



# Western Washington District Court Newsletter

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## Court News

### General Orders re Court Operations and COVID-19

You can review the latest General Orders relating to Court Operations during COVID-19 [here](#). New General Orders were recently released on June 30th regarding the reinstatement of mask requirements in the courthouse.

### Proposed Updated FRCPs

Effective December 1, 2022, the following Federal Rules of Civil and Criminal Procedure will be amended/added:

- Civil Rule 7.1 and Supplemental Rules for Social Security Review Actions under 42 U.S.C. § 405(g)
- Criminal Rule 16

Review the [full text](#) of the rule amendments on the [uscourts.gov](http://uscourts.gov) website. The amendments are also summarized below using information from the Committee Notes provided on the [uscourts.gov](http://uscourts.gov) website.

### **Civil Rule 7.1 - Disclosure Statement**

Rule 7.1 is amended to require a disclosure statement by a nongovernmental corporation that seeks to intervene, and further amended to require a party or intervenor in an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a) to name and disclose the citizenship of every individual or entity whose citizenship is attributed to that party or intervenor.

### **Supplemental Rules for Social Security Review Actions under 42 U.S.C. § 405(g)**

These new Supplemental Rules establish a uniform procedure for pleading and serving the complaint; for answering and making motions under Rule 12; and for presenting the action for decision by briefs. The rules apply only to final decisions actually made by the Commissioner of Social Security.

Rule 3 provides a means for giving notice of the action that supersedes Civil Rule 4 (i)(2). The Notice of Electronic Filing sent by the court suffices for service, so long as it provides a means of electronic access to the complaint. Notice to the Commissioner is sent to the appropriate office. The plaintiff need not serve a summons and complaint under Civil Rule 4.

### **Criminal Rule 16 – Discovery and Inspection**

The amendment addresses two shortcomings of the prior provisions on expert witness disclosure: the lack of adequate specificity regarding what information must be disclosed, and the lack of an enforceable deadline for disclosure. The amendment clarifies the scope and timing of the parties' obligations to disclose expert testimony they intend to present at trial. It is intended to facilitate trial preparation, allowing the parties a fair opportunity to prepare to cross-examine expert witnesses and secure opposing expert testimony if needed.

## Court News cont.

Judicial Nominations for the Western District of Washington

The following United States District Judge nominations are currently working their way through the nomination process:

Tiffany Cartwright, of Washington, to be United States District Judge for the Western District of Washington, vice Benjamin Hale Settle, retired.

Jamal N. Whitehead, of Washington, to be United States District Judge for the Western District of Washington, vice Richard A. Jones, retiring.

Kymberly Kathryn Evanson, of Washington, to be United States District Judge for the Western District of Washington, vice Ricardo S. Martinez, retiring.

For more information on the nominees, please see the 1/19/2022 [White House Announcement](#) and the 7/13/2022 [White House Announcement](#).

To track the status of the confirmation process for each nominee please visit the Senate Committee on the Judiciary's [Judicial Nomination Status Page](#).

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## CM/ECF Filing News

### Removal Jury Demand

**Procedure update:** Due to a recent procedure update, jury demands made in state court Complaints and/or Answers will carry over to this Court when the case is removed from state court, provided that the state court Complaint/Answer containing the jury demand is filed in this Court. Standalone Jury Demand documents from state court will still carry over the jury demand, too.

**Event update:** CM/ECF now prompts filers to answer new questions regarding the state court jury demand as they file the **Notice of Removal** event. These questions will help the filer identify whether there is a valid jury demand in their case and give the Court important information about how the jury demand is filed.

If the filer indicates that there was a jury demand made in state court, CM/ECF prompts the filer to provide additional information describing which party or parties made the demand and how it is being filed in this Court.

**Which party(ies) requested the jury demand in state court?**

Plaintiff  
 Defendant  
 Both Plaintiff and Defendant

Next Clear

**You indicated Plaintiff requested a jury in state court. How is Plaintiff's jury demand filed in this Court (select all that apply)?**

- Jury Demand is a separate document and attached to this filing.  
 Jury Demand is indicated in the Complaint.  
 None of the above.

Next Clear

This information will help Court staff locate the jury demand among the state court documents.

If the filer selects None of the above, CM/ECF provides information on how to make a valid jury demand in the absence of a jury demand in the Complaint, Answer, or separate Jury Demand document.

**You answered None of the above.**

**If you are not indicating a jury demand by one of the previous options, it cannot be added to the case.**

**If you are filing a new jury demand in federal court, please file it separately using the Jury Demand event located under Other Filings, Other Documents.**

**Click Next to proceed without a current Jury Demand on the case.**

Next Clear

The procedure and event updates make it easier for filers to preserve their jury demands when removing cases from state court and for Court staff to locate the jury demands when performing initial QC on the case.

# CM/ECF Filing Tips

## How to Add Secondary Emails

To manage secondary emails (add, change or delete) related to a local CM/ECF account, log into CM/ECF and follow the below steps:

### To add an additional secondary email address:

1. Select **Utilities > Your Account > Maintain Your E-Mail**.
2. Select **Add New E-Mail Address** from the left pane.

Registered e-mail addresses	Configuration options
Primary e-mail address: <a href="#">TestAtty@test.com</a>	
Secondary e-mail addresses: <a href="#">test@test.com</a> <a href="#">add new e-mail address</a>	
<input type="button" value="Submit all changes"/> <input type="button" value="Clear"/>	

3. Type in the email address in the right pane.

Registered e-mail addresses	Configuration options
Primary e-mail address: <a href="#">TestAtty@test.com</a>	<input type="text" value="secondary@test.com"/>
Secondary e-mail addresses: <a href="#">test@test.com</a> <a href="#">secondary@test.com</a> <a href="#">add new e-mail address</a>	Should this e-mail address receive notices? <input checked="" type="radio"/> Yes <input type="radio"/> No
<input type="button" value="Submit all changes"/> <input type="button" value="Clear"/>	Should this e-mail address receive notice for all cases in which this individual is a participant? <input checked="" type="radio"/> Yes <input type="radio"/> No
	Verify free look use when viewing NEF documents? <input type="radio"/> Yes <input checked="" type="radio"/> No

4. Under **Configuration Options**, ensure that **Yes** is selected for **Should this e-mail address receive notices?**
5. Select **Yes** for **Should this e-mail address receive notice for all cases in which this individual is a participant?** If the email address should receive notice in all the attorney's cases.
6. Select **Submit all Changes**, then click **Submit** to update your cases.

### To delete and/or change an email address:

1. Select **Utilities > Your Account > Maintain Your E-mail**.
2. Select the email address in the left panel to display configuration options.
3. To delete a secondary email address, highlight it in the configuration panel and delete it.
4. To change the email address, type in the new address.
5. Select **Submit All Changes**, then click **Submit** to update your cases.

You can also view these steps on our [E-Filing Frequently Asked Questions: E-Filing Account page](#) or by following [this link](#).

## Navigating Multiple CM/ECF Accounts

CM/ECF uses cookies to maintain your session, which allows you to move from page to page without re-entering your login credentials. While this creates a more efficient user experience, it can be a hindrance to those who regularly access CM/ECF using different accounts. If your browser has trouble “forgetting” your previous session or you want the ability to log into multiple accounts without the inconvenience of clearing your cache, try accessing CM/ECF in private mode. When you open a site in private mode, your browser creates an isolated session that doesn't use any existing cookies or cached data. This means you can log into one account in your main browser window and a different account in your private browser window simultaneously.

To open a new private window, press **Ctrl + Shift + N** in Microsoft Edge, Safari, and Chrome, or **Ctrl + Shift + P** in Firefox. If you are using a Mac, use Command **⌘** instead of Ctrl. For more detailed, browser-specific instructions, see the following:

- [Microsoft Edge – InPrivate mode](#)
- [Firefox – Private mode](#)
- [Safari – Private mode](#)
- [Chrome – Incognito mode](#)

## CM/ECF Training Sessions

Training classes will be offered online only for the foreseeable future. Classes will be recorded and may be posted to the Court's public website.

The Western District of Washington Clerk's Office trainers have regularly scheduled Introduction to Electronic Case Filing Training Sessions. These sessions cover basic CM/ECF navigation, CM/ECF resources, and hands on filing of documents and civil case openings.

For more information on class requirements, topics, and registrations, visit our [ECF Training Sessions page](#).

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## Pro Se Corner

### What is E-Filing?

Once you pay the filing fee or the Court grants your Motion to Proceed In Forma Pauperis (proceed without paying the filing fee), you have the option of registering to file documents directly into the Case Management/Electronic Case Filing System, referred to as "CM/ECF." This option is commonly known as "e-filing." Please note that the term, "e-file" differs from "e-mail" in that the court does not accept pleadings via e-mail outside of initial case opening documents.

Those registering to e-file in this Court must meet the following requirements before the Court can grant registration.

- A PACER – Case Search Only account.
- Access to a laptop or desktop computer (mobile devices are not currently compatible with the system) that has a reliable connection to the internet and a browser.

- Access to software to convert documents to PDFs or a document scanner.
- Access to an email account.
- You must be a current party to the case.
- The case must already be opened (you cannot open a case by e-filing).
- You are not currently represented by an attorney.

If you register to e-file in this Court, you are choosing to only file your documents directly into CM/ECF which means you can no longer file your documents by delivering them in person or through the mail. When you register to file directly in CM/ECF, you also waive your right to receive service of documents by first class mail. You will receive a Notice of Electronic Filing via email each time a public docket entry is made in your case by you, the judge, the defendants, or any other parties in your case.

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## Tools/Resources Spotlight

If you haven't already, check out these helpful e-filing tools/resources:

### Written Guides

#### [Attorney Civil Case Opening Guide](#)

If you find yourself opening an original civil case, make sure you review the Attorney Civil Case Opening Guide before or during opening the case. This includes detailed instructions on what documents are required, how to add case statistical data, how to add parties, and how to file your case initiating documents.

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