



Western District of Washington Newsletter

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Local Rule updates

New Magistrate Judge Selected

The United States District Court for the Western District of Washington is pleased to announce that Michelle L. Peterson has been selected as the new magistrate judge in Seattle. Ms. Peterson will succeed Magistrate Judge James P. Donohue, who is retiring on March 1, 2019.

Ms. Peterson has a bachelor's degree from Seattle Pacific University and received her law degree from the University of Minnesota Law School. She served as a law clerk in the District of Minnesota and as a law clerk in this district for our very own Judge James L. Robart.

Ms. Peterson has extensive experience in the practice of civil and criminal law. Among her many active interests, she is a Ninth Circuit Lawyer Representative, a co-chair of our Local Rules Committee, the chair of the DREAM Fund Committee of the Federal Bar Association, a member of the William L. Dwyer Inns of Court, was appointed as a special master in two putative class action cases, and she has served as a member of the Western Washington Pro Bono Panel.

Ms. Peterson has begun the background investigation process, and is anticipated to start on March 2, 2019.



Sealed Documents

There is a strong presumption of public access to the court's files. Guidelines for the filing of sealed documents are covered in LCR 5(g). Occasionally documents may be filed that were intended to be filed as sealed documents. In many cases, if a document is filed in the Electronic Filing system (CM/ECF) that should have been sealed but was not filed in that manner; it is very likely that document is already in the public domain.

There are multiple third-party companies that scan for, and publicly archive documents that have been filed in the ECF system for this and other courts. If you file a document that should have been sealed, please contact the court immediately. The court may administratively seal your document, thus allowing you to file a redacted version. This in no way guarantees that the information has not already been publicly posted on the internet by a third-party. The courts themselves do not have any recourse for removal of such information once made public.

Administrative Records

Effective October 1, 2018, Administrative Records and State Court Records must be filed electronically in the U.S. District Court for the Western District of Washington.

Four new Civil Filing Events have been added to CM/ECF for the filing of administrative records and state court records:

1. Administrative Record – Non Social Security
2. State Court Record
3. Sealed Administrative Record – Non Social Security
4. Sealed State Court Record

Note: Sealed documents must be filed in accordance with the Court's Local Rules.

In Social Security Appeal cases, filers will continue to use the existing filing event:

SEALED Social Security Certified Administrative Record – Answer

Civil Events → Other Filings → Sealed Documents

[SEALED Social Security Certified Administrative Record - Answer](#)

Upcoming Holiday Closures and Filing

U.S. District Court for the Western District of Washington will be closed on the following dates:

- Thursday, November 22, 2018: Thanksgiving Day
- Monday, December 24, 2018: Christmas Eve
- Tuesday, December 25, 2018: Christmas Day
- Monday, December 31, 2018: New Year's Eve
- Tuesday, January 1, 2019: New Year's Day

When the Local Rules or a court order permits a party to act within a period of time stated in days or a longer unit of time and the last day of the period is a Saturday, Sunday, or legal holiday, the time period continues to run until the following day that is not a Saturday, Sunday, or legal holiday. If an order of the court sets a specific calendar date by which a party must act, the date is not extended even if it falls on a Saturday, Sunday, or legal holiday unless otherwise ordered by the court. If access to the electronic filing system is not available due to failure of the court's filing system(s) for a period longer than two hours, or any period after 5pm, or if the courthouse is closed for unanticipated reasons, filing deadlines are extended to the next business day. If the closure results in a party having additional time to file a response to a motion, then the deadline for the party filing a reply shall be extended by the same number of days.

Upcoming Training

You must register for the ECF training sessions. To register, please send an email to: cmecf@wawd.uscourts.gov

Please include the following information in your email:

- Name(s) of attendees
- Firm Name
- Phone number(s)
- Date and time of the training session you wish to attend
- Bar number if you are an attorney*

**The two hour ECF Training Session has been approved by the WSBA for 2 CLE credits.*

Courtroom Technology Training

Seattle

When: Training will occur on the 1st and 3rd Wednesday of the month at 3:00 p.m. No reservations are necessary.

Where: Courtroom 18A (room 18106).

Tacoma

When: Training will occur on the 2nd Thursday of the month at 3:00 p.m. No reservations are necessary.

Where: Please check in at the Clerk's Office on the day of training and you will be directed to the training location.

CM/ECF Training

Seattle

Thursday, December 6: 1:00 - 3:00

Thursday, January 4: 1:00 - 3:00

Thursday, February 8: 1:00 - 3:00

Tacoma

Thursday, December 13: 1:00 - 3:00

Thursday, January 11: 1:00 - 3:00

Thursday, February 15: 1:00 - 3:00

Want to receive this newsletter by email? Subscribe by emailing cmecf@wawd.uscourts.gov
Receive the newsletter already and want to unsubscribe? Send an email to cmecf@wawd.uscourts.gov

Joining a Case vs Joining a Motion

There are two distinct events for these actions, depending on what you are trying to accomplish with your case filing.

- If you are requesting to join a case, the appropriate event to use is the *Motion for Joinder*. This constitutes an appearance by the filing attorney into the action.
- The filing event is located here: *Civil Event > Motions and Related Filings > Motions:*

Civil Events → Motions and Related Filings → Motions

[Joinder](#)

- If you are requesting to join in a **Motion**, the appropriate event to use is *Notice of Joinder into Motion*.
- This event is located here: *Civil Events > Other Filings > Notices:*

Civil Events → Other Filings → Notices

[Notice of Joinder into Motion](#)

7th Annual Judicial Institute for School Teachers

The Court, in collaboration with Seattle University Law School, recently conducted 3 day workshop for teachers from grades 5 through 12. The program included presentations by federal judges, attorneys, and law enforcement officers on topics such as First Amendment rights, civil rights, search and seizure law, and the role of the grand jury. Teachers observed actual court proceedings, followed by a question and answer session with the presiding judge.

The 2019 Judicial Institute will be held July 9-11 at the Tacoma Union Station Courthouse. A highlight of this upcoming year is the presentation by Mary Beth Tinker, plaintiff in the U.S. Supreme Court decision, *Tinker v. Des Moines School District*, for the 50th anniversary of that case.

Some of the sessions include:

- How State Law Fits with Federal Law
- Free Speech in Schools
- Investigative Techniques of the Federal Bureau of Investigation (FBI)
- Search Warrants, Execution of Warrant, Canine Search Q and A

This 3 day program is open to teachers grades 5-12 who teach in western Washington, within the Court's geographic boundaries.

Applications are now being accepted for 2019 and can be found on the court's website: <https://www.wawd.uscourts.gov/educators-media/judicial-institute>

New ECF Event for Cross Motions

The Court has created a new event in ECF to allow for the filing of Cross motions. A Cross Motion must be noted in accordance with the local rule LCR7(k). Even if the Motion and Cross Motion are noted for different days, the court will typically consider them together.

- This event is located under the *Motions Category* and will require a noting date.
- When filing the Cross motion, please relate it back to the original Motion.
- The filer will be prompted by the event during filing: Does this Cross-Motion include a Response? Please indicate appropriately.

NextGen is Coming!

WAWD has been added to the queue for the NextGen platform, with a targeted implementation date of 2019.

If you are currently registered to e-file in the Western District of Washington, you will need an upgraded PACER account in order to file once we have migrated to the NextGen version of CM/ECF.

You can upgrade at anytime prior to migration.

To go www.pacer.gov

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- Announcements
- Frequently Asked Questions
- Resources
- Manage My Account

MANAGE MY ACCOUNT

Welcome, John Public

Account Number	7001101
Username	tr1101
Account Balance	\$0.00
Case Search Status	Active
Account Type	Legacy PACER Account Upgrade