docket Text:
Mot of Petitioner for leave to file a extension of time.

The following document(s) are associated with this transaction:
Document Description:CAVC Motion filed
Original Filename:Motion for Lv To File.pdf
Electronic Document Stamp:
[STAMP acecfStamp_ID=1087309524 [Date=02/25/2009] [FileNumber=692722-0]
[d677ac856d5453a8a42f61a8da772bee01049e1ceeabf0ae17efb8dda03040f8c972c5da7f44454d4fc4723368fa53322a]

Notice will be electronically mailed to:

Cohen, Brian, Attorney: slauza@vetapp.gov
Mr. Chickering, Eric: gamerritt@yahoo.com
Krummeck, Kim, Attorney: kkrummecklaw@earthlink.net

Step 2A: Recap the steps to docket a Motion

To recap the steps to file a document, the Filer will do the following:

1. Login to the CM/ECF System
2. Select "Docketing" and then "File a Document" from the menu bar on the Startup Page
3. From the "File A Document Window", the Efiler will supply the Case Number, and then select the Category and Event for the filing to be completed
4. Hit Continue Button
5. In the Party Filer Window, the Efiler will select the Party that the Efiler is filing on behalf.
6. Under the Relief Window, the Efiler will select the Motion Category (ex: extension)
7. Under the Relief Window, the Efiler will select the Relief Description (ex: extend time to file Appellant brief)
8. Hit the Apply button which will populate the "Selected Reliefs Window"
9. After verifying the Selected Relief, the Efiler will select Continue
10. In the PDF Document Window, the Efiler will select the "Browse" button to browse to the local copy of the PDF Document that needs to be filed.
11. Once the PDF Document has been selected and the "OK" button has been selected, the path to the document will be in the "Document" window and for a filing requesting a date, the "DATE" Window should contain the requested date (see below).

The screenshot shows a dialog box titled "Requested date of extension" with a light blue background. At the top, it says "cavc mot/-/cavc ext apit brf". Below that, it says "Requested date of extension". There is a "Date:" field containing "07/09/2009" and a "Time:" field. To the right of the "Time:" field are two radio buttons: "AM" (unselected) and "PM" (selected). At the bottom of the dialog are three buttons: "Continue", "Back", and "Cancel". Two red arrows point to the "Date:" field and the "Continue" button.

12. Select Continue and the Docket Text Window will appear (sometimes with a dialog box to type additional information and sometimes not).
13. Select Continue and the "Event Review" dialog box will open. Verify the information and then select "SUBMIT".
14. Select "Ok" for the Event Docketed Window and Review the "Notice of Docket Activity" window that opens.
15. If the information is correct in the NDA, print and/or close the Window.

Step 2B: File a Notice of Appearance

First, Login to CM/ECF. From the Startup Page, select Docketing from the Menu and then select File a Document from the Sub-menu.

The "File a Document" Window Opens:

Type in the Case number in the CASE Field, select the "Party-Attorney" Category in the Left Pane and then select "Cavc Attorney Notice of Appearance" in the Right Pane. Finally select "Continue".

Docketing CAVC Attorney Notice of Appearance

Docketing Reports Utilities Logout Help

Case 08-90268 Esther Kim v. Eric K. Shinseki

File a Document

Case: Enter case number as yy-nnnn (e.g., 05-2475)

Filed Date:

CM/ECF Appellate

Processing

Briefing

Case Opening

FCC / Supreme Court

EAJA

Fees

Party-Attorney

Select One

CAVC Attorney Notice of Appearance

CAVC Attorney Notice of Appearance and Fee Agreement

CAVC Correspondence from Appellant

CAVC Motion filed

CAVC Motion filed (Opposed)

CAVC Notices and Other Pleadings

CAVC Pro Bono Limited Appearance

CAVC Pro Bono Motion to Stay

Uncheck boxes for each case in which this document should not be filed.

Case Selection

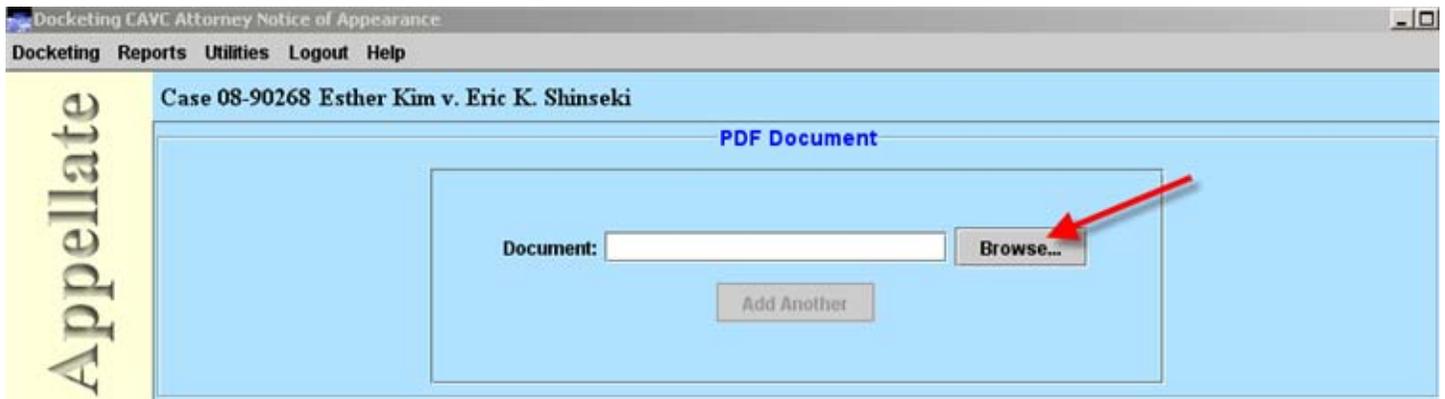
08-90268 Esther Kim v. Eric K. Shinseki (Target Case)

Total: 0 Selected: 0

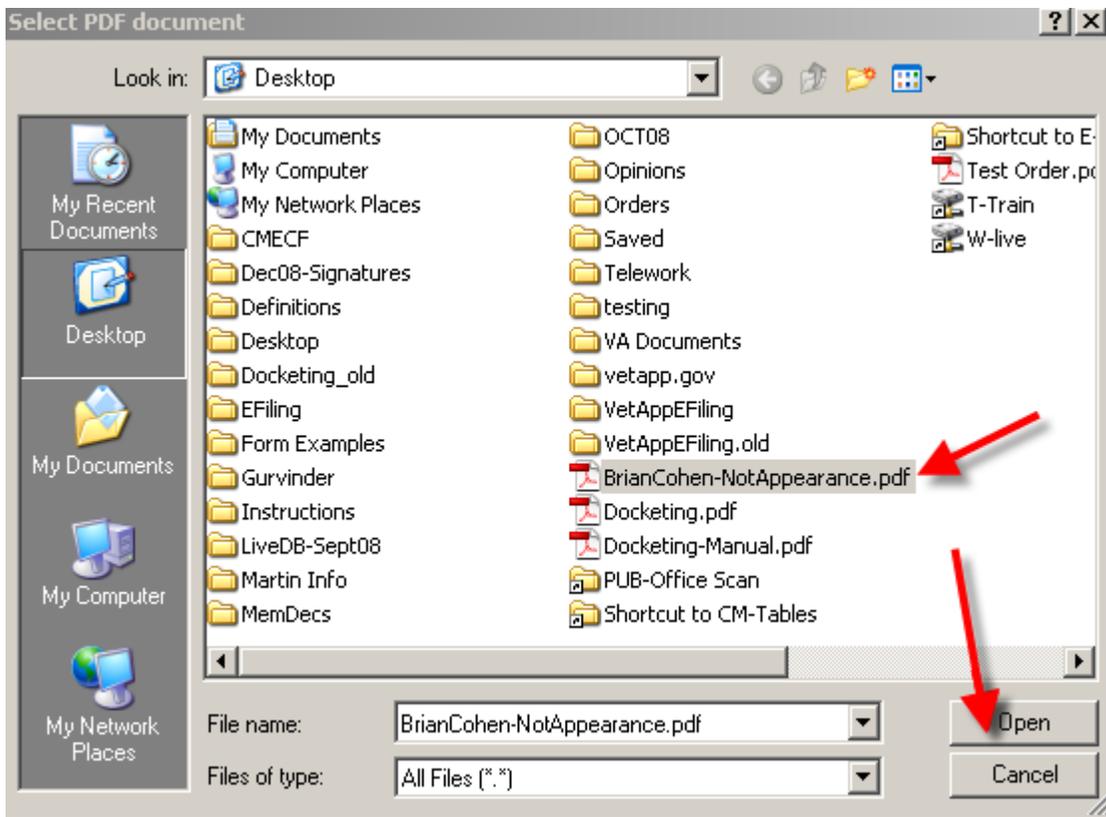
All Reset

The second window will now open and this page will require a number of steps to be completed.

First, the Notice of Appearance Document must be attached. The browse button will be selected and a new dialog box will open to select the document.



The Select PDF Document Dialog Box opens and after selecting the correct PDF Document (in this case, we are filing an Appearance), select OPEN.

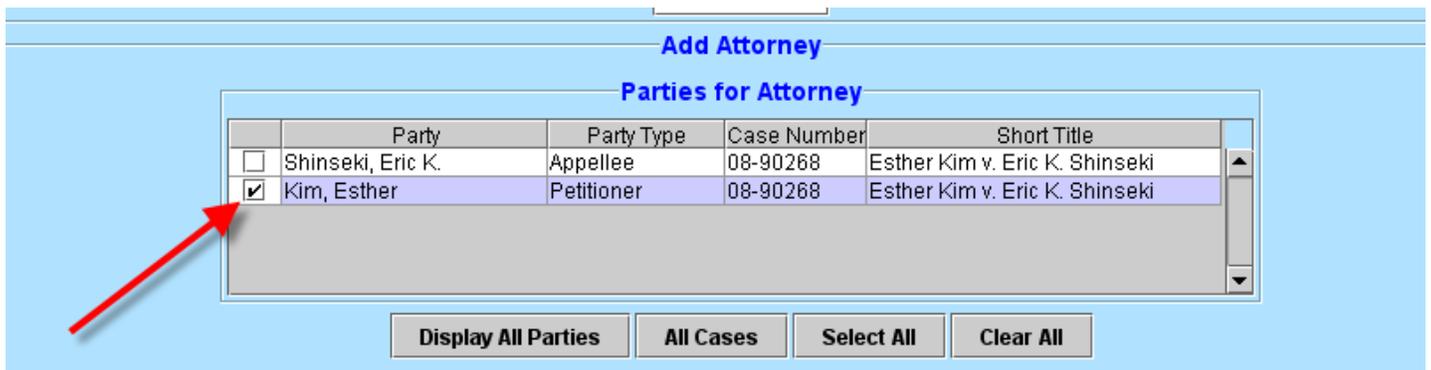


The next step is to select the Attorney Type using the "drop down" arrow. The options are:

1. Attorney
2. Lead Counsel
3. Co-Counsel
4. Non-Attorney

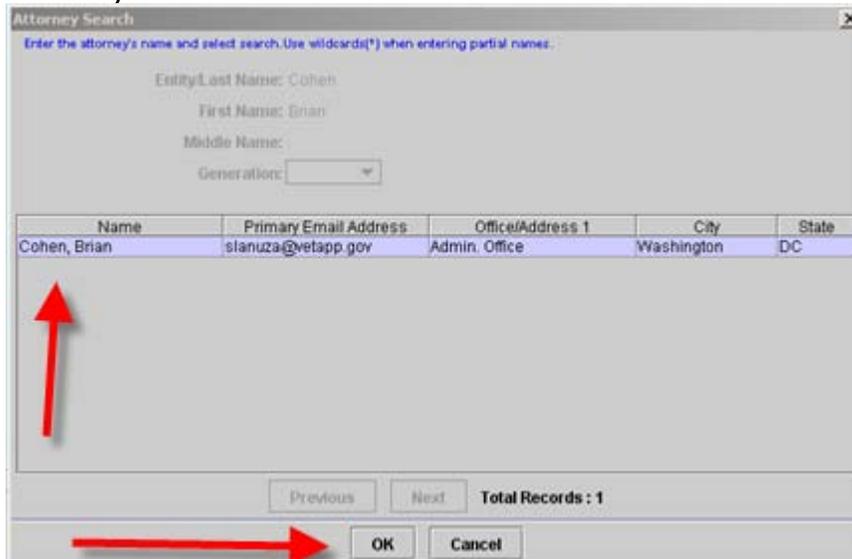


The third step on this page is to select the Party that the attorney is filing the Notice of Appearance for. Select the party by clicking with the mouse in the box next to the Party Name. Once you click in that box with the mouse, a check mark will appear (see below):

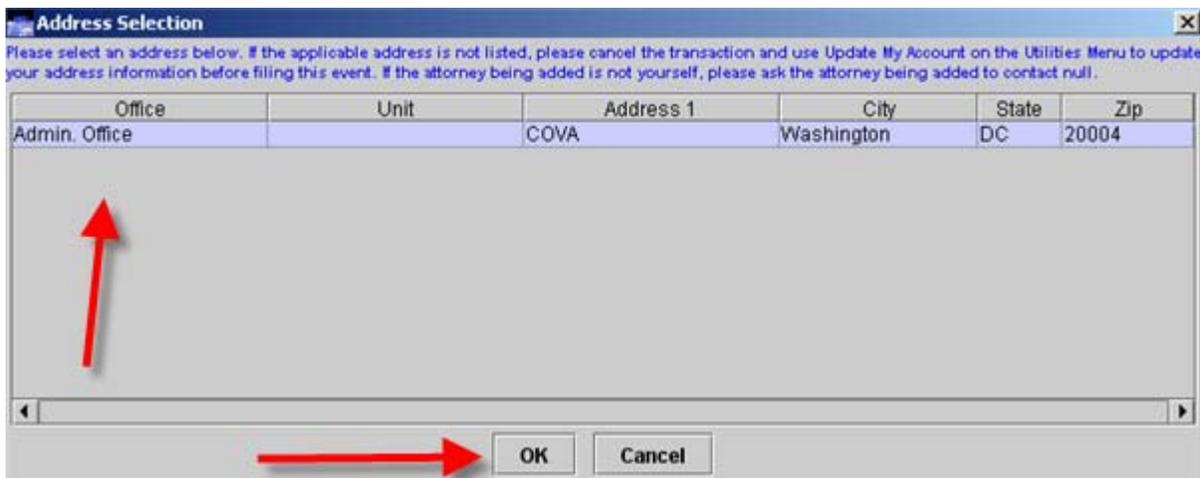


The fourth step on this page involves "finding" the attorney name/record in the CM/ECF Database. Using the "FIND" button, an attorney search box will open and the person record returned is based on the user that is logged in. Select "OK" on the Attorney Search Page. The Address Selection page will be returned and if the information is correct, please select "OK". Once you have done the FIND, and selected ok to the both the Attorney Search and Address Selection page, the Attorney info will be in the Attorney Pane (see below):

Attorney Search:



Address Selection:



Attorney Pane (verify that information is correct):

The screenshot shows a window titled "Attorney" with a table containing the following data:

Entity/Name	Office/Address1	City	State
Cohen, Brian	Admin. Office	Washington	DC

Buttons for "Find" and "Remove" are located to the right of the table. A "Find" button is highlighted with a red arrow. Below the table is an "Add Attorney" button, also highlighted with a red arrow.

After verifying that the above information is correction, the next step is to select the **"ADD ATTORNEY" Button**. Please note that this is **"CRITICAL"** and the appearance will fail to be docketed correctly if the "ADD ATTORNEY" Button is not selected!

This screenshot shows the "Attorney" pane with the "Add Attorney" button highlighted by red arrows. Below it is the "Party/Attorney Selections" pane, which is currently empty. A "NOTE" section contains the following warning:

WARNING: Don't forget to click the Add Attorney button (102)

Buttons for "Continue", "Back", and "Cancel" are at the bottom.

Once the ADD Attorney button is selected, the button becomes grayed out and can no longer be selected. In addition, the attorney information will be added to the "Party/Attorney Selections" box (see below).

This screenshot shows the "Party/Attorney Selections" pane with the following data in the table:

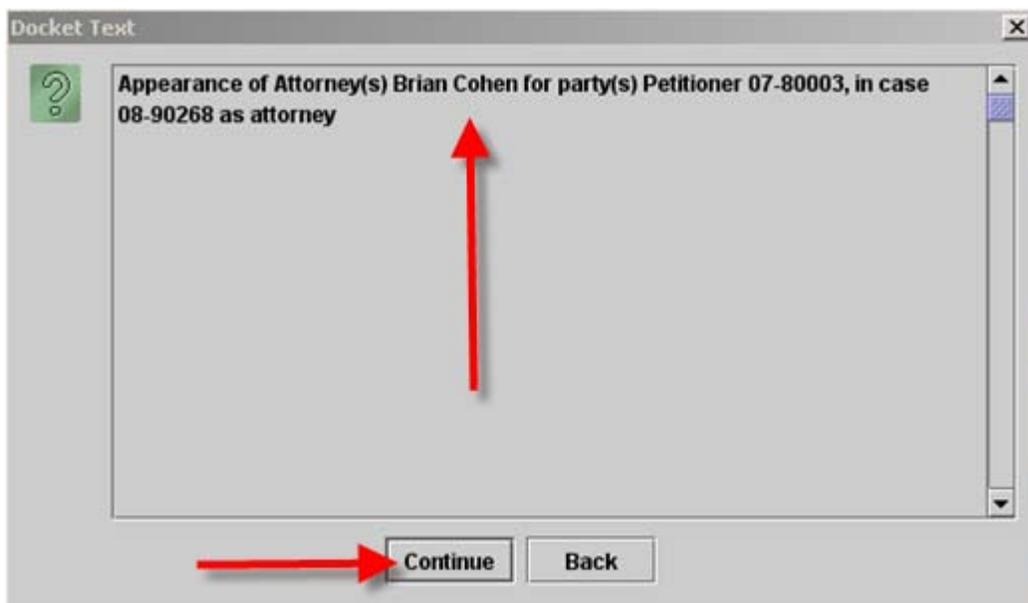
Entity/Attorney	Party	Party Type	Case Number	Short Title
Cohen, Brian	Kim, Esther	Petitioner	08-90268	Esther Kim v. Eric K...

The "Add Attorney" button is now grayed out. A "NOTE" section contains the following warning:

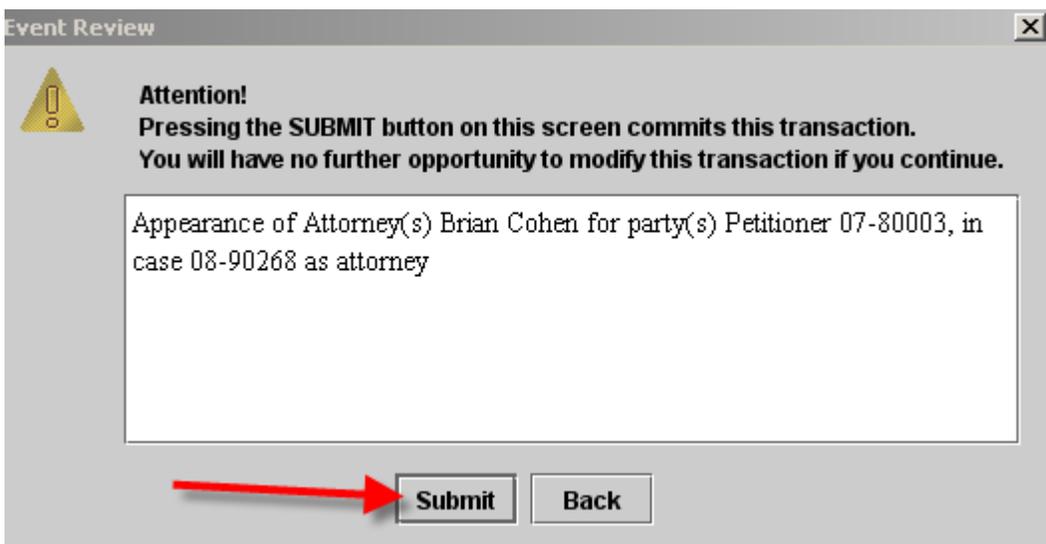
WARNING: Don't forget to click the Add Attorney button (102)

Buttons for "Continue", "Back", and "Cancel" are at the bottom.

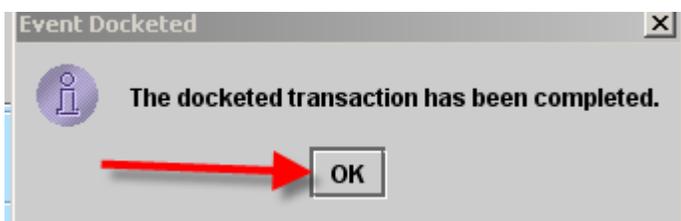
After verifying the above, select CONTINUE for the next Window. The "Docket Text" window will appear and if the above has been completed successfully, the docket text will reflect the "attorney's name", the "selected party", and the Case number.



Once you have verified the above information, select Continue. The "Event Review" window will open with the same Docket text. Select the "Submit" button and the "Event Docketed" dialog box will be shown.



Select "OK" to close the Event Docketed Box.



Finally, the Notice of Docket Activity will open. After you are done filing the appearance, logout of the system.

Reminder: To logout, use the "Logout" Menu option on the Startup Page and then the "Logout CM/ECF" on the submenu of Logout. A "Confirm Logout" dialog box will be presented and the Efiler must select "Yes" to Logout.

The screenshot shows a web browser window titled "Startup Page" with a menu bar containing "Docketing", "Reports", "Utilities", "Logout", and "Help". The main content area has a light blue background and features the official seal of the United States Court of Appeals for Veterans Claims. A "Confirm Logout" dialog box is overlaid on the page, containing a question mark icon, the text "Logout of CM/ECF?", and two buttons labeled "Yes" and "No". A red arrow points from the left side of the page towards the "Yes" button. Below the dialog box, there is a line of italicized text: "This facility is for Official USCAVC Court Business only. Activity to and from this site is logged." At the bottom of the page, there is a "Welcome" section with the text: "Welcome to the LIVE Case Management/Electronic Case Files System. Please select an option from the menu." and "Last login Feb 25, 2009 3:08:47 PM EST".

This concludes Part III (Docketing) of the Court's Training Modules.