

Good morning, everybody! My name is Elsie-Mae King, I am your Generalist Supervisor in the division of St. Thomas/St. John. Joining me today will be Ms. Kathryn Conlon, your Generalist Supervisor in the division of St. Croix.

Thank you for joining us today. I am Kathryn Conlon and I will be monitoring your questions in the chat pane. Don't be shy about contributing your interactions makes each session interesting!


SESSION OBJECTIVES

- ✓ CM/ECF Overview
- ✓ Filing Answers and Counterclaims
- ✓ Filing Counter Claim Answers
- ✓ Sealed Functionality: Understanding the Critical Elements
- ✓ Filing a Sealed Document
- ✓ Filing a Sealed Document
- ✓ Filing Ex Parte Documents
- ✓ Filing a Motion to File for a Proposed Sealed Document
- ✓ Selecting Correct Filing Events
- ✓ Use of the CM/ECF Search Button
- ✓ Common Docketing Errors

9/13/2023

By the end of today's training session each of you should be able to successfully file an answer and counterclaim; as well as counter claim answers.

Additionally, after this session we are hoping that you also have a greater understanding of the critical elements that differentiate "seal" and "ex parte" filing events. Finally, we are indeed optimistic that you will leave today equipped to confidently use both filing events as well as continuing to minimize your docketing errors. So, let's go!!



The logo for CM/ECF Next Gen features the text "CM/ECF" in a large, blue, serif font. A yellow classical building icon is positioned between the "M" and "E". Below this, the words "NEXT GEN" are written in white on a red horizontal bar. The background consists of a grid of blue squares with white binary code (0s and 1s) scattered throughout. In the foreground, there are several orange and grey folders or documents.

What is CM/ECF?

CM/ECF is the acronym for Case Management/Electronic Case Files. CM/ECF is the federal Judiciary's system that allows case documents, such as pleadings, motions, and petitions, to be filed with the court online.

9/13/2023

Let's begin with the brief overview of CM/ECF.



The District Court of the Virgin Islands is a NextGen Court

The NextGen CM/ECF uses Central Sign-On (CSO) platform, which allows e-filers to use one PACER login and password to access all NextGen courts where they have permission to file, as well as access to PACER for all courts.

9/13/2023

The District Court of the Virgin Islands is a NextGen CM/ECF Court. Let me explain this a little bit further. A NextGen Court uses Central Sign-On (CSO) platform, which allows a filer to use one PACER login and password to access all NextGen Courts where they have permission to file as well as access to PACER for all courts. Keep in mind that not all district courts are NextGen courts.

Public Access to Court Electronic Records

- ❖ PACER and CM/ECF are different.
- ❖ A filing user must have a PACER account in order to view filed documents (except the one “free look”), print or to use the Query and Report features of the ECF system.
- ❖ CM/ECF permits a user to file documents electronically.



9/13/2023

Let's briefly make the connection between PACER and CM/ECF. For an efiler to have access and file using CM/ECF, that filing user must have a PACER account. PACER is different from CM/ECF.

Let us use this analogy. Having a PACER account is like having your license to drive without a car but having CM/ECF permission to electronically file in a court is having a Lamborghini that will you everywhere that you are permitted to go.

E-Filing Permissions Attorney

BEFORE an attorney can file or request authorization through PACER to become an e-filer in the District Court of the Virgin Islands, the attorney must have an order of admissions pursuant to the applicable provisions of LRCi 83.1 **and** have been administered the Oath of Office to practice before the District Court of the Virgin Islands.

- Regular Admissions
- Pro Hac Vice Admissions
- CJA Appointed Attorneys (Criminal Justice Act)
- Assistant United States Attorneys

9/13/2023



Ok, let's be a bit more specific. You may have a PACER account and permitted to practice before other district courts. However, as an attorney, if you have not been admitted to practice before the District Court of the Virgin Islands, in an attorney capacity consistent with LRCi 83.1, you will not have filing rights in PACER.

E-Filing Permissions Non-Attorney

BEFORE a non-attorney user who is a litigant in a matter pending before the District Court of the Virgin Islands can become an efiler in this Court, the non-attorney must complete the Motion for Permission to Use Electronic Case Filing and Registration Form, pursuant to LRCi 5.4 which must be filed in the underlying case that is pending before the Court and the Court must approve it before registering with PACER e-filing permission.

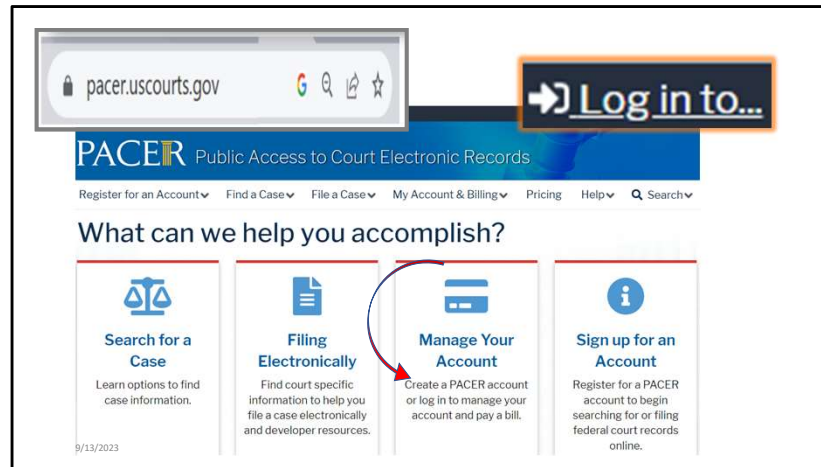
Non-attorney filers are identified as:

- Court Reporters
- Non-Prisoner Pro Se Filers,
- Trustees, Limited Filers,
- Filing Agents and Creditors

9/13/2023



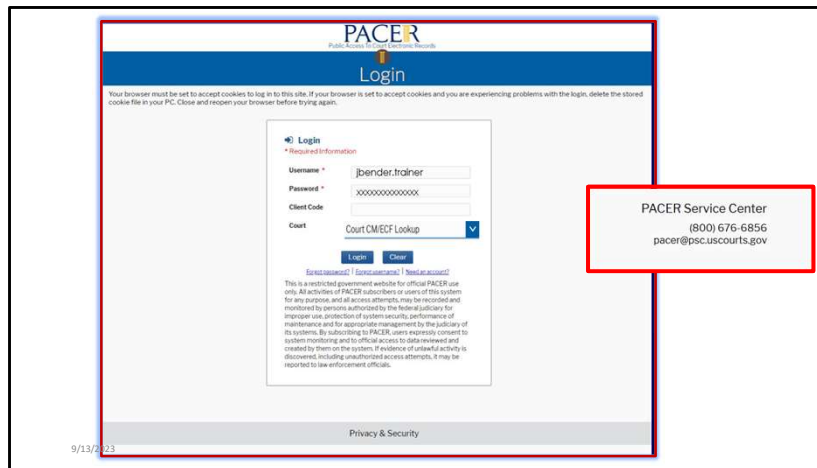
Similarly, a person who is a non-attorney in a pending matter before this court may become an E-filer in this Court only after filing a Motion for Permission to Use Electronic Case Filing, completing the registration form and the Court granting the Motion.



Once you have gained permission by the Court to become an efiler, whether as an attorney or as a non-attorney filer, you must visit PACER's website at www.PACER.uscourts.gov, click on the "manage your account" and update your profile. Don't worry, the process is simple.



Today's training sessions were created with your feedback in mind! This refresher session has been streamlined to present a more focused and efficient experience.



A few quick reminders. There are several options on how to navigate and login to CM/ECF. The first option is to go directly through PACER using their Court CM/ECF lookup functionality.



The other option is by visiting the District Court of the Virgin Island’s website, clicking on either menu options “For Attorneys” or “Case Info” on the top menu bar.

 **District Court of the Virgin Islands**
Honorable Robert A. Molloy, Chief Judge - Glenda L. Lake, Esq., Clerk

[Court Info](#) | [Judges' Info](#) | [Jury Info](#) | [For Attorneys](#) | [Forms](#) | [Case Info](#) | [Criminal Justice Act](#) | [Programs & Services](#) | [Pro Se Initiative](#)



Welcome to the District Court of the Virgin Islands for the District of the Virgin Islands

[District of the Virgin Islands - Document Filing System](#)

This is a restricted government website for official court business only. All activities of CM/ECF subscribers or users of this system for any purpose, and all access attempts, may be recorded and monitored by persons authorized by the federal judiciary for improper use, protection of system security, performance of maintenance and for appropriate management by the judiciary of its systems. By subscribing to CM/ECF, users expressly consent to system monitoring and to official access to data reviewed and created by them on the system. If evidence of unlawful activity is discovered, including unauthorized access attempts, it may be reported to law enforcement officials.

15February2022

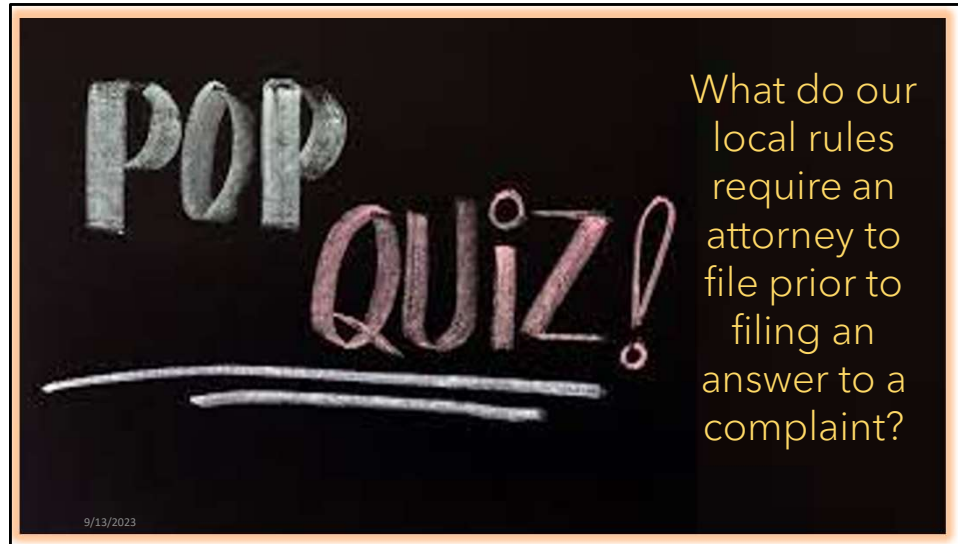
[Court Information](#)



Both will route you to the District CM/ECF interface.



Let's get this session under way! Our quality control reviewers have seen a reduced margin of errors with the filing of civil complaints. So, we are going to fast forward and begin our refresher session on the filing of answers, counterclaim answers, cross-claims, and third-party answers.



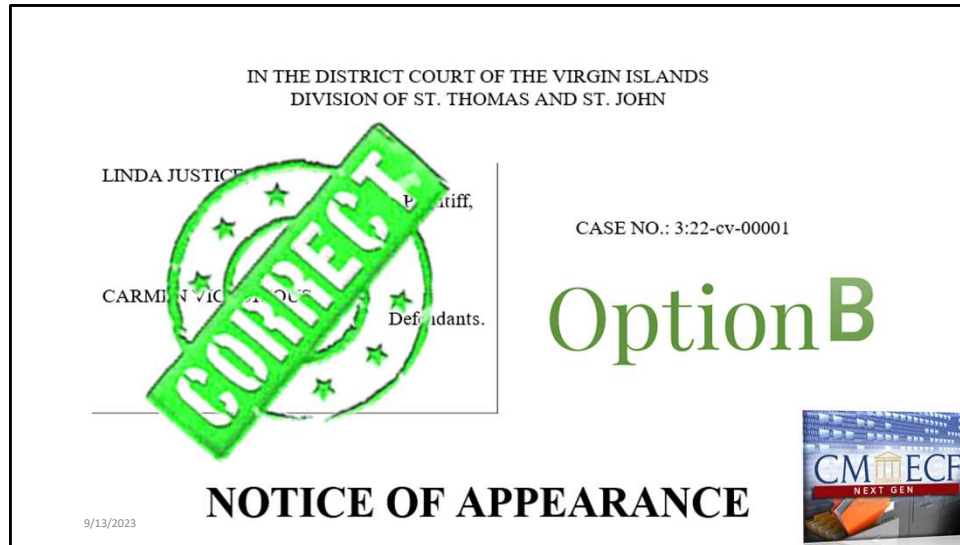
Let's get the adrenalin flowing. I hope you haven't placed this call on mute already and just waiting on the session to end to get the CLE credits!

Pop quiz! What do our local rules require an attorney to file prior to filing an answer to a complaint?



Come on, type those answers right in the chat pane! Is it Option A: filing a copy of your current DCVI's bar renewal receipt? Option B: a filing a Notice of Appearance? Or Option C: just the filing of the Answer?

I hope that even if they got up to get a cup of coffee they came back. Kathryn, Is there anything happening in the chat?



If you selected Option B you are correct! LRCi Rule 5.2. requires the attorney for each party to promptly file an appearance in each case. For the purpose of the upcoming example, a Notice of Appearance has already been filed.

Notices
3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.
The following attorney/party associations do not exist for the above case(s).
Please check the box on the left of the screen for associations which should be created.
If the association should *not* be created, keep box *unchecked*.

Hoppy Nest, Inc. (pty:def) represented by Jill Bent (aty) Lead Notice

Next Clear

9/13/2023

CM ECF

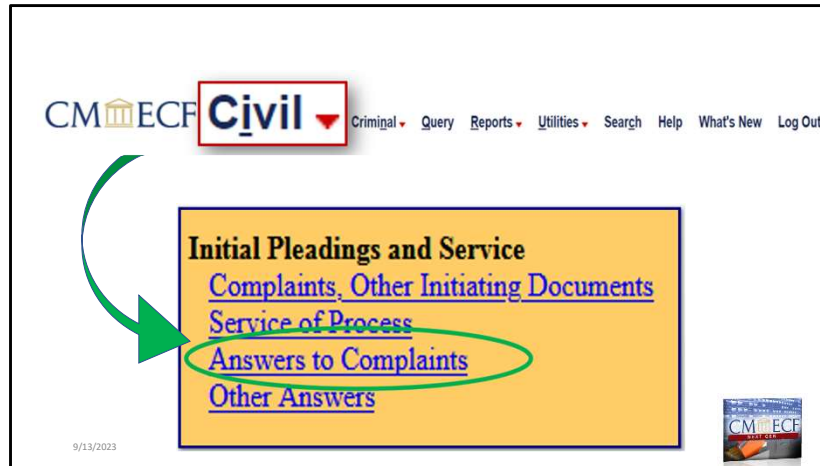
Since we are speaking about filing a Notice of Appearance, be advised that when an attorney is filing their Notice of Appearance, an important dialog box appears on the Attorney/Party Association screen. This is an important screen, so let's take a minute and discuss it.

This screen has fields that will confirm the defendant/attorney association. It is automatically pre-populated to create the association based on your filing. This is why it is very important to file a Notice of Appearance in a case. The first box recognizes James Done as the party defendant that is being represented by Attorney Tom Tall. Next is the "Lead Attorney" box. While it is permissible to have multiple attorneys per defendant, you should only check this box if you are the lead attorney. Note, there should only be ONE Lead Attorney per party.

Finally, the last box which reads "Notice" is an important box. This box alerts the system to send Notices of Electronic Filings to the attorney, regardless of whether or not they are the lead counsel. If the box is not checked, the attorney will not receive notices in the case even if the attorney is listed on the docket as a counsel in the case.



Now, we have fast forwarded the session with the filing of the answer, so that means that there is an existing case already filed with the court. Systematically, that means that there is party participant information already populated in CM/ECF that includes the plaintiff and defendants' names. Clicking on the hyperlink in the middle of the screen will take us directly on to CM/ECF to begin the filing process.



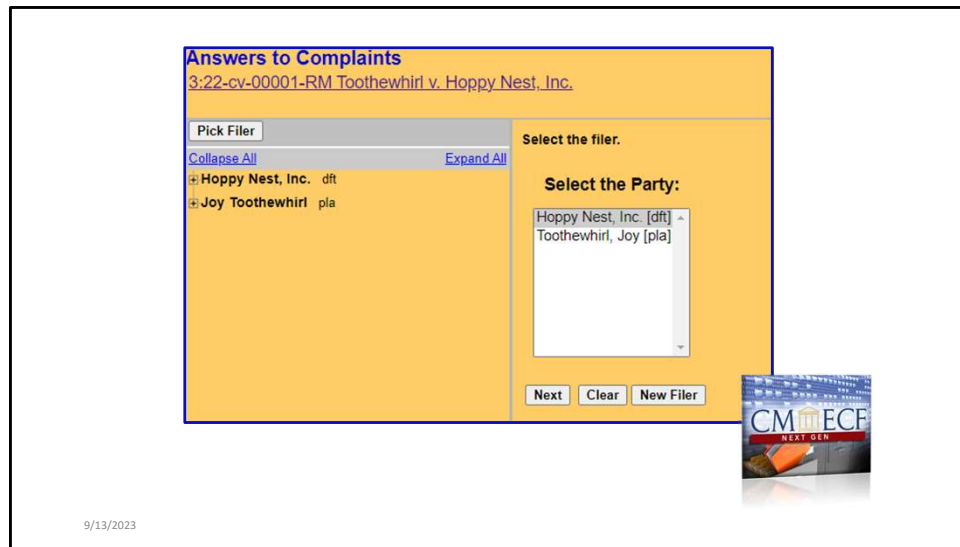
At the top of the screen is the menu bar that you will be navigated to. We are going to click on the "civil" menu link, where we are going to look at the menu under "Initial Pleadings and Service," where we will select "Answers to Complaints."

The screenshot shows a web form with a blue title bar that reads "Answers to Complaints". Below the title bar is a grey header area with the text "Civil Case Number". Underneath this header is a white text input field containing the text "3:22-cv-1". Below the input field are two buttons: "Next" and "Clear". The entire form is set against an orange background. In the bottom right corner of the form area, there is a small logo for "CMTECE". At the bottom left of the white background surrounding the form, the date "9/13/2023" is visible.

When we select that option, we will be navigated to the next screen, where the filing user will be prompted to enter the number of the case that they would like to file their answer in. We are going to enter it and click **Next**.



On the next page, the system displays the attorneys for the party participants in the case, so that the filer may select the correct attorney to be identified in the system filing the complaint.



On the next page, the system displays the Filer Selection screen. On this screen you select the party who is filing the document. The name(s) of the party you select will appear in the docket text.

NOTE: CM/ECF is intuitive and will recognize if you have multiple defendants by automatically providing you with the functionality to either select all Defendants if there are multiple defendants that the filer may be filing on behalf of. But keep in mind that if you select that option, the docket text will read, “answer filed for all defendants” instead of the specific name of the individual defendant.

We have a single defendant, so that option does not appear. So, we will select Mr. Done as the party on whose behalf we are filing an answer and click next.

Answers to Complaints
3:22-cv-00001-RM Toothewhirl v. Hoppy Nest, Inc.

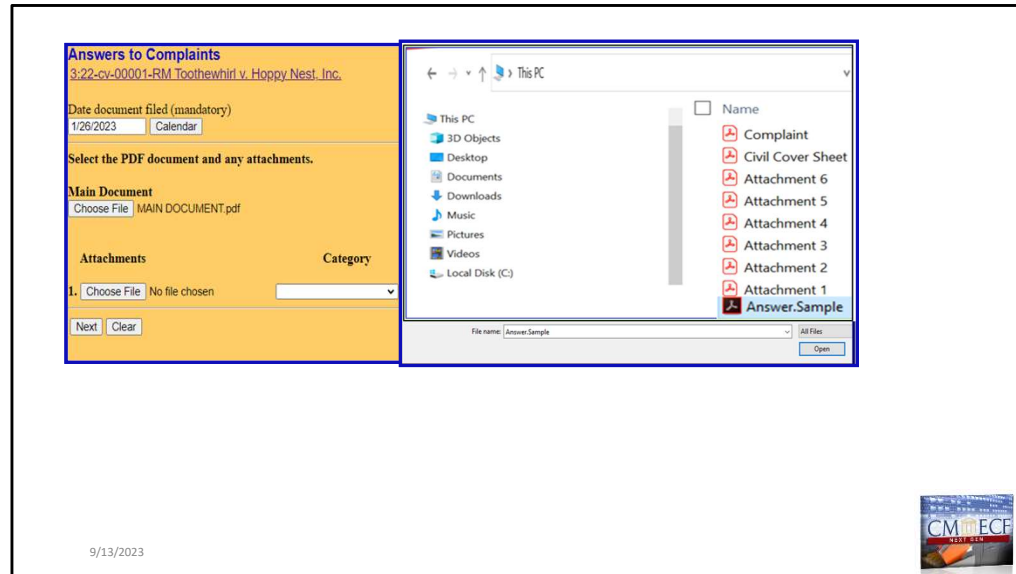
Include	Date	#	Docket Text
<input checked="" type="checkbox"/>	12/31/2022	1	COMPLAINT against Hoppy Nest, Inc. (Filing fee \$400.00. Paid) filed by Joy Toothewhirl. (Tall, Tom) (Entered: 07/26/2023)

Next Clear



9/13/2023

As the process progresses, we have arrived at the section where we must select which complaint the answer pertains to in the event there was more than one in the pending case. When applicable, this screen lists all complaints and claims, including counterclaims, crossclaims, and third-party complaints, for which an answer can be filed in. In CM/ECF, this is referred to as linking one document electronically to another through the system. Once we are finished, please click next.



Now we have come to the upload screen. Kathryn, we have an awesome bunch of efilers with us today. So, they already quickly recognized the upload screen and know that their filings must already be converted to PDF prior to uploading in CMECF! But here is an important tip that we would like to share with you.

The graphic features a blue speech bubble with the word "reminder" in white. To its right is a light blue rounded rectangle containing a red upward-pointing arrow above a black U-shaped icon, with the word "document" in blue text. Below these elements are three colored bars: a red bar with "Max. PDF File Size: 5.0 MB", a blue bar with "Max. Merge Document Size: 15. MB", and a green bar with "Filing user's responsibility to verify all uploads." A small date "9/13/2023" is located in the bottom left corner of the graphic.

reminder

document

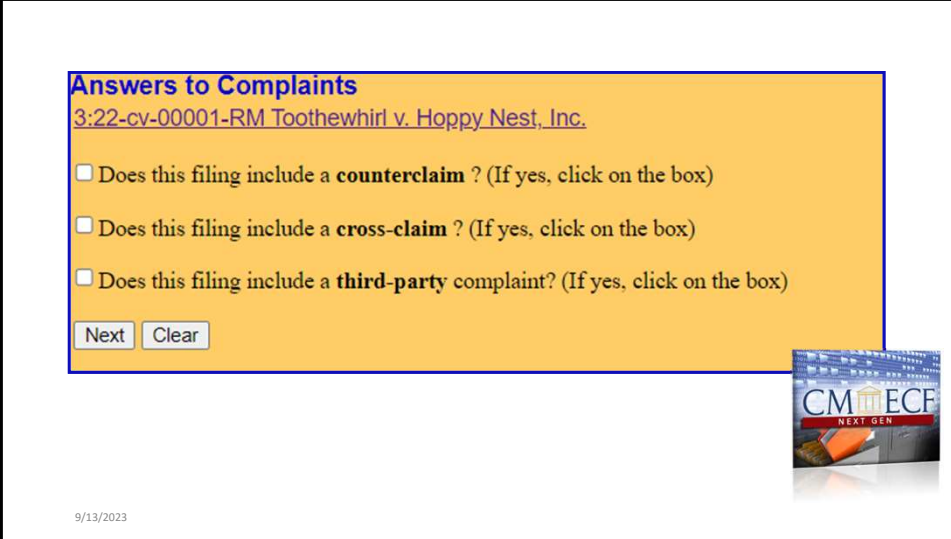
Max. PDF File Size: 5.0 MB

Max. Merge Document Size: 15. MB

Filing user's responsibility to verify all uploads.

9/13/2023

We would just like to remind you of our filing document size limitations. The maximum PDF file size is 5MB and the maximum merge document size is 15MB. Please verify your file sizes before attempting to upload.



Answers to Complaints
3:22-cv-00001-RM Toothewhirl v. Hoppy Nest, Inc.

Does this filing include a **counterclaim** ? (If yes, click on the box)

Does this filing include a **cross-claim** ? (If yes, click on the box)

Does this filing include a **third-party** complaint? (If yes, click on the box)

Next Clear

9/13/2023

We have reached the screen that recognizes that an answer may contain a counterclaim, a cross-claim, or a third-party complaint. If your answer contains any of the following, check all boxes that apply below and click **Next**. If no boxes are checked, click **Next**. If a box has been checked, the system will then display a screen for you to select whom this claim is against. If necessary, you may need to add a new party on a particular screen. For example, you are filing a third-party complaint and the party's name is not in the system. Don't worry, additional dialog boxes will appear that will allow you to add a new party. Let me show you an example.

Answers to Complaints
3:22-cv-00001-RM Toothewhirl v. Hoppy Nest, Inc.

Pick Party

Collapse All Expand All

Hoppy Nest, Inc. dft
Joy Toothewhirl pla

Select from the following list the party(s) against whom you are filing this Crossclaim.

Select the Party: OR Select a Group:

Hoppy Nest, Inc. [dft] -
Toothewhirl, Joy [pla]

No Group
 All Defendants
 All Plaintiffs
 All Parties

Next Clear New Party

9/13/2023

Here the filing user has a crossclaim in their answer. So, they clicked yes to having a cross claim and the following dialog box appears. They would be able to add any other party information. But let's head back to filing our answer to the complaint.

Answers to Complaints
3:22-cv-00001-RM Toothewhirl v. Hoppy Nest, Inc.
Does this Answer include a jury demand?

Yes
 No

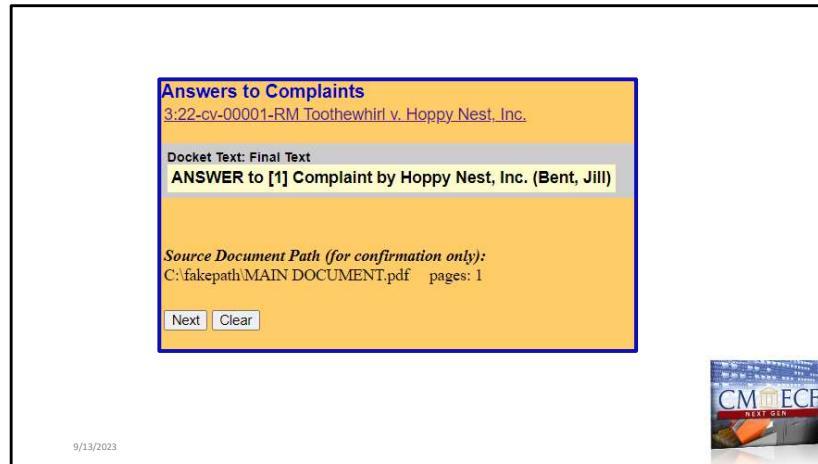
9/13/2023



The system will then ask you if the answer includes a jury demand. Answer Yes or No whether the answer states it has a jury demand. Click **Next**.



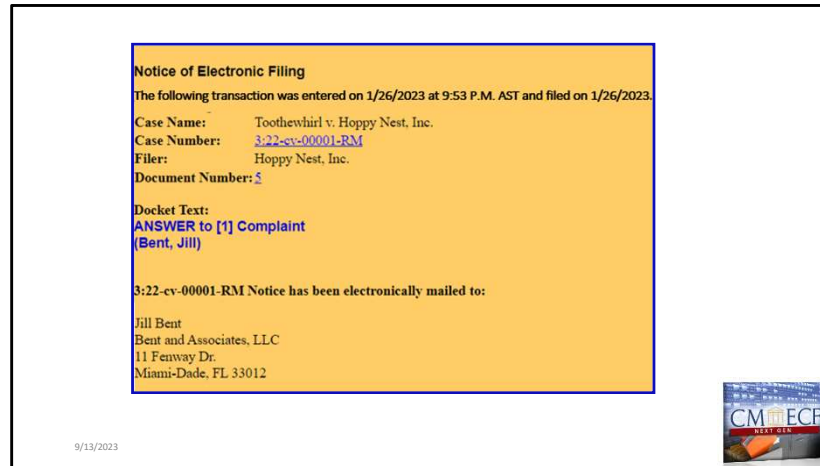
Next, we come to the docket text screen with the language to be displayed on the docket. It is here that we take a careful look for accuracy and any need for edits.



We are almost to the end of the filing transaction where CM/ECF will provide you with the opportunity of having one final look at the docket text before you commit the filing transaction. Just another reminder that the NEF that is automatically generated by the Court's electronic filing system constitutes service of the filed documents on filing users with the exceptions as set forth in LCRi 5.4(i)(1)). Click **Next** to continue.



The system will display the **Final Docket Text** screen. Again, just like before CM/ECF will always prompt you that you are approaching the final steps towards the end of a transaction. This is your **last chance** to correct any errors in the transaction. If the transaction is NOT correct, click **Back** on your browser to return to the screen where the error was made, fix the error, then proceed again through the transaction. If the transaction and the text are correct, click **Next**.



Once we click next, we are finally completed the filing and the system will display the **Notice of Electronic Filing** screen. When you arrive at the **Notice of Electronic Filing** screen, you are finished with the filing of your document. NEF is your verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.

E-FILING

BREAKING NEWS

What should you do?

9/13/2023

It's 11:57 p.m. and the deadline for filing a pleading is 11:59 p.m. and your office's network just went down!!!!

CM ECF
NEXT GEN

(j) **Notice of Court Orders and Judgments.** Immediately upon the entry of an order or judgment in an action assigned to the Electronic Filing System, the Clerk shall transmit to Filing Users in the case, in electronic form, a Notice of Electronic Filing. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Federal Rule of Civil Procedure 77(d). The Clerk must give notice in paper form to a person who has not consented to electronic service in accordance with the Federal Rules of Civil Procedure.

(k) **Technical Failures.** A Filing User whose filing is made untimely as the result of a technical failure and who is unable to make a timely filing by traditional means must seek appropriate relief from the Court.

(l) **Public Access.** Responsibility for redacting the personal identifiers set forth in Federal Rule of Civil Procedure 5.4(b) shall rest with the filer. The Clerk shall review documents for




ELECTRONIC FILING


LRCi. 5.4.(k)

9/13/2023

We have completed
the section on filing
an Answer.
Do you have
any questions?



9/13/2023



We have plenty of additional information to cover with you today. Right now, however, we would like to know if you have any questions about filing an answer to a complaint. Please enter them in the chat now.




We are now moving on to filing an answer to a counter claim, a cross-claim, or perhaps a third-party complaint.

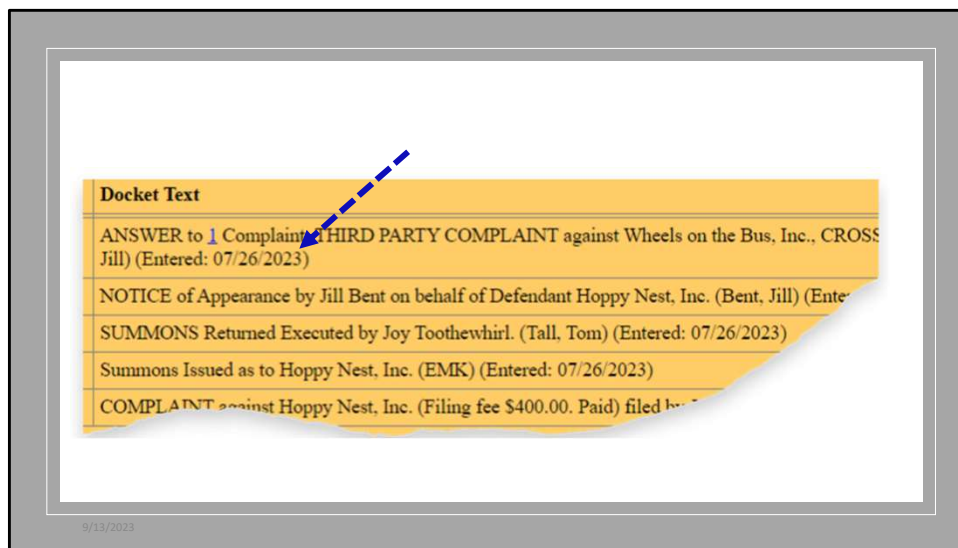
**District Court of the Virgin Islands
District of the Virgin Islands (St. Thomas Division)
CIVIL DOCKET FOR CASE #: 3:22-cv-00001-RAM-RM
Internal Use Only**

<p>Toothwhirl v. Hoppy Nest, Inc. Assigned to: Robert A. Molloy Referred to: Magistrate Judge Ruth A Cause: 28:1332 Diversity-Contract D</p> <p>Plaintiff Joy Toothwhirl</p>	<p>Date Filed: 12/31/2022 Jury Demand: None Nature of Suit: 120 Contract: Marine Jurisdiction: Diversity</p> <p>represented by Tom Tall Tall Partners Inc. 123 Downtown Suite 321 St. Thomas, VI 00802 Email: TTom@TallPartners.com <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i></p>
<p>V.</p> <p>Defendant Hoppy Nest, Inc.</p>	<p>represented by Jill Bent Bent and Associates, LLC 11 Fenway Dr. Miami-Dade, FL 33012 Email: jill@bentassc.com <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i></p>

9/13/2023



Just to recap a minute. In the prior session, we just filed an answer to a complaint. Using the same case, as our example we are assuming that the individual also filed a counterclaim, a crossclaim, and a third-party complaint.




Then here on this screen, we can see the modified docket sheet that shows where the answers to both the complaint, third party complaint and crossclaim. Additionally, we can see the answer to the third-party complaint, cross claim and the filing of the counterclaim.



So, we are going to right back to the civil menu bar, because although we are filing a different type of answer, we have to come back to where when we click on the "civil" menu link. That is under the "Initial Pleadings and Service", selecting the "Answers to Complaints" to allow the Third-Party Defendant, Cross Claimant and Counter Defendant to file an answer to the added claim.

The screenshot shows a web form with a yellow background and a blue border. At the top, the title "Answers to Complaints" is displayed in blue text. Below the title, the label "Civil Case Number" is shown in black text. A text input field contains the value "3:22-cv-1". At the bottom of the form, there are two buttons: "Next" and "Clear".

9/13/2023



Remember, once we click on the menu option, we are navigated straight to entering the case number where we want to file the document.

Answers to Complaints
3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.

Pick Attorney

[Collapse All](#) [Expand All](#) **Select the attorney(s)**

<input type="checkbox"/> Hoppy Nest, Inc. crc	<input type="text" value="Jill Bent(698283)"/> <input type="text" value="Tom Tall(698284)"/> <input type="text" value="Bill Short(698288)"/> <input type="button" value="Next"/> <input type="button" value="Clear"/> <input type="button" value="New Attorney"/>
<input type="checkbox"/> Hoppy Nest, Inc. dft	
<input type="checkbox"/> Hoppy Nest, Inc. 3pp	
<input type="checkbox"/> Hoppy Nest, Inc. cc	
<input type="checkbox"/> Joy Toothewhirl pla	
<input type="checkbox"/> Joy Toothewhirl cd	
<input type="checkbox"/> Wheels on the Bus, Inc. 3pd	
<input type="checkbox"/> Wheels on the Bus, Inc. crd	
<input type="checkbox"/> Wheels on the Bus, Inc. dft	

9/13/2023



In this case, we are selecting the attorney representing the party, which is Bill Short, who will be filing an answer to the 3rd party p complaint, crossclaim and as a counter defendant.



Here we are navigated to the “select the party screen” for the individuals that the attorney is filing the answer to.

Answers to Complaints
[3:22-cv-00001-RAM-RM Toothwhirl v. Hopyy Nest, Inc.](#)
The following attorney/party associations do not exist for the above case(s).
Please check the box on the left of the screen for associations which should be created.
If the association should *not* be created, keep box *unchecked*.

Wheels on the Bus, Inc. (pty:df) represented by Bill Short (aty) Lead Notice

9/13/2023




Remember Kathryn's discussion earlier about the importance of this dialog box when filing a Notice of Appearance?

3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.

Include	Date	#	Docket Text
<input checked="" type="checkbox"/>	01/26/2023	5	ANSWER to 1 Complaint, THIRD PARTY COMPLAINT against Wheels on the Bus, Inc., CROSSCLAIM against Wheels on the Bus, Inc., COUNTERCLAIM against Plaintiff Joy Toothewhirl Joy Toothewhirl by Hoppy Nest, Inc. (Bent, Jill) (Entered: 07/26/2023)
<input checked="" type="checkbox"/>	01/26/2023	5	ANSWER to 1 Complaint, THIRD PARTY COMPLAINT against Wheels on the Bus, Inc., CROSSCLAIM against Wheels on the Bus, Inc., COUNTERCLAIM against Plaintiff Joy Toothewhirl Joy Toothewhirl by Hoppy Nest, Inc. (Bent, Jill) (Entered: 07/26/2023)

9/13/2023



This screen will prompt you to link the answer to the complaint, which is docket #5. Then click NEXT.

3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.


Date document filed (mandatory)
3/26/2023

Select the PDF document and any attachments.

Main Document
 MAIN DOCUMENT.pdf

	Attachments	Category	Description
1.	<input type="button" value="Choose File"/> No file chosen	<input type="text"/>	<input type="text"/>

9/13/2023




Click on the Browse button to upload your PDF document and any other attachments you may have. Then Click NEXT.

Answers to Complaints
3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.

Does this filing include a **counterclaim** ? (If yes, click on the box)

Does this filing include a **cross-claim** ? (If yes, click on the box)

Does this filing include a **third-party** complaint? (If yes, click on the box)




This next screen prompts you to select if you are filing a counter-claim, cross-claim or third-party complaint with your answer. If you are not, click NEXT.

Answers to Complaints
3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.
Does this Answer include a jury demand?

Yes
 No

9/13/2023




Does the answer include a jury demand?

Answers to Complaints
3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.

ANSWER to [5] Answer to Complaint, Third Party Complaint, Crossclaim, Counterclaim , ANSWER to [5] Answer to Complaint, Third Party Complaint, Crossclaim, Counterclaim
by Wheels on the Bus, Inc..

(Short, Bill)

9/13/2023



This is the text box that displays how the text will appear on the docket. Pay close attention, because the text here is exactly what will appear on the docket. In this example it appears that we have a bit of editing to be made before we click NEXT.

Answers to Complaints
[3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.](#)

ANSWER to [5] Complaint, Third Party Complaint, Crossclaim, and a Counterclaim, filed by Wheels on the Bus, Inc.

(Short, Bill)

9/13/2023



Now, that's better. After editing the text, we can clearly read that the text relates to the filing of the answer to the complaint which has also been linked to the Complaint, the Third Party Complaint Crossclaim and a Counterclaim. Finally, we can see that Wheels on the Bus, Inc. is the filing party and Bill Short is the filer on their behalf.

Answers to Complaints
[3:22-cv-00001-RAM-RM Toothewhirl v. Hoppy Nest, Inc.](#)

Docket Text: Final Text
ANSWER to [5] Complaint, Third Party Complaint, Crossclaim, and a Counterclaim, filed by Wheels on the Bus, Inc. (Short, Bill)

Source Document Path (for confirmation only):
C:\fakepath\MAIN DOCUMENT.pdf pages: 1

9/13/2023



This screen displays the final view that will appear on the docket. If further editing is still necessary, then we can always hit the back button on your browser. If the docket text is okay, go ahead and click NEXT.

Answers to Complaints
 3:22-cv-00001-RAM-RM Toothwhirl v. Hoppy Nest, Inc.

District Court of the Virgin Islands
 District of the Virgin Islands

Notice of Electronic Filing

The following transaction was entered on 7/26/2023 at 11:09 PM AST and filed on 3/26/2023

Case Name: Toothwhirl v. Hoppy Nest, Inc.
 Case Number: 3:22-cv-00001-RAM-RM
 Filer: Wheels on the Bus, Inc.
 Document Number(s):

Docket Text:
ANSWER to [5] Complaint, Third Party Complaint, Crossclaim, and a Counterclaim, filed by Wheels on the Bus, Inc. (Short, Bill)

3:22-cv-00001-RAM-RM Notice has been electronically mailed to:

3:22-cv-00001-RAM-RM Notice will be delivered by other means to:

Bill Short

Bill Bunt
 Bunt and Associates, LLC
 11 Fenway Dr.
 Miami-Dade, FL 33012

Tom Tall
 Tall Partners Inc.
 123 Downtown
 Suite 321
 St. Thomas, VI 00802

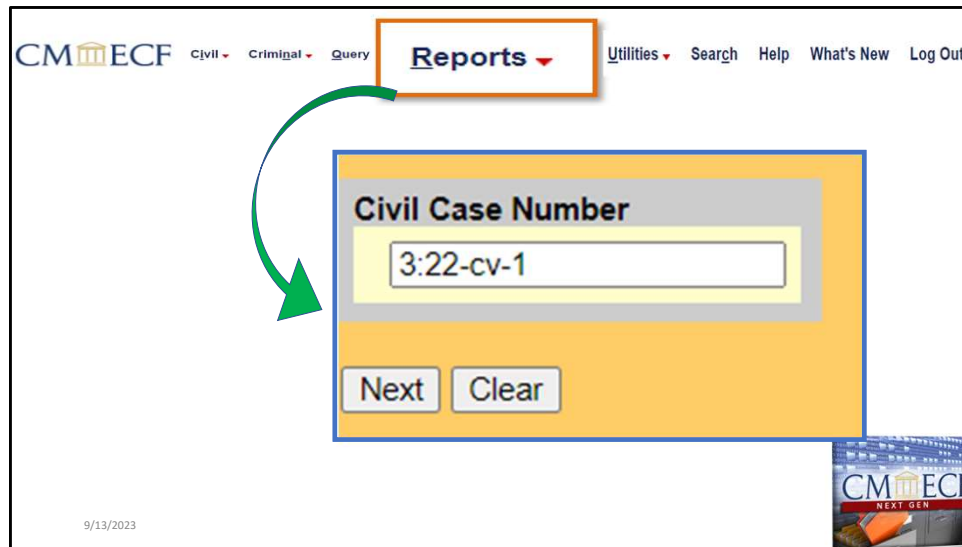
The following document(s) are associated with this transaction:

Document description:Main Document
Original filename(s):
Electronic document Stamp:
 STAMP docfStamp_ID=1181334639 [Date=7/26/2023] [FileNumber=843301-0]
 9f5cc003bce9f6ea13093e22af88ccce4982254a939da17ab793a85e180db79486e1d
 941d405f6cccebf8778473d3cc9d20e25d75e3fa46a0a9b37b2ce40ff]

9/13/2023



Here is the screen with your Notice of Electronic Filing. The NEF shows that the Answer to the Third-Party Complaint was successfully filed!



Let's run a docket report to review the docket sheet. We would first check on the upper menu option "Report", then enter or verify the case number.

District Court of the Virgin Islands
District of the Virgin Islands (St. Thomas Division)
CIVIL DOCKET FOR CASE #: 3:22-cv-00001-RAM-RM
Internal Use Only

Toothewhirl v. Hoppy Nest, Inc.
Assigned to: Robert A. Molloy
Referred to: Magistrate Judge Ruth Miller
Cause: 28:1332 Diversity-Contract Default

Date Filed: 12/31/2022
Jury Demand: None
Nature of Suit: 120 Contract: Marine
Jurisdiction: Diversity

Plaintiff
Joy Toothewhirl


represented by **Tom Tall**
Tall Partners Inc.
123 Downtown
Suite 321
St. Thomas, VI 00802
Email: TTom@TallPartners.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant
Hoppy Nest, Inc.

represented by **Jill Bent**
Bent and Associates, LLC
11 Fenway Dr.
Miami-Dade, FL 33012
Email: jill@bentassc.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

9/13/2023



We divided this screen in to 2 sections for purposes of the presentation. On the first screen we can see the top portion of the screen with the case information, including the case number, judge assignment, partial case caption and the partial list of the parties. Here we have the plaintiff Joy Toothewhirl versus the first defendant Hoppy Nest, Inc. We also see the name of the counsel representing these parties. The docket sheet is divided into 2 sections for the purposes of today's presentation.

Defendant Wheels on the Bus, Inc.	represented by Bill Short <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i>
ThirdParty Plaintiff Hoppy Nest, Inc.	represented by Jill Bent (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i>
V.	
ThirdParty Defendant Wheels on the Bus, Inc.	represented by Bill Short (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i>
Cross Claimant Hoppy Nest, Inc.	represented by Jill Bent (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i>
V.	
Cross Defendant Wheels on the Bus, Inc.	represented by Bill Short (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i>
Counter Claimant Hoppy Nest, Inc.	represented by Jill Bent (See above for address) <i>LEAD ATTORNEY</i> <i>ATTORNEY TO BE NOTICED</i>
V.	
Counter Defendant Joy Toothewhirl	represented by Tom Tall (See above for address)

9/13/2023



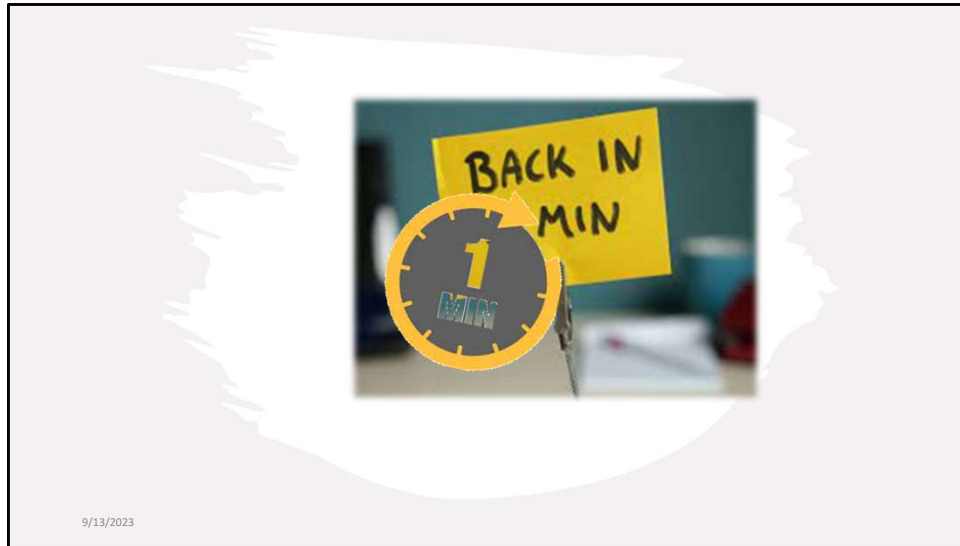
This is the lower portion of the docket screen. Here, we see the information for the second Defendant and Third-Party Plaintiff Wheels on the Bus, Inc., We also can now see that the Cross Claimant, Hoppy Nest, Inc. information now appears as Cross Claimant and that they have a placed a claim that now list Wheels on the Buss as a Cross Defendant. Finally, we see that the Counter Claimant in this matter is Hoppy Nest, Inc. who has filed a claim wherein Joy Toothewhirl is listed as a Counter Defendant. The attorneys for each party who has filed a Notice of Appearance is listed next to each party.

Docket Text
ANSWER to <u>5</u> Complaint, Third Party Complaint, Crossclaim, and a Counterclaim, filed by Wheel
NOTICE of Appearance by Bill Short on behalf of ThirdParty Defendant Wheels on the Bus, Inc.,
SUMMONS Returned Executed by Hoppy Nest, Inc. Wheels on the Bus, Inc. served on 2/26/2023.
Summons Issued as to Wheels on the Bus, Inc. (EMK) (Entered: 07/26/2023)
ANSWER to <u>1</u> Complaint, THIRD PARTY COMPLAINT against Wheels on the Bus, Inc., CROSS
Jill) (Entered: 07/26/2023)
NOTICE of Appearance by Jill Bent on behalf of Defendant Hoppy Nest, Inc. (Bent, Jill) (Ent
SUMMONS Returned Executed by Joy Toothewhirl. (Tall, Tom) (Entered: 07/26/2023)
Summons Issued as to Hoppy Nest, Inc. (EMK) (Entered: 07/26/2023)
Hoppy Nest, Inc. (Filing fee \$400.00. Paid) file

This screen shows an excerpt taken from the docket sheet. This is modified docket sheet that shows where the answers to both the complaint, third party complaint and crossclaim. Additionally, we can see the answer to the third-party complaint, cross claim and the filing of the counterclaim.



It's questions time! Before we move on to our next section, please take a moment to enter your questions in the chat.



9/13/2023

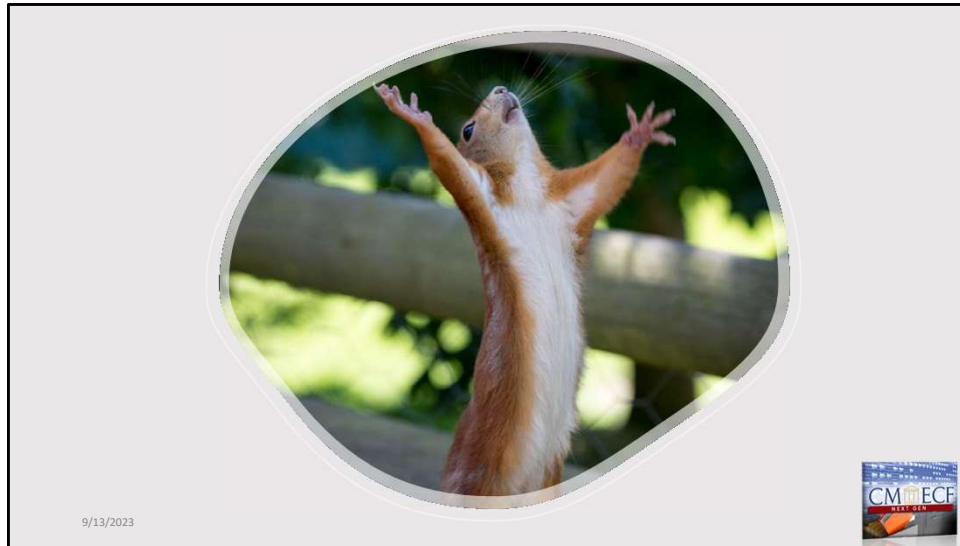
Before we begin our Advanced CM/ECF training session, please take a moment to refill your cup of tea. We will be taking sixty seconds before we will reconvene for our session, so you have time to settle yourself.





9/13/2023





We are now reconvening for our CM/ECF training session. Ms. King, I am now turning the floor over to you.




We are back...



In CM/ECF, an entire case, a criminal defendant, a docket entry, or a document can be sealed. A case can also be sealed at the time of opening by court users. For example, when a sealed criminal case is opened, all the defendants are sealed. Any filed document deemed sealed will remain sealed until the Court enters an order to unseal the case.


CM/ECF SEALED FUNCTIONALITY



9/13/2023

- The seal functionality in the Electronic Case Filing (“ECF”) system may be enabled at the Court’s discretion at the **CASE LEVEL**, document and **DOCKET ENTRY** levels.
- Motions to file documents under seal must be filed electronically unless prohibited by law.
- The authority for filing a document under seal must be provided by an order of the Court made pursuant to LCRi 5.4(f).
- Proposed sealed orders must be submitted to the appropriate judicial officer at the email addresses provided in the e-filing manual.

The seal functionality may be enabled at the court's discretion at the case level, document, and docket entry levels. Motions to file documents under seal must be filed electronically unless prohibited by law. Pursuant to LCRi 5.4(f) authority for filing a document under seal must be provided by an Order of the Court. Note that proposed sealed orders must be submitted via the email addresses provided in the e-filing manual.



CM/ECF SEALED FUNCTIONALITY

Civil: Case Level

Sealed at Case Level	Service of Sealed Documents	Querying Sealed Cases
<ul style="list-style-type: none"> • Not publicly viewable. • Sealed restrictions may be enabled at case opening or after a case is filed by Order of the Court. <i>Qui Tam</i> (False Claims Act) Complaint; Application for Pen Register (Warrant). • Only attorneys of record may file in a sealed civil case and be allowed to view documents, in the case after conventionally filing a Notice of Appearance. <p style="font-size: small; margin-top: 10px;">9/13/2023</p>	<ul style="list-style-type: none"> • Pursuant to Fed. R.Civ.P. and LRCi 5(1)(2), in the absence of electronic filing the service of any sealed document by an alternate method is required. • Service is required by counsel not the Court. 	<ul style="list-style-type: none"> • The query functionality in CM/ECF only returns matches for a party by name for those cases the filing user is authorized to view. • If a party is involved in cases that are sealed, and access has not been granted, the system will display a message "No Person Found."

In order for a case to be sealed from the beginning, the initiating documents must be filed conventionally in paper format with an accompanying motion to seal and a proposed order. For example, a Qui Tam (False Claims Act) complaint is a civil case type filing that must be filed under seal conventionally in paper format. An application for Pen Register Warrant is an initial document, considered a miscellaneous case type filing and must be filed under seal conventionally and in paper format.



CM/ECF SEALED FUNCTIONALITY

Civil: Case Level

Filing Under Seal

- A filing user in a civil case sealed at the case level is not required to file a motion for each individual filing because the case is sealed at the case level.

Querying a Sealed Civil Case

- The query functionality in CM/ECF only returns matches for a party by name for those cases the filing user has been authorized to view.

Restricted Viewing

- If an attorney or pro se litigant who has not been authorized to view a specific case, when the filing user attempts to search for the case number, the system will display: "##-#### is not a valid case. Please enter a valid value."

9/13/2023



CM/ECF SEALED FUNCTIONALITY

Civil: Document and Docket Entry Levels

Motion

Motion to file documents under seal must be filed electronically unless prohibited by law. **For each instance that sealed access is desired a separate motion is required.**

Systematic Permission

Once an order is entered, the e-filer **is also required to contact** the Clerk's Office to arrange for the filer's CM/ECF permissions to be changed to enable the filing user is to file the sealed motion/document. This should be done during normal operation hours, Monday through Friday 8 a.m.-5 p.m.

Documents and Docket Entries

If the sealed documents are filed conventionally, a paper copy of the order must be attached to the documents under seal and delivered to the Clerk. If the Court seals a docket entry it is only viewable to the authorized party.

Alternate Method of Service

8/13/2013

Pursuant to Fed. R.Civ.P. and LRCi 5(1)(2), in the absence of electronic filing the service of any sealed document by an **alternate method** is required.



CM/ECF SEALED FUNCTIONALITY

Criminal: Case Level

Sealed at Case Level

- Not publicly viewable.
- Seal restrictions can only be enabled at case opening by Court Order.
- Only attorneys of record may file in a sealed criminal case and be allowed to view documents in the case after conventionally filing a Notice of Appearance.

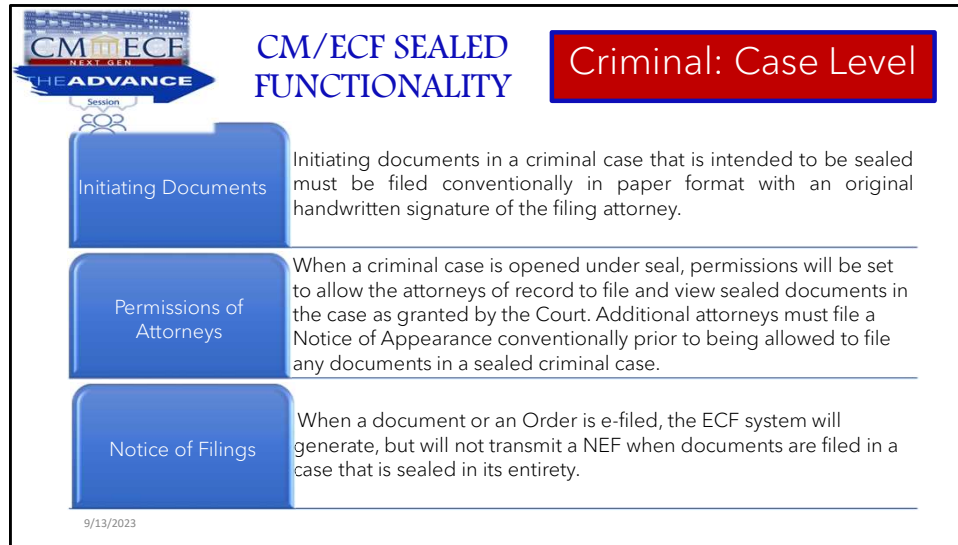
9/13/2023

Service of Sealed Documents

- Pursuant to Fed. R. Civ.P. and LRCi 5(1)(2), in the absence of electronic filing the service of any sealed document by an alternate method is required.
- Service is required by counsel not the Court.

Restricted Viewing of Sealed Criminal Cases

- The query functionality in CM/ECF only returns matches for a party by name for those cases the filing user is authorized to view.
- If a party is involved in cases that are sealed, and access has not been granted, the system will display a message "No Person Found."



The slide features a logo in the top left corner with the text "CM/ECF NEXT GEN THE ADVANCE" and a small "Session" icon. The main title "CM/ECF SEALED FUNCTIONALITY" is centered at the top. A red box on the right contains the text "Criminal: Case Level". The slide is divided into three blue rounded rectangular sections, each with a title and a corresponding text block. The first section is titled "Initiating Documents" and describes the requirement for paper filing and original signatures. The second section is titled "Permissions of Attorneys" and explains the court-granted permissions for attorneys of record and the requirement for a Notice of Appearance. The third section is titled "Notice of Filings" and states that the ECF system will generate notices but not transmit NEFs for sealed cases. A date "9/13/2023" is located at the bottom left of the slide.

CM/ECF SEALED FUNCTIONALITY

Criminal: Case Level

Initiating Documents
Initiating documents in a criminal case that is intended to be sealed must be filed conventionally in paper format with an original handwritten signature of the filing attorney.

Permissions of Attorneys
When a criminal case is opened under seal, permissions will be set to allow the attorneys of record to file and view sealed documents in the case as granted by the Court. Additional attorneys must file a Notice of Appearance conventionally prior to being allowed to file any documents in a sealed criminal case.

Notice of Filings
When a document or an Order is e-filed, the ECF system will generate, but will not transmit a NEF when documents are filed in a case that is sealed in its entirety.

9/13/2023

For example, a Criminal Complaint is an initial document, considered a magistrate case type filing, and must be filed under seal conventionally in paper format. When a criminal case is opened under seal, permissions will be set to allow the attorneys of record to file and view sealed documents in the case as granted by the Court.



CM/ECF SEALED FUNCTIONALITY

Criminal: Document and Docket Entry Levels

Motion for Leave to File Under Seal

- A motion to file documents under seal must be electronically filed unless prohibited by law. (LRCi 5.4(f)). A filing user in a criminal case sealed at the case level does not have to file a Motion for leave to file Under Seal for each individual filing in a sealed case, because the case is sealed at the case level.

Order Granting

- An Order granting permission to file a motion or a document under seal must be filed electronically unless prohibited by law.

Sealed Documents and Docket Entries

- If the sealed documents are filed conventionally, a paper copy of the order must be attached to the documents under seal and delivered to the Clerk. If the Court seals a docket entry it is only viewable to the authorized party.

9/13/2023





While we will be continuing our discussion about filing under seal momentarily, let's take a moment to answer what questions you have thus far.



Remember, you must be an attorney of record to file.



In this motion event, attorneys are warned not to attach the PDF document/motion that they are requesting to be sealed, as this event is not a sealed event. If you have a deadline and would like to obtain a ruling on your motion to seal a document before you prepare the filing in which you plan to use the document, you should plan to file the motion well in advance of the deadline for the filing.

Motions

Start typing to find another event.

Available Events (click to select events)

- Remand to Bankruptcy Court
- Remand to State Court
- Reopen Case
- Return of Property
- Sanctions
- Seal
- Seal Case
- Seal Document-(Motion for Leave to File Document Under Seal)**
- Sealed Motion
- Service by Publication
- Set Aside
- Set Aside Default
- Set Aside Forfeiture
- Set Aside Judgment
- Set Aside Verdict

Selected Events (click to remove events)

- Seal Document-(Motion for Leave to File Document Under Seal)

❖ Do not attach the PDF of the document/motion that is being requested to be sealed, because this event is not the sealed event.

❖ The motion events are not sealed from the public.

important

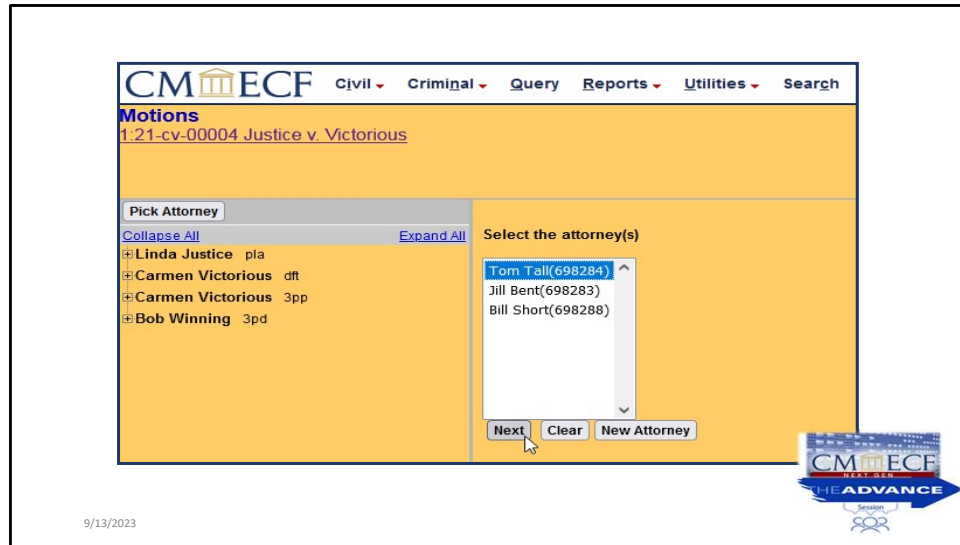
9/13/2023

If a filer is seeking permission from the court to file a sealed motion, the filer must select the Motion event **Seal**. The motion events are not sealed from the public. The PDF motion or document should be attached (as the main document) and the proposed order (as the attachment). Remember, **Do not attach the pleading or document you are requesting to be sealed**. For purposes of this presentation, we will be filing a **SEALED DOCUMENT**.

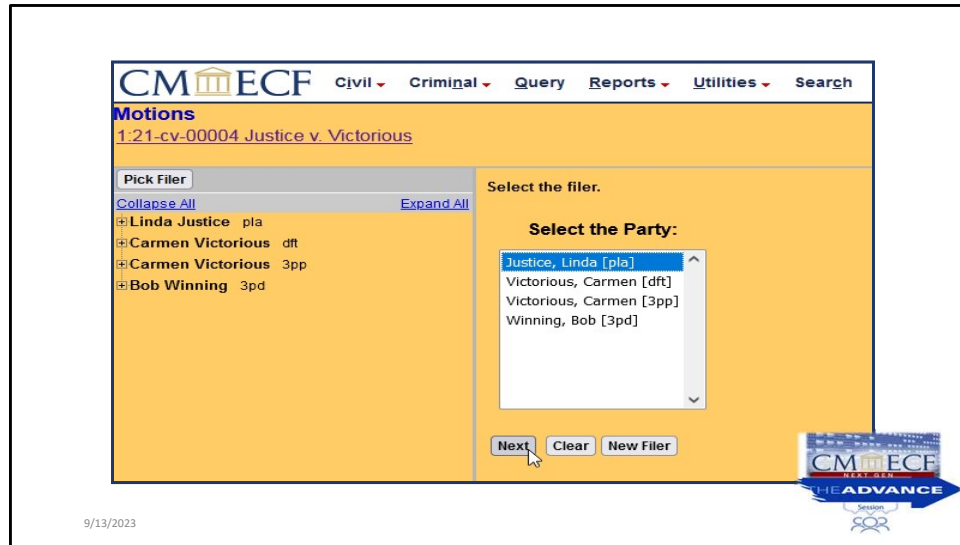
This screen displays the available events list for selection. Select "Seal Document-(Motion for Leave to File Document Under Seal) event and click NEXT.

The screenshot shows the CM ECF (Case Management/Enterprise Case Filing) interface. At the top, there is a navigation bar with the CM ECF logo and three menu items: "Civil", "Criminal", and "Query". Below this is a section titled "Motions" with a yellow background. A form is displayed with the label "Civil Case Number" above a text input field containing "1:21-cv-4". Below the input field are two buttons: "Next" and "Clear". A mouse cursor is pointing at the "Next" button. In the bottom right corner of the interface, there is a logo for "CM ECF" with the tagline "BEAT THE ADVANCE" and a small icon below it. The date "9/13/2023" is visible in the bottom left corner of the screenshot area.

Verify case number and click NEXT.



Select the attorney representing the party from the drop-down list and Click NEXT.



Select the party and Click NEXT.

CM ECF CIVIL Criminal Query Reports Utilities Search Help What's New

Motions
1:21-cv-00004 Justice v. Victorious

Date document filed (mandatory)
8/3/2021 Calendar

Select the PDF document and any attachments.

Main Document
Browse... MOTION FOR LEAVE TO FILE UNDER SEAL [2].pdf

Attachments	Category	Description
1. Browse...	PROPOSED ORDER TO [1].pdf	Text of Proposed Order Remove
2. Browse...	No file selected.	

Next Clear

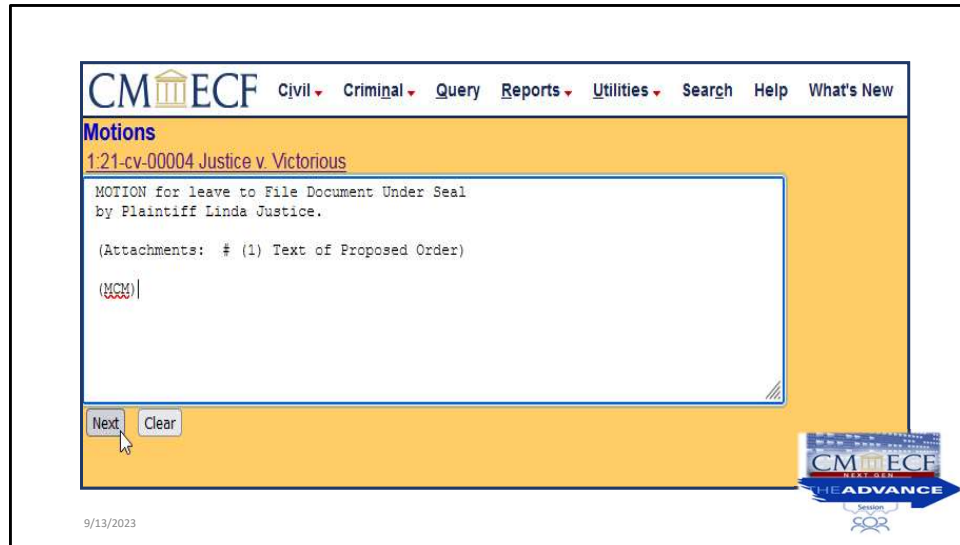
9/13/2023

CM ECF THE ADVANCE Session

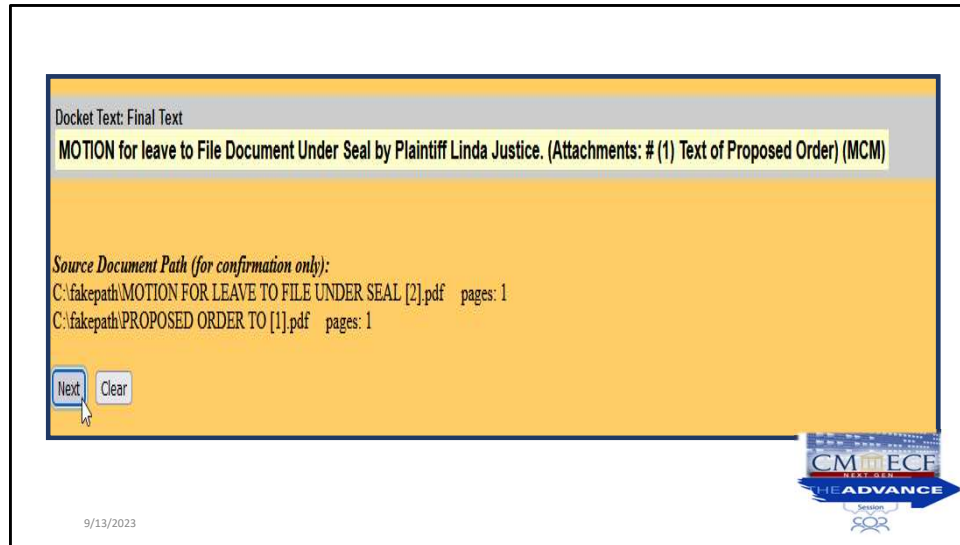
This screen prompts you to upload the Motion as the main document, and the Text of Proposed Order as an attachment under "Category", and any other documents as attachments. Remember all documents should be in PDF format.



Here we have the warning screen that alerts the filing attorney not to attach the document to be sealed. Remember, this is not a sealed event and it will be viewable by the public.



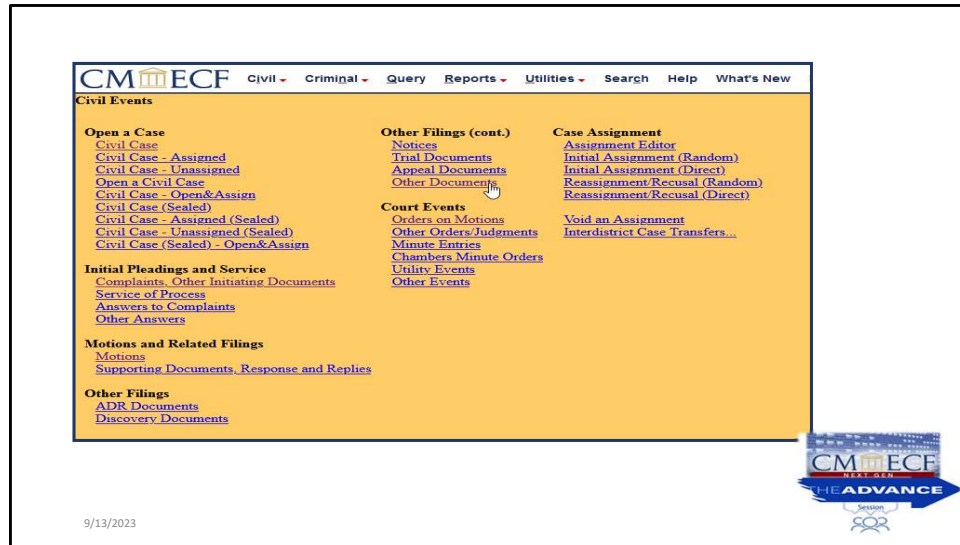
This is the docket text box where you can edit the text as needed. If there are no changes, continue by clicking NEXT.



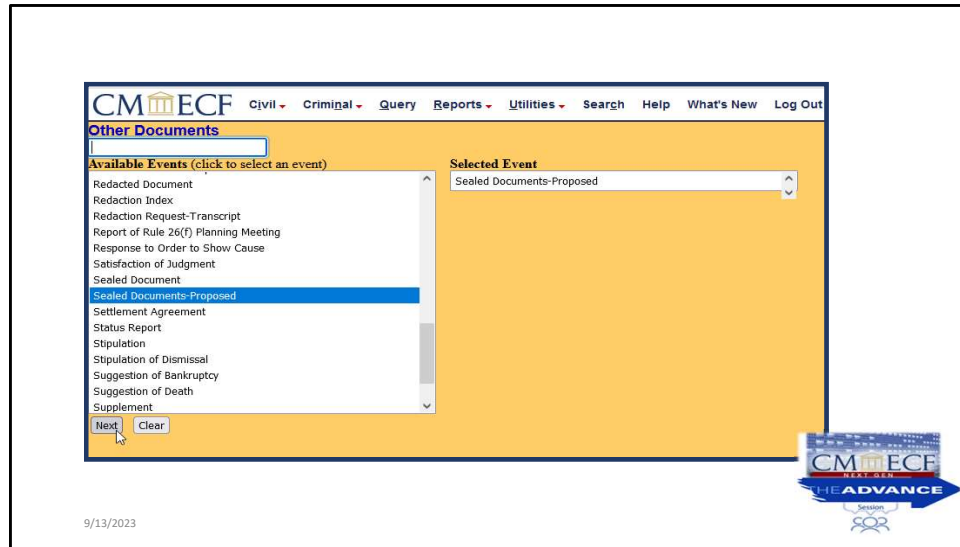
This screen shot depicts how the docket entry will appear on docket. If an error is noted here, simply click the back button to return to the previous screen and edit the docket text box.



We're now ready to file the Proposed Sealed Document. This is sealed event viewable only by court personnel and users with sealed access in the case.



Let's go to our Main Menu, Under Civil Events>Other Filings>Other Documents



Here we would select the menu option “sealed documents-proposed” from the drop-down list and click NEXT.



We need to double check the case Number - you always want to make sure you are filing in the correct case.

The screenshot shows the CM/ECF Case Management System interface. At the top, there is a navigation menu with links for Civil, Criminal, Query, Reports, Utilities, Search, and Help. The main heading is "Other Documents" with a sub-heading "1:21-cv-00004 Justice v. Victorious". Below this, there is a field for "Date document filed (mandatory)" with the date "8/3/2021" and a "Calendar" button. The next section is "Select the PDF document and any attachments." Under "Main Document", there is a "Browse..." button and the text "SEAL DOCUMENT PROPOSED [2].pdf". Below this is an "Attachments" section with a table header: "Attachments", "Category", and "Description". The table has one row with "1.", "Browse...", "No file selected.", a dropdown menu, and an empty text field. At the bottom left of the form are "Next" and "Clear" buttons. At the bottom right is the CM/ECF logo with the slogan "THE ADVANCE" and "Section" below it. The date "9/13/2023" is visible in the bottom left corner of the screenshot.

Click on Browse button under Main Document to upload the Sealed Document Proposed. If additional documents are to be made a part of the filing, click on the browse button under Attachments and upload your PDF documents. If no additional attachments are required, click NEXT.

CM/ECF Civil Criminal Query Reports Utilities Search Help What's New Log Out (Lisa Davis McGregor)

Other Documents
1:21-cv-00004 Justice v. Victorious

IMPORTANT! This event is **ONLY** to be used for submitting proposed sealed materials for review by the court in conjunction with a Motion to Seal.

This entry does not constitute a filing and does not appear on the public docket.

If your Motion to Seal is granted, you will need to resubmit -eFile- these materials using the docket event -Sealed Motion, if it is a motion, or -Sealed Document-.

A Notice of Electronic Filing is not sent with this entry. These documents can only be viewed by court staff. Parties must be served by paper.

Next Clear

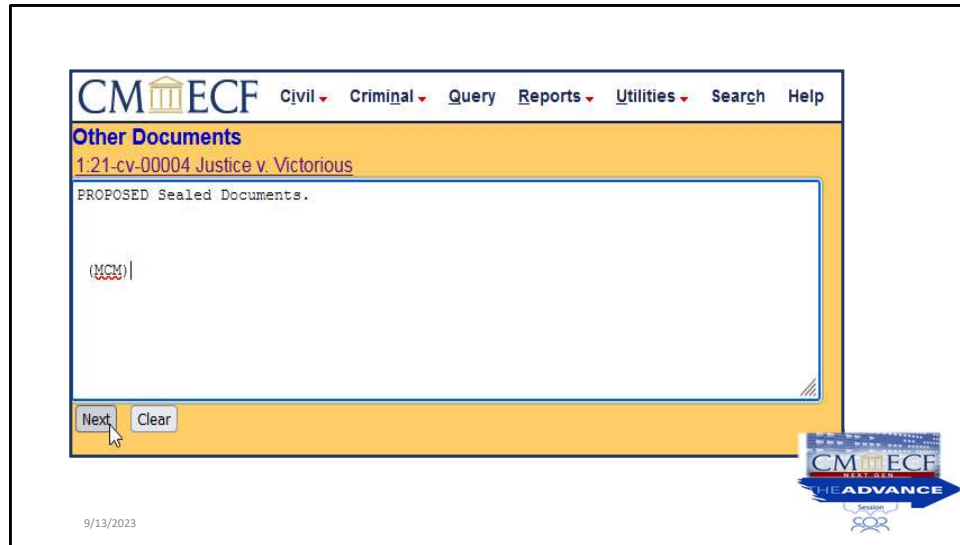
9/13/2023

CM/ECF
HE ADVANCE
Sealation

TAKE NOTE: This entry does not constitute a filing and does not appear on the public docket. When the Motion the is granted, the filer must e-file the document under the Sealed Document Event. Remember, sealed filings must be served on all parties by an alternate method, consistent with Local Rules of Procedure.



We are going to select the filer, which is Linda Justice and click NEXT.



This illustration looks very familiar, because it is. It is the docket text box that displays how the text will appear on the docket.



This is the final screen before committing the transaction. If edits need to be made to the Docket Text Box, simply click the back button and make edits. If you are satisfied with the final text, click NEXT.

The screenshot displays the CM/ECF Case Management System interface. At the top, there is a navigation bar with the CM/ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, Search, and Help. Below the navigation bar, the page title is "Other Documents" and a hyperlink "1:21-cv-00004 Justice v. Victorious" is visible. The main content area has a yellow background and contains the following text:

Notice of Electronic Filing

The following transaction was entered on 8/3/2021 at 10:15 AM AST and filed on 8/3/2021

Case Name: Justice v. Victorious
Case Number: [1:21-cv-00004](#)
File: Linda Justice
Document Number: [11](#)

Docket Text:
PROPOSED Sealed Documents. (MCM)

1:21-cv-00004 No electronic public notice will be sent because the case/entry is sealed.

The following document(s) are associated with this transaction:

Document description:Main Document
Original filename:n/a
Electronic document Stamp:
[STAMP docfStamp_ID=1181334639 [Date=8/3/2021] [FileNumber=842815-0]
f39e096773640d6d365a974c8f1f1df7ef3d83cfaa50979379ab6de74d269edeca89e9
12475f2be76991e2554dc46cda6415e1f3a2ae0e1643f784f5d03a55d40]]

At the bottom left of the screenshot, the date "9/13/2023" is displayed. At the bottom right, there is a logo for CM/ECF with the tagline "BEAT THE ADVANCE" and a stylized figure.

To view the docket sheet, click on hyperlink.

CM ECF

Service of any sealed document filed with the CM/ECF System must be accomplished by an alternate method on all parties in accordance with Local Rules 5.4(i)(2).

Don't Forget!

9/13/2023

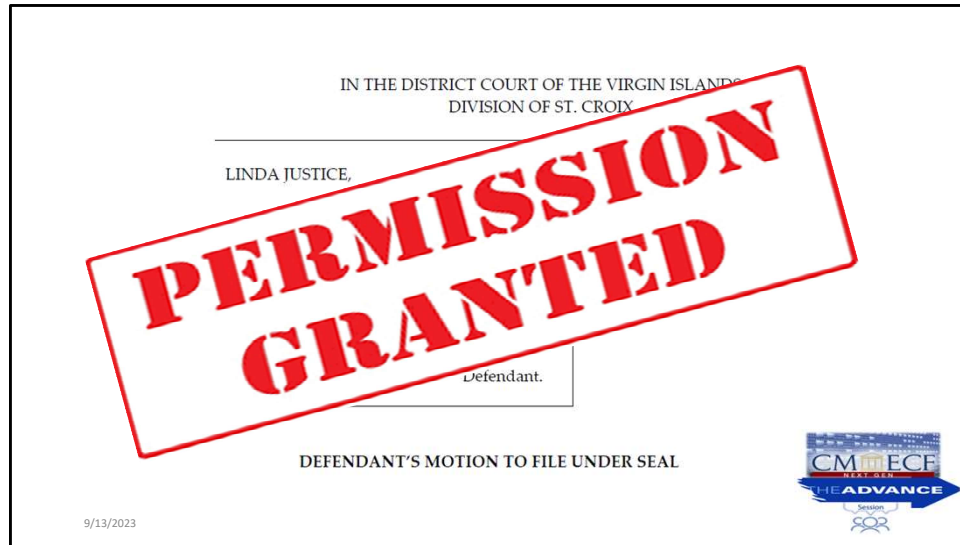
Don't forget, when filing sealed motions or documents in a criminal case, service must be accomplished by an alternate method consistent with Local Rules of Procedure.

CM ECF
NEXT GEN

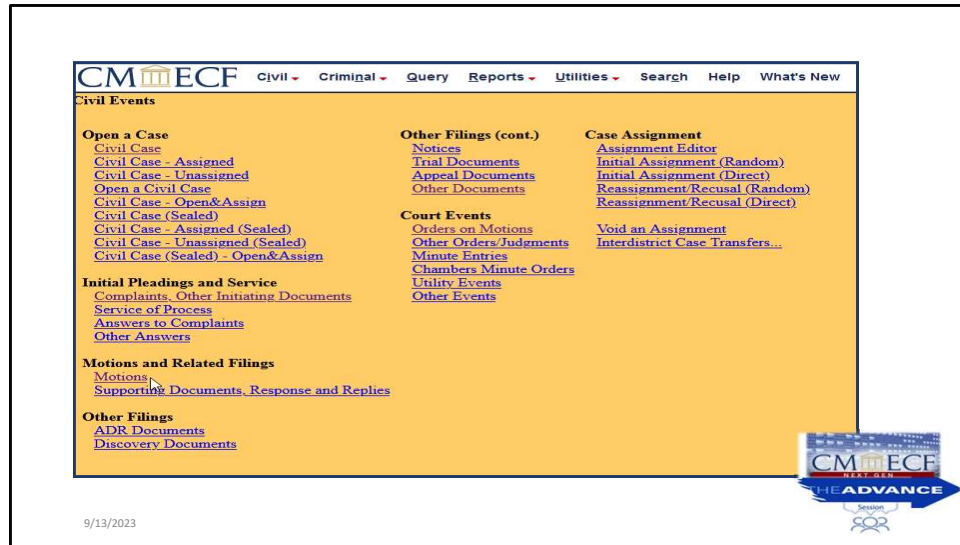
THE ADVANCE
Session

Filing a Sealed Motion or Document after Permission has been Granted by the Court

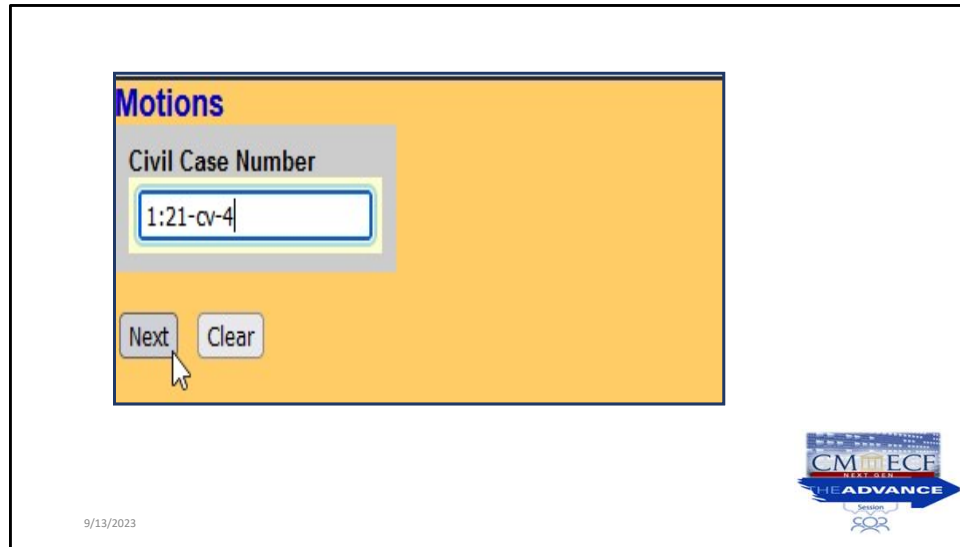
9/13/2023



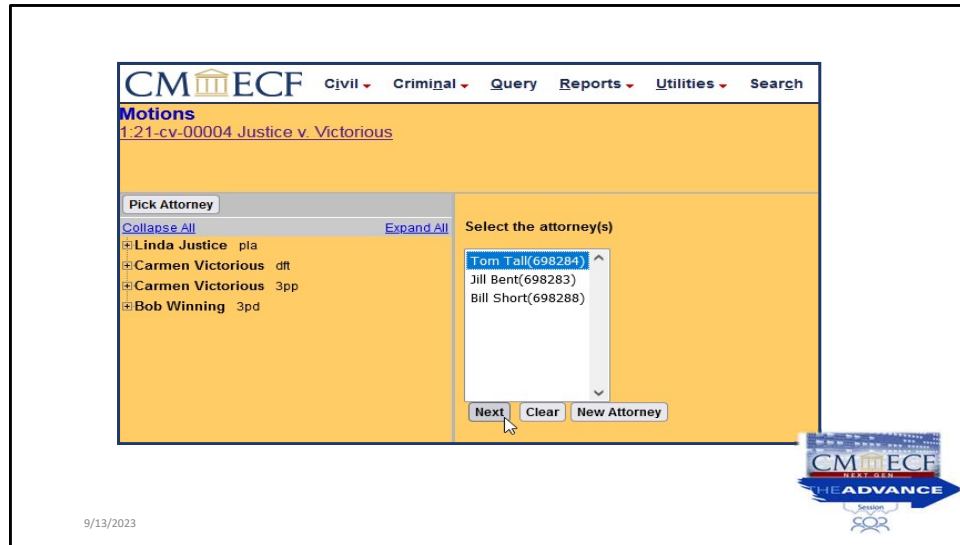
Attorneys are allowed to file sealed entries only after leave has been granted.



So, you will first go to the Civil Events Menu Screen, and under the Motions and Related Filings, click on Motions.



Don't forget to verify case number before clicking NEXT.



Again, we are selecting the attorney representing the party from the drop-down list and Click NEXT.



Again, we are selecting the party and Click NEXT.

CM/ECF Civil Criminal Query Reports Utilities Search Help What's New

Motions
1:21-cv-00004 Justice v. Victorious

Date document filed (mandatory)
8/3/2021

Select the PDF document and any attachments.

Main Document
 MOTION FOR LEAVE TO FILE UNDER SEAL [2].pdf

	Attachments	Category	Description
1.	<input type="button" value="Browse..."/> PROPOSED ORDER TO [1].pdf	Text of Proposed Order	<input type="button" value="Remove"/>
2.	<input type="button" value="Browse..."/> No file selected.		

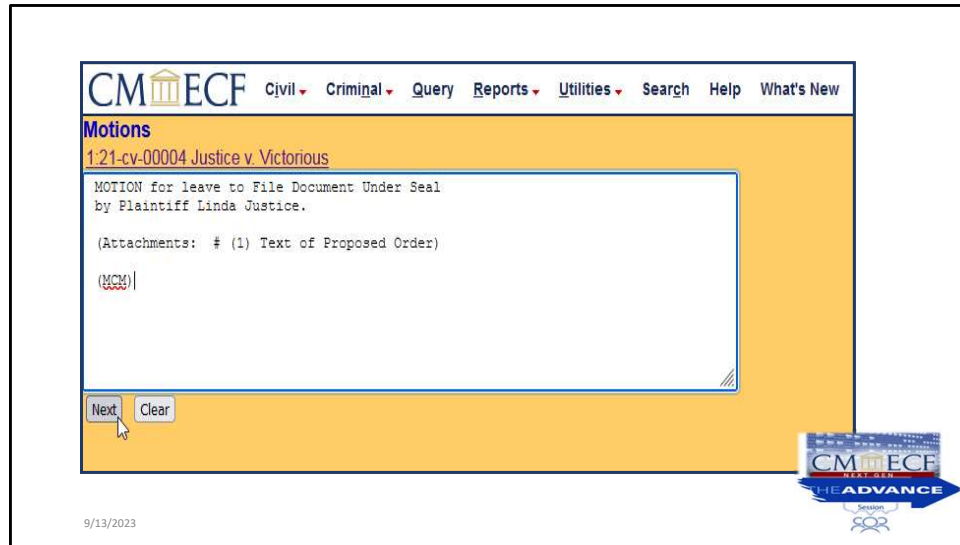
9/13/2023

CM/ECF
THE ADVANCE
Session

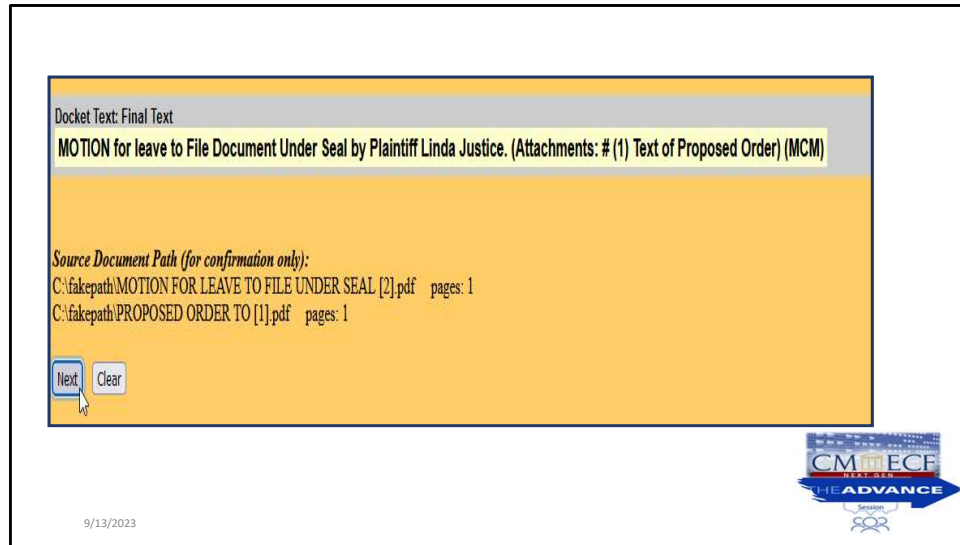
Here, this screen prompts you to upload the Motion as the main document, and the Text of Proposed Order as an attachment under “Category”, and any other documents as attachments. Remember all documents should be in PDF format.



Warning screen to Attorneys: Advising not to attach the document to be sealed. Since this is not a Sealed Event it will be viewable by the public.



This is the docket text box where you can edit the text as needed. If there are no changes, continue by clicking NEXT.



This screen shot depicts how the docket entry will appear on docket. If an error is noted here, simply click the back button to return to the previous screen and edit the docket text box.

Motions
1:21-cv-00004 Justice v. Victorious

Select/review recipients who are to be notified with NEF

Attorneys (+/-)
There are none in this category

Pro Se Parties (+/-)
There are none in this category

Judges (+/-)
There are none in this category


Miscellaneous (+/-)
There are none in this category

Parties Not Associated with Case (+/-)
There are none in this category

Ad Hoc (+/-)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

9/13/2023



This screen depicts the recipients who will be notified with the Notice of Electronic Filing. This is also your last opportunity to correct information. By clicking NEXT, you will commit the transaction.

[1:21-cv-00004 Justice v. Victorious](#)

District Court of the Virgin Islands
District of the Virgin Islands

Notice of Electronic Filing

The following transaction was entered on 8/3/2021 at 9:15 AM AST and filed on 8/3/2021
Case Name: Justice v. Victorious
Case Number: 1:21-cv-00004
Filer: Linda Justice
Document Number: 13

Docket Text:
MOTION for leave to File Document Under Seal by Plaintiff Linda Justice. (Attachments: # (1) Text of Proposed Order) (MCM)

1:21-cv-00004 Notice has been electronically mailed to:

1:21-cv-00004 Notice will be delivered by other means to:

Bill Short
 Jill Bent
 Tom Tall

The following document(s) are associated with this transaction:

Document description:Main Document
Original Document:
Electronic document Stamp:
 STAMP docStamp_ID=118134639 [Date=8/3/2021] [FileNumber=842812-0]
 62c991c44c14d7d69203433e810c882a16c10cd99a61d898c47970475283368d8
 a831bc3f8e6db51a2bcad9988e66d7cc50441d76cc69635d8772d33a1]

Document description:Text of Proposed Order
Original Document:
Electronic document Stamp:
 STAMP docStamp_ID=118134639 [Date=8/3/2021] [FileNumber=842812-1]
 b601f3ac11747c3b8cc4c6f63362a98487d36a97da7812590d74e7118c56cc36847c
 c8525196824c5c7e3cc1a1444ee3e9592c6100cc333b33f652c901e9a1]



9/13/2023

You have successfully filed your motion. To run the docket sheet report, simply click the hyperlink in the upper left-hand corner.



It's that time again! If you haven't already done so, please enter your questions in the chat. Let's take a moment to review...

CM ECF
NEXT GEN
THE ADVANCE
Session
Filing Ex Parte
9/13/2023
Motion/Document



9/13/2023

Sealed

- When a document is filed under sealed privileges, **all active attorneys in the public case** will be able to view the document(s).

- **The filing attorney is responsible for serving their pleading and all attachments to opposing counsel through alternative means outside of CM/ECF.**

9/13/2023

NO

Ex Parte

- **Ex Parte** documents and docket text will **ONLY** be available to the filing party.

- **All active attorneys will receive NEF but won't have access to view.**

EX PARTE MOTIONS AND ORDER

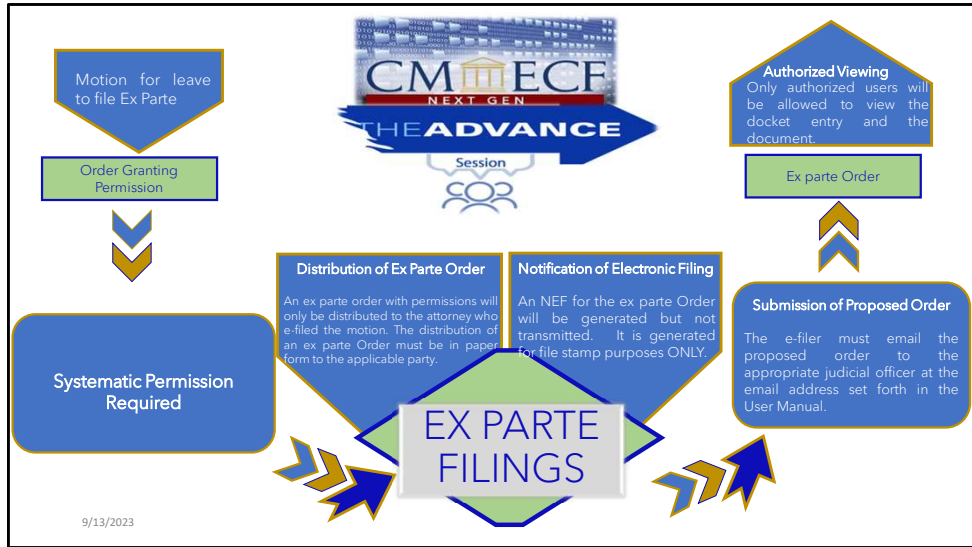


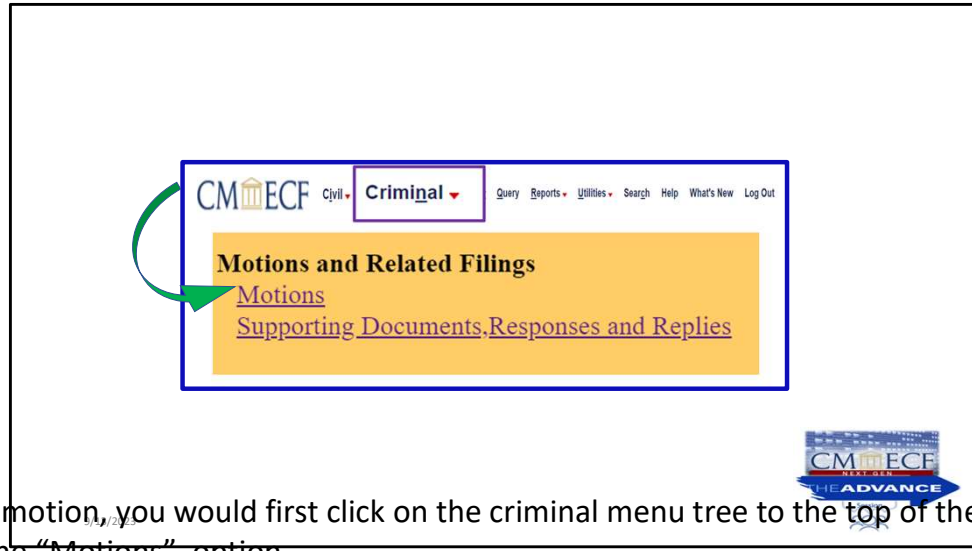
9/13/2023

- The authority for filing a motion or document *ex parte* must be provided by an order of the Court. An attorney wishing to file an *ex parte* motion or *ex parte* documents must use a specific filing event in CM/ECF.

- Do not use the sealed motion or sealed document events to file *ex parte* matters, because it will be viewable to all case participants.

- In this motion event, when filing an *ex parte* motion, the filer must attach the PDF document, which will be automatically sealed by the system. *Ex parte* events will only appear on Court docket sheets and on the docket sheets of the parties who filed the *ex parte* event.





To file a criminal ex parte motion, you would first click on the criminal menu tree to the top of the screen as shown above and then click on the "Motions" option.

CM ECF Civil Criminal Query Reports Utilities

Motions

Criminal Case Number

3:19-cr-02023

Next Clear

Motions

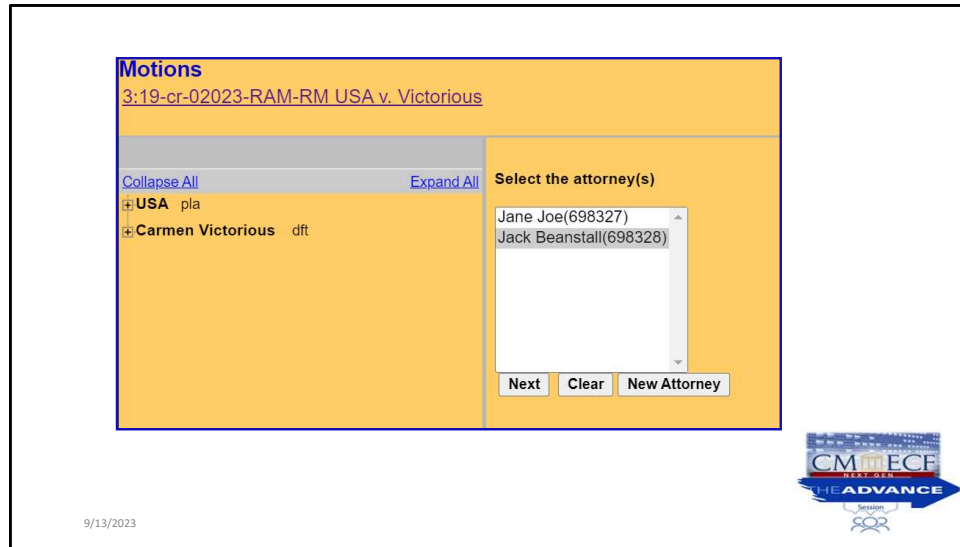
3:19-cr-02023-RAM-RM USA v. Victorious

Next Clear

9/13/2023

CM ECF
THE ADVANCE
Session

You have to verify case number, click next and follow the prompts.



This screen prompts you to select the filing attorney, in this case we have selected Jack Benstall. So, we clicked in his name and click NEXT.




This screen prompts you to select the party, in this case we have selected Carmen Victorious. So, we are going to click NEXT.

Motions
[3:19-cr-02023-RAM-RM USA v. Victorious](#)
Start typing to find another event.

Available Events (click to select events)	Selected Events (click to remove events)
1-Ex Parte Document Alter Judgment Amend/Correct Appeal In Forma Pauperis Appear Appear Pro Hac Vice Application for Prisoners to Proceed IFP (2255) Appoint Counsel Appoint Expert Bifurcate Bill of Particulars Bond Brady Materials Certificate of Appealability Change Venue	1-Ex Parte Document

Next Clear

9/13/2023



Select the appropriate event, then click NEXT. For purposes of this filing type, we are going to select “Ex Parte Document”.

Motions
3:19-cr-02023-RAM-RM USA v. Victorious


Date document filed (mandatory)
7/25/2019

Select the PDF document and any attachments.

Main Document
 MAIN DOCUMENT.pdf

Attachments	Category	Description
1. <input type="button" value="Choose File"/> No file chosen	<input type="text"/>	<input type="text"/>

9/13/2023



At this familiar screen we are going to upload the document that we are want to file exparte, verify the upload before clicking next.




Once clicking next, the system is going to prompt us to select the parties to the case who should have access to this document.

Motions
3:19-cr-02023-RAM-RM USA v. Victorious
Document access will be restricted to counsel for the filing party and the court. This docket entry will appear on the public docket.
Attach the proposed order in PDF format. AND Email the proposed order to the assigned Judge in Word or WordPerfect format***For Email address see User Manual.
Include the case name and number on the subject line of your email***

Next Clear

9/13/2023



Important information: NOTE Message: Document access will be restricted to counsel for the filer and the court, and that the docket event will appear on the public docket. In the civil event, this message will come up under a slightly different screen, but the warning will appear.


Motions

3:19-cr-02023-RAM-RM USA v. Victorious

Ex Parte Document. (Beanstall, Jack)

Next Clear

9/13/2023



Verify docket text for accuracy. It is very important that you understand that while you can alter this information here, the confidentiality of what is in the document may be outed. can edit as needed by clicking the back button. If everything is okay, then click NEXT.

Motions
3:19-cr-02023-RAM-RM USA v. Victorious

Docket Text: Final Text
Ex Parte Document. (Beanstall, Jack)

Source Document Path (for confirmation only):
C:\fakepath\MAIN DOCUMENT.pdf pages: 1

9/13/2023



Final text preview: Review the docket text before committing transaction.

Motions
3:19-cr-02023-RAM-RM USA v. Victorious

District Court of the Virgin Islands
District of the Virgin Islands

Notice of Electronic Filing

The following transaction was entered on 7/24/2023 at 11:42 PM AST and filed on 7/25/2019

Case Name: USA v. Victorious
Case Number: 3:19-cr-02023-RAM-RM
Filer: DW No. 1 - Carmen Victorious
Document Number: 5

Docket Text:
Ex Parte Document. (Beanstall, Jack)

3:19-cr-02023-RAM-RM-1 Notice has been electronically mailed to:
3:19-cr-02023-RAM-RM-1 Notice will be delivered by other means to:
Jack Beanstall
Jane Joe

The following document(s) are associated with this transaction:
Document description: Main Document
Original document(s)
Electronic document Stamp:
STAMP docrefStamp_ID=11812334659 [Date=7/24/2023] [FileNumber=0423242-0]
[eef794d9a87c2097333654482a2e9136239338c4e629409651318d742792a9da
9074127e711801aha193831a2e4e7e59e8885c155a207c5b9aaf0cb464]



9/13/2023

NEF

WHAT AM I SUPPOSED TO DO?

*If the Judge directs me
to file an ex parte
response to an Order?*

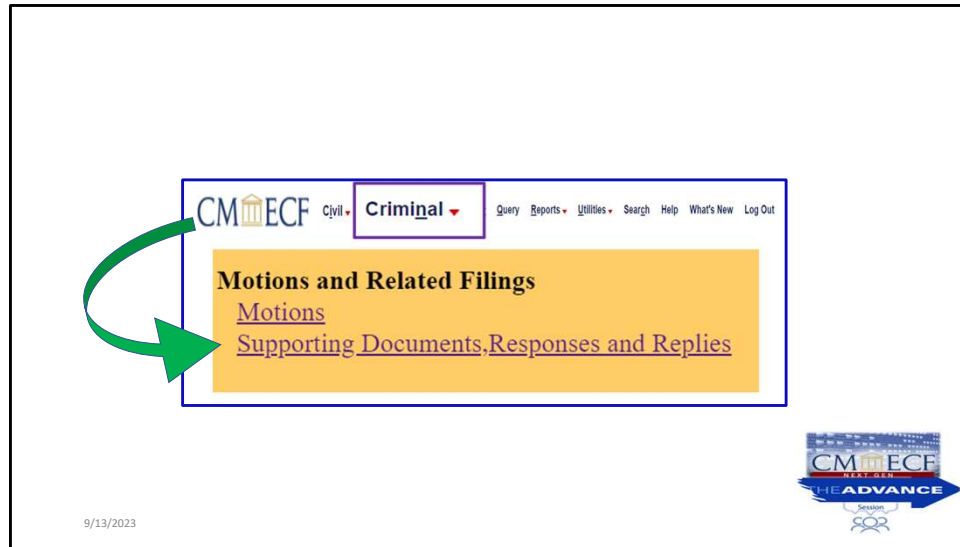


9/13/2023

CM ECF
NEXT GEN
HEADVANCE

Session
Filing Ex Parte
Response to an Order

9/13/2023



And we are headed right back over to the criminal menu, because we are filing in a criminal matter. Then click under the Motions and Related Filings where we will find the Supporting Documents, Responses and Replies.

Responses & Replies

Available Events (click to select an event)


- 1 -Ex Parte - Reply
- Affidavit in Support of Motion
- Affidavit in Support of Opposition to Motion
- Memorandum in Support
- Memorandum in Support of Opposition
- Opposition to Motion
- Reply to
- Reply to Opposition of Motion

Selected Event

1 -Ex Parte - Reply

Next Clear

9/13/2023



Here will select the option that reads, "Ex Parte" reply.


Responses & Replies

Criminal Case Number

3:19-cr-02023

Next Clear

9/13/2023



We verify the case number.

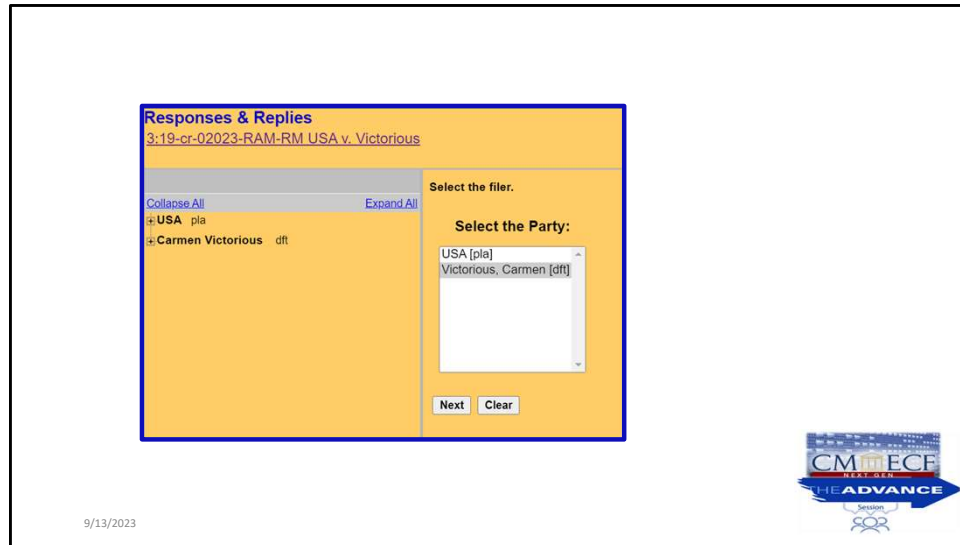
Responses & Replies
3:19-cr-02023-RAM-RM USA v. Victorious

Next Clear

9/13/2023



We will click on next to proceed.



On this screen, we will select the party and click next.

Responses & Replies
[3:19-cr-02023-RAM-RM USA v. Victorious](#)


Date document filed (mandatory)
5/30/2023

Select the PDF document and any attachments.

Main Document
 MAIN DOCUMENT.pdf

Attachments	Category	Description
<input type="button" value="Choose File"/> No file chosen	<input type="text"/>	<input type="text"/>

9/13/2023



We are going to upload the document and click next.


Responses & Replies

[3:19-cr-02023-RAM-RM USA v. Victorious](#)

Select the appropriate event(s) to which your event relates:

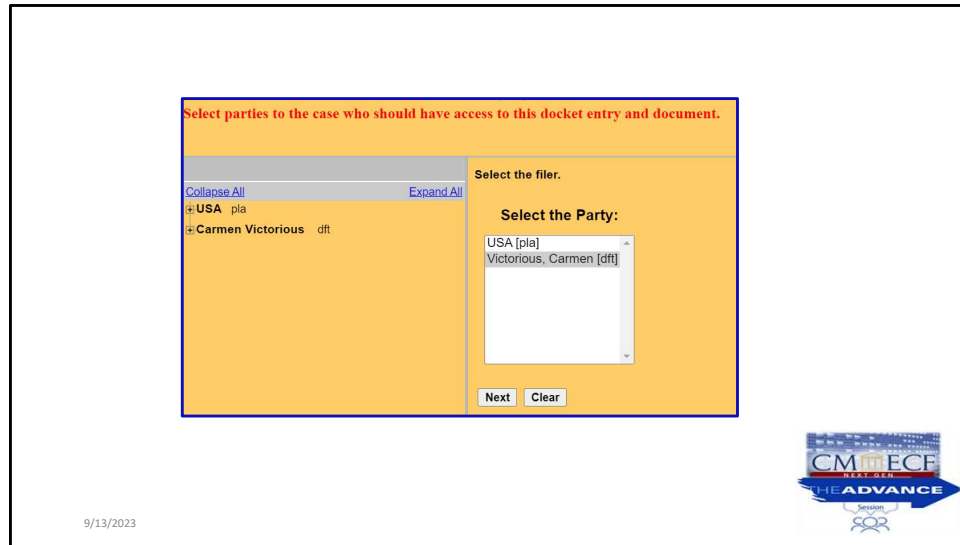
3:19-cr-02023-RAM-RM Carmen Victorious

- 07/24/2019 1 INFORMATION as to Carmen Victorious count(s)1 and 2. (Entered: 07/24/2023)
- 07/24/2019 2 Arrest Warrant Issued by Magistrate Judge Ruth Miller in case as to Carmen Victorious. (Entered: 07/24/2023)
- 07/24/2019 3 Arrest Warrant Returned Executed on 7/19/2019, in case as to Carmen Victorious. (EMK) (Entered: 07/24/2023)
- 07/25/2019 4 Minute Entry for proceedings held before Magistrate Judge Ruth Miller:Initial Appearance as to Carmen Victorious held on 7/25/2019 (Court Reporter FTR Gold.) (EMK) (Entered: 07/24/2023)
- 07/25/2019 5 NOTICE OF ATTORNEY APPEARANCE: Jack Beanstall appearing for Carmen Victorious (Beanstall, Jack) (Entered: 07/24/2023)
- 07/25/2019 6 Ex Parte Motion. (Beanstall, Jack) (Entered: 07/24/2023)
- 07/28/2023 7 ORDER as to Carmen Victorious (RM) dated 5/16/2023



9/13/2023

On this screen, we are selecting what we are filing the ex parte document as a reply to. Remember, we are replying o the Court's Order.




On this screen it is important that you pay attention. It asks to select the parties who should have access to the docket entry and document.

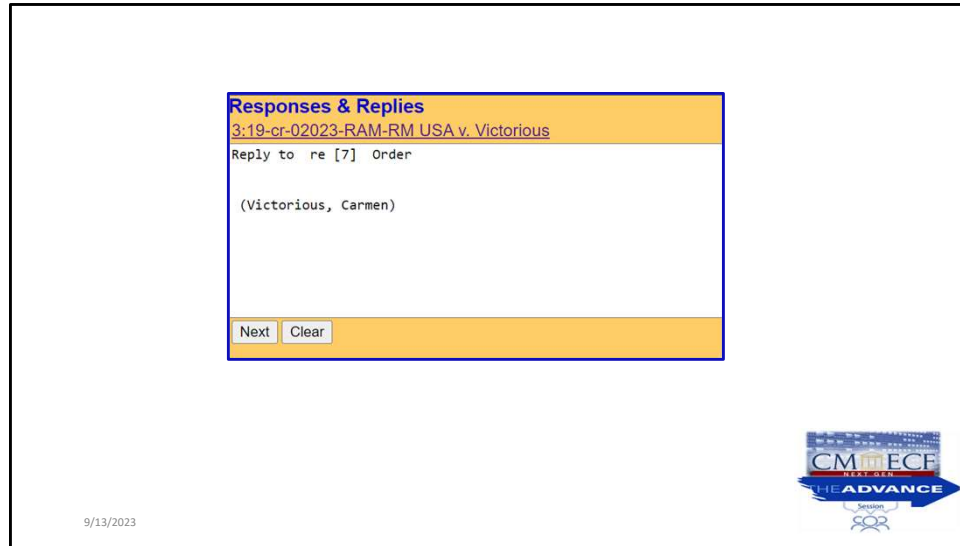
Responses & Replies
3:19-cr-02023-RAM-RM USA v. Victorious
Docket entry and document access will be restricted to counsel for the filing party and the court. This docket entry will not appear on the public docket.

Note: Attach proposed order in PDF format and email the proposed order to the assigned Judge in Word format***For e-mail address see User Manual. Include the case name and number on the subject line of your email.

9/13/2023



On the next screen there are alert messages.



As we finalize the transaction, we come to the docket text screen. The information that is prepopulated. With generic language.



Finally, we come to the final review screen for accuracy before clicking nex.

District Court of the Virgin Islands
District of the Virgin Islands

Notice of Electronic Filing

The following transaction was entered on 7/28/2023 at 0:22 AM AST and filed on 5/30/2023

Case Name: USA v. Victorious
Case Number: [3:19-cr-02023-RAM-RM](#)
Filer: Dft No. 1 - Carmen Victorious
Document Number: [8](#)


Docket Text:
[Reply to re \[7\] Order \(Victorious, Carmen\)](#)

3:19-cr-02023-RAM-RM-1 Notice has been electronically mailed to:

3:19-cr-02023-RAM-RM-1 Notice will be delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document
Original filename:a/a
Electronic document Stamp:
[STAMP dcecfStamp_ID=1181334639 [Date=7/28/2023] [FileNumber=843308-0]
[143252169bd5c9ff4472b5f9fd76481ee06afc514d6ddea6853dd5a5f49db5d4d9
4552d5b71e1e0ca8eb19e20a48f6be636f3736b4a8d8022e773666f83a3]]



9/13/2023

Once we click next, we have committed the transaction of filing your ex parte reply to the Court's Order. Remember, an NEF will be sent to both parties, but only the filing attorney will be able to view.





We are nearing the end of our time together, so please enter any lingering questions into the chat.

COMMON DOCKETING ERRORS

- Missing **Signatures** on documents that are filed conventionally.
- **Consolidating** multiple captions in pleadings.
- Using the **Wrong Docket Event** When Filing
- Failing to update name and address information on **PACER** account
- Failing to **Redact** Personal Identifiers
- Attaching the **Incorrect** PDF Document
- Failing to Submit **Draft Orders**
- Failing to File a **Civil Cover Sheet**

9/13/2023



First, our team put together common docketing errors that are made by filing users. Here we provided you with the top 10 but I am pretty sure that everyone can take away something from today's training session that will help to reduce this list!



We would like to thank everyone for taking the time to join us today. Before we adjourn, we have a few final treats for you! First, additional resources are going to be provided, beyond what has been covered in today's session. This PPT is also going to be shared so you will all be able to make use of this material as a resource. Let's briefly review the additional tricks and resources provided.



The CM/ECF Search feature can also be a life-saver, if not, your "best filing find" ever!

The screenshot shows the CM/ECF website interface. At the top, the navigation menu includes 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', 'Search', 'Help', 'What's New', and 'Log Out'. The 'Search' button is circled in green, with a green arrow pointing to a search window titled 'Search Menus and Events'. This window contains the search term 'entry of default' and a 'Search' button. Below the search window, the search results are displayed as a breadcrumb trail: 'Civil Events → Motions and Related Filings → Motions'. Underneath this trail, the text 'Entry of Default' is highlighted with a yellow background and enclosed in a green dashed box. To the left of the search results, the text 'Searching for Civil Filing Events' is displayed in blue. At the bottom left, the date '9/13/2023' is visible. At the bottom right, there is a small graphic with the CM/ECF logo and the text 'NEXT GEN'.

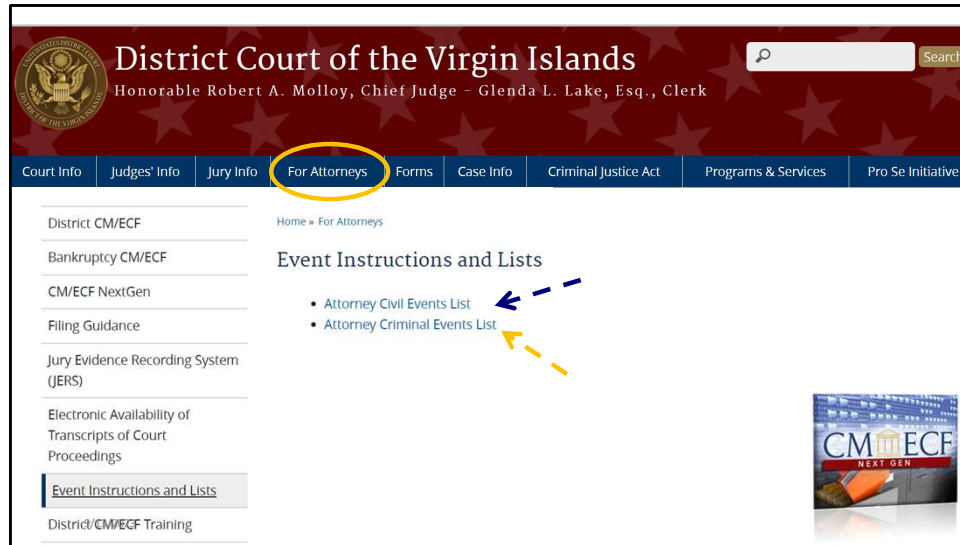
The search button can be found in the top righthand corner of the CM/ECF page.

Searching for
Criminal Filing Events

9/13/2023

The screenshot shows the CM ECF website interface. At the top, there is a navigation menu with links for Civil, Criminal, Query, Reports, Utilities, Search, Help, What's New, and Log Out. The 'Search' link is circled in red. Below the navigation menu, the search results for the term 'plea' are displayed. A search box at the top right contains the text 'plea' and a 'Search' button. The results are categorized into four main sections: 1. Civil Events → Motions and Related Filings → Motions, with links for Interpleader Deposit, Interpleader Disbursement, and Judgment on the Pleadings. 2. Civil Events → Other Filings → Other Documents, with a link for Interpleader. 3. Criminal Events → Charging Instruments and Pleas → Plea-Related Documents, with links for Plea Agreement, Plea Agreement Accepted, Plea Agreement Rejected, Application for Permission to Enter Plea, Notice Regarding Entry of Plea, and Supplement to Guilty Plea Agreement. 4. Criminal Events → Motions and Related Filings → Motions, with links for Withdraw Plea of Guilty and Withdraw Plea of Nolo Contendere. A small CM ECF logo is visible in the bottom right corner of the screenshot.

Here you can see the options pulled for the key term "plea."



One of the common errors was choosing the wrong event. Event Instructions and Lists can cure these blues and can found on our website.

OPEN A CASE
Open a Civil Case

INITIAL PLEADINGS AND SERVICE
Complaints and Other Initiating Documents

- Amended Complaint
- Application for Stay of Execution
- Application for Writ of Garnishment
- Bankruptcy Appeal
- Case Transferred in District Transfer
- Complaint
- Complaint with IFP Pending
- Counterclaim
- Crossclaim Intervenor
- Complaint
- Motion to Vacate/Set Aside/Correct Sentence (2255)
- Notice of Condemnation
- Notice of Removal
- Notice to Take Foreign Deposition
- Petition for Writ of Habeas Corpus
- Petition to Enforce IRS Summons
- Petition to Perpetuate Testimony
- Registration of Foreign Judgment
- Third Party Complaint

Service of Process

- Acknowledgement of Service
- Affidavit of Service (Not to be used for Summons Returned)

MOTIONS AND RELATED FILINGS
Motions

- Exparte docket entry and document-to be used in conjunction
- Exparte document-to be used only in conjunction with protective Order
- Alter Judgment
- Amend Complaint
- Amend/Correct
- Appeal in Forma Pauperis
- Appeal
- Appear Pro Hac Vice Appoint
- Counsel
- Appoint Custodian
- Appoint Expert
- Appoint Guardian/Attorney ad Litem
- Appoint Receiver
- Approve Consent Judgment
- Attorney Fees
- Bifurcate
- Bill of Costs (before Judge)
- Bond
- Certificate of Appealability
- Certify Class
- Change Venue
- Compel Consolidate
- Cases Continue
- Declaration of Mistrial

Civil Filing Events

9/13/2023

The Attorney events list, should be a staple on every filing user's desktop whether virtually or physically.



Criminal Filing Events

CHARGING INSTRUMENTS AND PLEAS

<p>Plea-Related Documents</p> <ul style="list-style-type: none"> Application for Permission to Enter Plea Consent to Institute PSI Notice Regarding Entry of Plea Plea Agreement <p>MOTIONS AND RELATED FILINGS</p> <p>Motions</p> <ul style="list-style-type: none"> Ex Parte Docket Entry and Document-to be used Only in conjunction with other selection Ex Parte Document-to be used Only in conjunction with other selection Acquittal Alter Judgment Amend/Correct Appeal in Forma Pauperis Appeal Appear Pro Hac Vice Appoint Counsel/ Appoint Expert Bifurcate Bill of Particulars Bond 	<p>Motions (continued)</p> <ul style="list-style-type: none"> Extension of Time to File Document Extension of Time to File Response/Reply Extension of Time to Indict File Amicus Brief File Excess Pages Forfeiture of Property Hearing In Litem Inspect Issuance of Warrant in rem Joinder Judgment NGV Leave to Appeal Leave to File Document Medical Exam Medical Treatment Miscellaneous Relief Modify Conditions of Release New Trial Order of Competency to Stand Trial Produce Protective Order Psychiatric Exam Psychiatric Treatment
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9/13/2023


These slides contain all options for civil and criminal cases.

The screenshot displays the 'Attorney Civil Events List' interface. On the left, a search filter is active, showing 'CTRL + F' and a search box containing the word 'complaint'. Below the search box, the text '1/9' and navigation arrows are visible. The main content area on the right lists various legal events under several categories:


- OPEN A CASE**
 - Open a Civil Case
- INITIAL PLEADINGS AND SERVICE**
 - Complaints and Other Initiating Documents
 - Amended Complaint
 - Application for Stay of Execution
 - Application for Writ of Garnishment
 - Complaint
 - Counterclaim
 - Crossclaim
- Answers to Complaints**
 - Linked to events entered under complaints and other initiating documents
- Other Answers**
 - Affidavit in Opposition (Non-Motion)
 - Affidavit in Support (Non-Motion)
 - Amended Answer to Complaint
 - Answer to Application for Writ of Garnishment
 - Answer to Complaint (Notice of Removal)
 - Objection to Report and Recommendations
 - Withdrawal of Claim

A small graphic with the text 'CM ECF NEXT GEN' is located in the bottom right corner of the interface.

Another tool is the "control find" feature which will pull all options using your key word. Easy! No longer need to look through every drop-down menu there is.

Court Details	
Court's Name	District of the Virgin Islands
Release Name	NextGen CM/ECF Release 1.7.1 (Revision 1.7.1)
ECF Go Live Date	06/18/2007
Maximum PDF File Size	5.0 MB
Maximum Merge Document Size	15MB
Threshold for Large Docket Sheet Warning (Entries)	200
Case Number Format	O:YY-TY-####-INI-RIN <i>example:</i> 1:23-cv-00029-WAL-EAH
RSS Feed	 Last 100 entries - DCN
Docket entries of type: order,order-cr	

9/13/2023



Court details can also be found by clicking on the CM/ECF icon.

CM/ECF SEALED FUNCTIONALITY

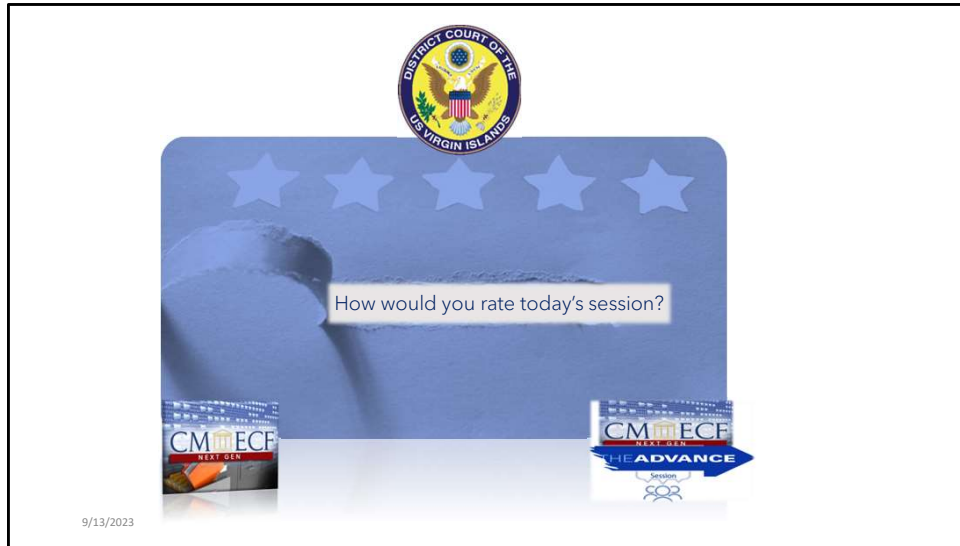
Important Announcement

- Attorneys are allowed to file sealed entries **only after** the motion has been granted.
- Once an order granting permission is entered, the e-filer **must contact the Clerk's Office to arrange for the filer's CM/ECF permissions to be changed** to enable the filing user to file the sealed document.
- This must be done immediately before the filing of the sealed document during the Clerk's Office hours of operation (8:00 a.m. to 5:00 p.m.).

9/13/2023

CM/ECF
NEXT GEN

A few last reminders regarding the sealed functionality.



Thank you again for joining us today. We would appreciate it if you would take a moment to rate today's session. It will only take a few minutes to complete, and your responses will be invaluable towards improving our trainings in the future. Have a wonderful day!



Glenda L. Lake, Esq.
Clerk of Court

Marilyn Arroyo
Chief Deputy Clerk II

CLERK'S OFFICE

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9/13/2023

www.vid.uscourts.gov