

UNITED STATES COURT OF APPEALS

District of Columbia Circuit

MARK J. LANGER
Clerk of Court



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NOTICE

EFFECTIVE MARCH 1, 2018

**THE D.C. CIRCUIT BEGINS ACCEPTING NEW
AGENCY APPEALS AND ORIGINAL PETITIONS THROUGH CM/ECF**

On March 1, 2018, the D.C. Circuit adopted an amendment to Circuit Rule 25(c)(3) authorizing the electronic filing of new cases with the Court. Effective that date, the Clerk's Office began accepting new case-initiating documents through the Court's Case Management/Electronic Filing (CM/ECF) system. Litigants may now submit new agency appeals or original proceedings electronically and pay any required fees through PACER by credit card or ACH debit. The amendment to Circuit Rule 25(c)(3) permits, but does not require, electronic filing of case-initiating documents. That is to say, a litigant may file a new petition or agency appeal through CM/ECF. Or a litigant may still initiate a new case, in person or by mail, by filing a paper document and paying the required fee by cash or check.

The following case-initiating documents may be submitted using the new "Submit New Cases" utility:

Agency Cases

- ▶ Petition for Review
- ▶ Notice of Appeal of an Agency Order
- ▶ Application for Enforcement
- ▶ Cross-Application for Enforcement

Original Proceedings

- ▶ Petition for Writ of Mandamus
- ▶ Petition for Writ of Prohibition
- ▶ Petition for Other Extraordinary Writ
- ▶ Petition for Permission to Appeal (pursuant to 28 U.S.C. § 1292(b), 28 U.S.C. § 1453(c), 28 U.S.C. § 158(d), Fed. R. Civ. P. 23(f), or Fed. R. App. P. 5)
- ▶ Application for Leave to File a Second or Successive Petition for Writ of Habeas Corpus (28 U.S.C. § 2254)
- ▶ Application for Leave to File a Second or Successive Motion to Vacate, Set Aside or Correct Sentence (28 U.S.C. § 2255)

To submit a new case through CM/ECF, users will find a new **Submit New Cases** utility under the **Utilities** menu. The user should select the **Submit New Case With Fee Payment** option when the filing requires payment of the appellate docketing fee. If no fee is required or the case-initiating document is being submitted along with a Motion for Leave to Proceed on Appeal In Forma Pauperis, the user should select the **Submit New Case Without Fee Payment** option. All documents related to the initiation of the case must be uploaded as part of the original transaction.

Submitting a case electronically through this new utility does not open a case in CM/ECF, it only transmits the documents to the Court to process and open a case in the normal course. The Court will notify the parties once a docket number has been assigned and the case has been opened. Additionally, submission does not provide electronic service on counsel of record. Therefore, all submissions must be accompanied by proof of service by mail or other method of service in accordance with Fed. R. App. P. 25. If the case-initiating document is a petition filed under Fed. R. App. P. 5 or 21, four paper copies of the petition must also be filed with the Clerk. See D.C. Cir. R. 32(d).

Inquiries concerning this new procedure may be directed to the Court's ECF Help Desk by telephone at (202) 216-7259 or by email to ECFHelp@cadc.uscourts.gov.

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