

10.1 Form of Documents.

(a) Electronic Filings.

Absent a contrary local rule or assigned judge's order, all documents must be filed electronically on the System as .pdf files. To make these .pdf files text-searchable, filers should convert word processed documents to .pdf format and then upload them to the System; filers should avoid printing the documents on paper and then scanning them to produce .pdf files for uploading. The following provisions apply to all electronically filed documents.

(1) Legibility.

The filing party is responsible for the legibility of any scanned document uploaded to the System. If a document cannot be easily read after scanning, the filing party must file it nonelectronically with the clerk.

(2) Evidence, Exhibits, and Attachments.

(A) Listing or Index.

Court filings which include hyperlinks to attached evidence, exhibits, and documents must include a listing of each item of evidence being filed. In all other cases, evidence, exhibits, and attachments in support of a motion must be identified on an electronically filed index of evidence, which must identify the related motion.

(B) Excerpts Required.

A filer must submit as exhibits or attachments only excerpts of the referenced documents that are directly relevant to the matter under consideration. Excerpted material must be clearly and prominently identified. Persons who file excerpts of documents as exhibits or attachments under this rule do so without prejudice to their right to timely file additional excerpts or the complete document. Responding parties may timely file additional relevant excerpts or, if relevant, the complete document. The court may require parties to file additional excerpts or the complete document.

(C) Paper Documents.

If the court grants a party leave to submit evidentiary materials in paper, the party must also file a paper index of evidence listing each item of evidence being filed and identifying the motion to which it relates. The party must serve copies of nonelectronically filed supporting materials on other parties as if not subject to electronic filing procedures.

(D) Additional Information.

Additional information on filing evidence or exhibits is available on the court's website at <https://www.ned.uscourts.gov/attorney/electronic-case-filing>.

(3) Content.

A document must plainly show the case caption, a description or designation of its contents, and the party or person/entity on whose behalf it is filed. All documents after the pleading initiating a proceeding must also show the correct docket number. A demand for jury trial, designation of a class action, claim of unconstitutionality of a statute, or request for a 3-judge court must be noted in the pleading caption.

(4) Hyperlinks.

Electronically filed documents allow only two types of hyperlinks: to other parts of the same document; and to an Internet location that contains a source document for a citation. A hyperlink to evidence attached to a court filing becomes a permissible hyperlink to an Internet location upon filing in CM/ECF. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees.

(A) Cited Authority.

Hyperlinks to cited authority may not replace standard citation format. The text of the filed document must include complete citations. Neither a hyperlink, nor any site to which it refers, may be considered part of the record.

(B) Responsibility for Hyperlinks.

The court accepts no responsibility for and does not endorse, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the court

has no agreements with any of these third parties or their websites. The court accepts no responsibility for any hyperlink's availability or functionality. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the court's opinion.

(b) Nonelectronic Filings.

If a document must be filed nonelectronically, the following provisions apply.

(1) Paper Size; Margins.

The paper used must be 8½" x 11", white, and of standard weight. A 2-inch margin must appear at the top of the first page for the clerk's filing stamp.

(2) Presentation.

All documents must be single-sided and legibly typewritten, photocopied, printed, or handwritten if necessary, and without materially defacing erasures or interlineations. Attached exhibits must be similarly typewritten, printed, photocopied, or handwritten if necessary, in clear, legible, and permanent form.

(3) Additional Materials.

Any materials filed in connection with a motion must be accompanied by an index listing each item attached. If not pre-bound, such as a transcript or book, all attachments to the index printed on 8½" x 11" paper must be bound together by fasteners. All materials not amenable to binding must be submitted in an envelope or other closeable container.

(4) Content.

A document filed nonelectronically must include the same information as an electronically filed document. See NECivR 10.1(a)(3).

(5) Physical Media Required.

Electronic documents filed nonelectronically, such as audio or video files, must be provided to the Clerk of the Court and parties entitled to service in the case by a commonly used physical media format, such as an optical disc or flash drive. Providing a document only by

linking to a cloud storage service such as Dropbox or OneDrive is not sufficient.