

(Janet Callihan 919-645-1726)

I am the Quality Control Analyst for a new program in the Clerk's Office called QCSIII - This is a system that has QC Clerk's assigned to check (AUDIT) each and every entry docketed into CM/ECF by all of our in house docketing clerks, case managers, chambers and all attorney entries.

***Our goal is to create a more secure, professional and clean docket for viewing by the court and the public, and also decrease notices to the attorneys.**

Examples of why our QC team members may have to notify you by docketing a Notice of Deficiency, Notice of Correction, or Notice to Counsel when an attorney or their support staff docket in CM/ECF.

***Notice of Deficiency - Attorney would need to re-file document**

***Notice of Correction - An error corrected in house**

***Notice to Counsel - A message to the attorney indicating: There is no need to re-file this document, but in the future please_____.**

FOR EXAMPLE THESE ARE SOME OF THE NOTICES DOCKETED BY THE QC TEAM:

NOTICE OF CORRECTION - as to John Doe re: [25] Response to Motion. When docketing this response counsel reflects this response is in reference to ALL defendants in this case. (THE INCORRECT PARTIES WERE SELECTED WHEN DOCKETED). The response is in reference to Defendant John Doe only. Also, counsel did NOT provide a complete signature block on this pleading. In future filings select the correct parties which relate to the document. In addition, the signature block information was not complete. Do not re-file this document - DE25.

NOTICE OF DEFICIENCY re: [45] Motion for Extension of Time - Counsel failed to specify the parties served with this motion in the certificate of service. Counsel should re-file a captioned document NAMED Amended Certificate of Service using the Certificate of Service event located in Criminal Events - Service of Process.

NOTICE OF CORRECTION re: [227] Response to Motion - The document contains an incorrect signature block. Signature block requirements can be found in Section J of the CM/ECF Policy and Procedure Manual. You are not required to re-file Docket Entry [227].

NAMING CONVENTIONS: Section L of the Policies and Procedure Manual located on our website - When docketing use correct naming conventions. Name each attachment individually and not as a group.

FOR EXAMPLE:

Select and Docket the Main Event

Attachments: to the main event

Should reflect:

Exhibit A - is not acceptable

Exhibit A - Photo - Front of Federal Building is acceptable

NOTICE TO COUNSEL re: [47] Motion to Continue - Counsel, the case caption for all future pleadings should reflect as a Western Division rather than Southern Division case. You are not required to re-file DE47 Motion to continue.

NOTICE OF DEFICIENCY re: [15] Proposed Order - Re-file the proposed order and reflect the correct case number.

FAILURE TO PROVIDE A PROPOSED ORDER -

NOTICE OF DEFICIENCY -

Counsel failure to attach a proposed order pursuant to Section M of the CM/CEF Policy and Procedure Manual. Counsel is directed to file a proposed order using the event proposed order located in the “Responses and Replies” category.

Counsel should check the judge’s preference page on the EDNC website for other proposed order instructions.

NOTICE OF CORRECTION by defendant(s) as to John Doe, Jane Doe, Sam Doe re: [27] Response to Motion. When docketing its response, the defendant linked this response to all defendants. It only pertains to Defendant John Doe. (Beasley, B.)

NOTICE OF CORRECTION by John Doe re: [30] Sentencing Memorandum - In the future, identify attachments by using clear and complete naming conventions pursuant to Section L of the CM/ECF Policy Manual. Additionally, when filing a document with more than five exhibits or attachments, the first attached exhibit or attachment must be an index of all of the subsequently attached documents. (Grady, B.)

NOTICE OF DEFICIENCY re: [80] Response in Opposition and [82] Motion for Downward Departure - Counsel, the certificate of service should always specify the parties being served. An amended certificate of service is not necessary for the Response filed at [80] given that an Order has already been issued in relation to the Motion to Dismiss. However, an amended certificate of service should be filed for the Motion for Downward Departure at [82]. Use the Certificate of Service event code located under the Service of Process heading and be sure to link the document

to Docket Entry [82]. (Grady, B.)

NOTICE OF DEFICIENCY by John Doe re: [92] Certificate of Service. This document is dated March 5, 2008 instead of March 5, 2009. In addition to having the wrong date, the document does not include the following: 1. case caption 2. case number 3. does not identify which pleading it is in reference to and 4. complete address for the the opposing party/counsel who will be served with the pleading. Please make these corrections and refile the Certificate of service. (Beasley, B.)

NOTICE OF DEFICIENCY re: [35] Certificate of Service - Counsel should provide a case caption on the amended certificate of service and re-file the document, again linking the document to Docket Entry [33]. (Grady, B.)

NOTICE OF DEFICIENCY re: [21] Request for Discovery - Counsel needs to file a certificate of service for this document. Use the Certificate of Service event code located under the Service of Process heading and be sure to link the document to Docket Entry [21]. (Grady, B.)

NOTICE OF DEFICIENCY- Failure to File Proposed Order by Jane Doe re: [20] Motion to Continue; Pursuant to Local Criminal Rule 47.1, or the judges practice preferences on the court's website, counsel must submit a proposed order. The order must be filed electronically using the event PROPOSED ORDER located in the RESPONSES AND REPLIES category. Additionally, the judge's practice preferences MAY require counsel to email the proposed order in a word processing format. (Grady, B.)

COMBINED ENTRIES - In the event you are filing a response to a motion and a motion to continue a hearing - docket the pleadings in separate entries. *The motion will then appear on our pending motion report for the court, and there is always the possibility of a motion being missed our activity reports, if filed in the same event and not separately.

For example: A sentencing memorandum and a motion filed in the same event.

***These combined events may result in the "motion" not appearing on the pending motion reports for the particular case

***These combined entries, if pretrial may involve speedy trial exclusion needed as to the defendant

***Two motions or more may be docketed in the same event selecting different reliefs

IMPORTANT MESSAGE TO ATTORNEYS: It is mandatory when you have a change of email address, phone #, address, etc., please use your maintain user account in CM/ECF and make your changes (email). Also, there is an area when making these changes to select that this change should be for all your filings and not just in the case at hand otherwise, your change will only reflect for that particular case. If you have a problem with making this change, please notify the clerk's office and we will be glad to assist you.

DO NOT E-File a SENTENCING MEMORANDUM THAT HAS ATTACHMENTS WHICH MAY INCLUDE IDENTIFIERS - E-Government Act Violation.

Note: Sealed Documents are filed manually.

SEE OUR WEBSITE FOR JUDGE'S PREFERENCE IF THERE IS ANY QUESTION AS TO HOW TO PROCESS DOCUMENTS, ETC. AND IF YOU ARE NOT CLEAR, PLEASE CONTACT THE CLERK'S OFFICE.

ATTACH A PROPOSED ORDER OR FILE A PROPOSED ORDER WITH ALL MOTIONS for the convenience of the court.

AT THIS TIME the following documents are filed manually by e-filers:

EXPARTE

EXPARTE AND SEALED

SEALED

JUVENILE DOCUMENTS

RECEIVED ONLY AND SUBMITTED TO CHAMBERS:

Character letters

Objections to Pre-sentence Reports

Top 10 mistakes made in the Eastern District of North Carolina:

- 1) When opening a new case in cm/ecf, the wrong division is chosen. Attorneys mistakenly choose the eastern division because they are thinking eastern district.
- 2) A motion is not being docketed as a motion. It is being added as text to another event so it is not showing up on a judge's motion report. A motion and a non-motion document must be split up into two docket entries, even if the same image is used for both.
- 3) Only the filer can add himself/herself as counsel of record. If a document has 3 attorneys listed as counsel, then the filer can add himself but the other two attorneys must each file a notice of appearance to appear as counsel on the docket sheet.
- 4) The electronic signature and the filing signature must be the same name.
- 5) E-govt. information is not being redacted properly, especially minor names and social security numbers.
- 6) Attorneys are not checking the judges' preference pages before filing to ensure that the individual judges' requirements are being met
- 7) Attorneys are not keeping the secondary email addresses up to date and the court is receiving 'bouncebacks' from administrative assistants and paralegals who are no longer with the firm.
- 8) Financial disclosures are still not being filed with any regularity and we are having to send notices of deficiency in almost every case.
- 9) Attorneys are confused about emails where there are no documents attached, or the documents cannot be viewed by counsel (i.e., minute entries)
- 10) When filing a notice of removal, the attorney should docket and label the complaint and any motion as separate attachments to the notice of removal. **All attachments should be described with specificity. Do not use generic descriptions like 'exhibit' or 'affidavit'.**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
QUALITY CONTROL - QCSIII

CHECK LIST:

- Check document - complete and legible
- Check for correct # of pages on all filed documents
- Check for correct file date
- Check all entries have correct image attached
- Check for failure to attach document to event
- Check for correct case number assigned
- File or attach proposed order when filing motion
- Select correct division
- Does the case number and case caption on the PDF match the case
- Is the file date correct
- Is the case caption correct
- Select the correct filer
- Correct # of pages attached
- Use correct naming conventions for each attachment (Sect. L of Policy and Procedures Manual located on EDNC Website)
- Failure to file financial disclosure
- Check for any special characters that are not user friendly or needed in the text (i.e. (), \$, %, #, *, &)
- Check grammar and punctuation in text
- Is the document properly linked to related filing
- Correct Judge (District or USMJ) selected for the entry
- Does the name of the attorney e-filing match the name of the attorney on the document
- Is there a certificate of service (if the filing requires one)
- If the filing a motion and if so, is there an attached proposed order
- Is the correct event selected
- Is this a criminal motion in a multi-defendant case, and if so, were the correct defendants selected as to the filing
- Is this request for discovery or "motion" for discovery
- Is the document properly linked to any related filings

Sample errors:

- Opening a case with an incorrect case number, nature of suit, cause of action
 - Opening a case with the incorrect division number
 - Misidentifying the plaintiffs or defendants or both
 - Selecting the incorrect filer
 - Entering the incorrect file date
 - Failure to file financial disclosure, if applicable
 - Attaching the incorrect, illegible, upside down PDF file
 - Selecting the incorrect District Judge or US Magistrate Judge
 - Docketing in the incorrect case
 - Docketing a document as a motion when it is "not" a motion
 - Docketing as a document event, when it should be a motion
- Docketing two (2) events together, if one is a motion and the other is not
 - Selecting the incorrect event
 - Selecting the incorrect relief
 - Selecting additional motion reliefs for a single part motion
 - Failing to select additional motion reliefs when applicable
 - Selecting the incorrect defendant in multi-defendant cases
 - Selecting the incorrect motion when e-filing a response or reply
- Selecting the response event when memo in opposition should be selected
 - Forgetting to link to other documents (attachments)
 - Using unnecessary special characters
 - Spelling errors
 - Punctuation errors
 - Missing the description of an attachment
 - Using incorrect naming conventions on attachments

FOR ADDITIONAL INFORMATION and ASSISTANCE PLEASE VISIT OUR EDNC WEBSITE

WWW.NCED.USCOURTS.gov

CONTACTS NUMBERS for Assistance (Also located on our website):

Janet Callihan: 919-645-1726 (Quality Control Leader)

Jolie Skinner: 919-645-1743 (Operations Manager)

NOTICE OF DEFICIENCY/NOTICE TO COUNSEL CHART
(THE NOTICE OF DEFICIENCY LANGUAGE MAY VARY ACCORDINGLY)

	TYPE OF ERROR	NOTICE OF DEFICIENCY LANGUAGE
A.	Entry of document in the wrong case	Notice of Deficiency re: [#] docket entry . The docket entry has not been made in the correct case. Counsel is directed to refile the document in the correct case.
B.	Wrong filer selected (When possible, we fix instead of NOD)	Notice of Deficiency re:[#] docket entry . The incorrect filer has been selected. Counsel is directed to refile the document choosing the correct filer.
C.	Illegible or improperly formatted document	Notice of Deficiency re:[#] docket entry . An illegible or improperly formatted document has been filed. Counsel is directed to refile the document using a legible and properly formatted document.
D.	Missing pages in document	Notice of Deficiency re [#] docket entry . There are missing pages in the scanned image. Counsel is directed to refile the entire document.
E.	Filer attached the wrong document or attachment	Notice of Deficiency re:[#] docket entry . The incorrect document has been attached to the docket entry. Counsel is directed to refile the document and attach the correct document.
F.	Wrong event selected	Notice of Deficiency re:[#] docket entry . The incorrect event has been selected. Counsel is directed to refile the document using the event [name event].
G.	Improper linkage (When possible, we fix instead of NOD)	Notice of Deficiency re:[#] docket entry . The document has been linked to the incorrect docket entry. Counsel is directed to refile the document and link to the correct docket entry.

	TYPE OF ERROR	NOTICE OF DEFICIENCY LANGUAGE
H.	Signature block incorrect	Notice of Deficiency re:[#] docket entry . The document contains an incorrect signature block. The signature block does not reflect the filing attorney's signature either by '/s/' or a graphical signature as required by Section J of the CM/ECF Policy Manual. Counsel is directed to refile the document with the correct signature block.
I.	Document should have been filed as two separate entries	Notice of Deficiency re:[#] docket entry . CM/ECF does not accommodate certain document combinations, such as 'response and reply' or 'responses and motion'. Counsel is directed to refile the document using separate docket entries.
J.	No PDF document attached	Notice of Deficiency re:[#] docket entry . No pdf document is attached to the docket entry. Counsel is directed to redocket the entry and attach a pdf document.
K.	Incorrect caption/division/case number/judge designation	Notice of Deficiency re:[#] docket entry . The document's caption/division/case number/judge designation is incorrect. Counsel must refile the document with the correct caption/division/case number/judge designation.
L.	Filing Attorney is not the signing attorney	Notice of Deficiency re:[#] docket entry . The electronic/graphic signature on the document and the electronic filer do not match. Counsel is directed to refile the document because the docket entry must reflect that the filer and the signer are the same individual.
M.	Attorney information in the signature block does not match the information in the system	Notice of Deficiency re: [#] docket entry . The attorney information in the signature block on the document does not match the information that the court has in its CM/ECF database. Counsel is directed to update his/her information in CM/ECF by choosing ' Utilities ' and selecting ' Maintain Your Account '. If CM/ECF will not allow you to change the address, you must contact the court.

	TYPE OF ERROR	NOTICE OF DEFICIENCY LANGUAGE
N.	Failure to provide a proposed order	Notice of Deficiency re:[#] docket entry . Counsel failed to attach a proposed order pursuant to Section M of the CM/ECF Policy Manual. Counsel is directed to file a proposed order using the event 'proposed order' located in the Responses and Replies category. Counsel should also check the judge's preference page on the EDNC website for other proposed order instructions.
O.	Failure to file financial disclosure	Notice of Deficiency re:[#] docket entry . Civil parties are required to file a financial disclosure pursuant to Local Civil Rule 7.3. Criminal corporate defendants are required to file a financial disclosure pursuant to Local Criminal rule 12.3. The financial disclosure form is located on the court's website. This disclosure must be filed as soon as possible using the event 'Financial Disclosure Statement' in the Notice category.
P.	Document should have been filed as an attachment rather than a separate entry	Notice of Deficiency re: [#] docket entry . The document should have been filed as an attachment rather than a separate entry. Counsel is not required to refile the document.
Q.	Document should have been filed as a separate entry rather than submitted as an attachment	Notice of Deficiency re: [#] docket entry . The document should have been filed as a separate entry rather than submitted as an attachment. Counsel is directed to refile the document as a separate entry.
R.	Attachment(s) not properly described (When possible, we fix instead of NOD)	Notice of Deficiency re: [#] docket entry . Pursuant to Section L of the CM/ECF Policy and Procedures Manual, attachments and exhibits must be identified with a clear and complete description of the document.. Counsel is directed to refile the entire document, properly describing the attachment(s).

