

Working Smart in the CM/ECF World

3rd Circuit Judicial Conference April 2008

David Nuffer
U.S. Magistrate Judge

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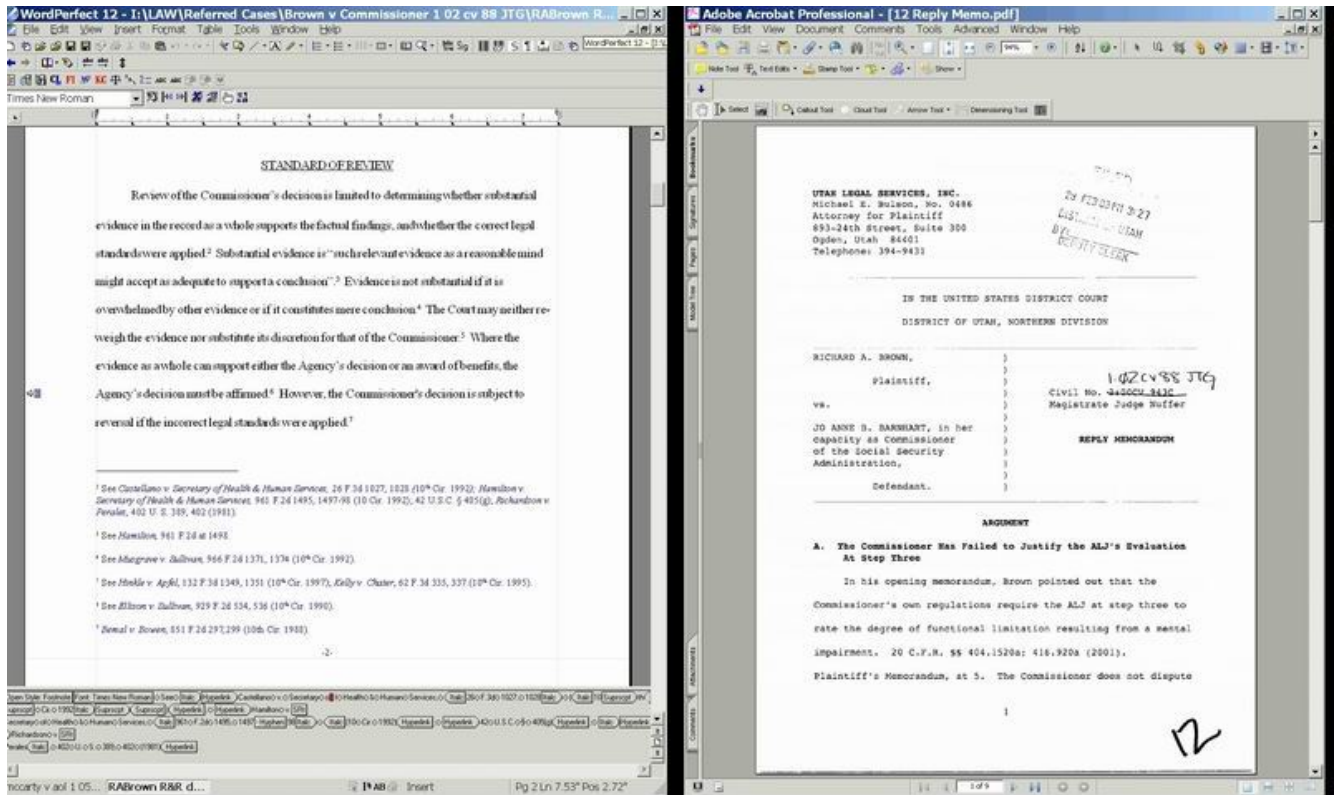
This document contains colored text and hyperlinks.

Download it at http://www.utd.uscourts.gov/judges/nuffer_resources.htm

Multiple Monitors or Large Monitors

Fundamental to the ability to work effectively in the electronic world is an *electronic desktop*. In the paper world, we work on a large desk to be able to work with many items at once. In the electronic world, a *large virtual desktop enables us to work simultaneously with many electronic sources* of information while we do our work, which may include electronic composition, analysis and communication.

Research has demonstrated that multiple and large monitors increase productivity and reduce errors significantly in all users, sophisticated or not. For those with less developed technical skills large monitors are more effective than multiple monitors.¹

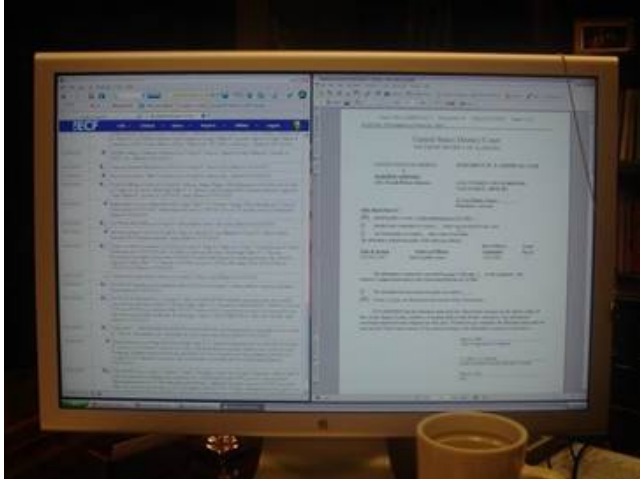


Word Perfect document

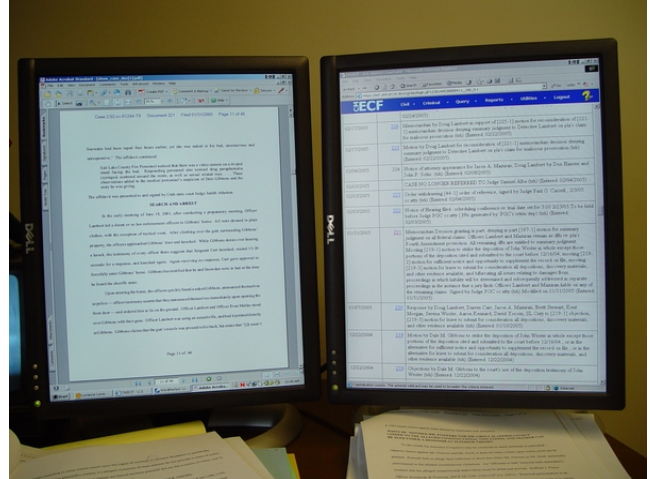
Adobe Acrobat document (from CM/ECF)

Multiple monitors or large monitors allow view of many source documents (Westlaw, Lexis, PACER, CM/ECF, PDF files) while composing other documents (Word or WordPerfect or CM/ECF). Multiple documents from the same application may be viewed side-by-side. Copying and pasting between screens or windows is possible because all monitors are connected to the same computer. (If using multiple monitors, it is best to use identical displays.)

¹ Gregg Keizer, "Bigger is Better in Monitors – To a Point," *Computerworld* March 10, 2008, reporting research by James A. Anderson, Ph.D., F.I.C.A., at the University of Utah in 2003 and 2007. Papers available from David Nuffer.



a large display, showing two windows



two monitors side by side, rotated

Operating systems since Windows 98 permit creation of a large "virtual display" which spans several physical monitors, if the computer has a video display hardware which can drive two monitors.

The **capability to have two displays is built into most laptop computers** (control panel at right).

The dual display features are regulated in the Display Properties control panel, Settings Tab.



Microsoft help pages describe how to use multiple displays:

[Turn on dual monitor support](#)

[How to Enable Multiple Display Support Using Windows 98](#)

[HOW TO: Set Up and Troubleshoot Multiple Monitors in Windows 2000](#) (This article includes information on installing multiple display adapters.)

[HOW TO: Configure and Use Multiple Monitors in Windows XP](#)

In many desktop computers, it is possible to use **two standard display adapters** to drive dual monitors to create a large integrated desktop.

[Hardware Requirements for Multiple Display Support in Windows 98](#)
[Hardware Requirements for Multiple-Display Support in Windows XP](#)

Many manufacturers supply **single slot display adapters with two heads** (cable connections) which support two monitors on each card. More than one can be used in one computer to drive more than two displays.

[NVIDIA](#) [ATI](#) (use keyword "dual display" to search products) [Matrox](#)

Many display adapters are able to use **special software which permits [rotation of displays](#)**. A rotated flat panel allows the user to "page through" documents and see an entire page at a time on the virtual desktop. The user's experience with electronic documents then resembles use of paper on a physical desktop.

[NVIDIA software](#) [ATI software](#)

Dell Laptops with the ATI Mobility Radeon X300 video card have the ability to rotate an external monitor or, if you have a docking station, two monitors may be rotated. [Instructions](#)



This page can be found at http://www.utd.uscourts.gov/documents/Dual_monitors.html

Use the Power of Adobe Acrobat

Downloading documents from CM/ECF

The screenshot shows the CM/ECF Document Selection Menu. At the top is a blue navigation bar with the CM/ECF logo and menu items: Civil, Criminal, Query, Reports, and Utilities. Below the navigation bar is the "Document Selection Menu" section. The title "Multiple Documents" is centered. The instruction "Select the document you wish to view." is followed by a table with columns "Part" and "Description". The table lists four documents: Part 1 (Main Document, 11 pages), Part 2 (Exhibit A - Retail Experts Consulting v. Premium Retail Servs., 6 pages), Part 3 (Exhibit B - Flying J, Inc. v. TA Operating Co., 16 pages), and Part 4 (Exhibit C - A.M. ex rel. Conservator v. Burr, 3 pages). Below the table, there are two buttons: "View All" (highlighted with a black border) and "Download All", followed by the text "36 pages".

Part	Description	Pages
1	Main Document	11 pages
2	Exhibit A - Retail Experts Consulting v. Premium Retail Servs.	6 pages
3	Exhibit B - Flying J, Inc. v. TA Operating Co.	16 pages
4	Exhibit C - A.M. ex rel. Conservator v. Burr	3 pages

or 36 pages

VIEW ALL creates a single comprehensive PDF document.
DOWNLOAD ALL creates a Zip Folder.

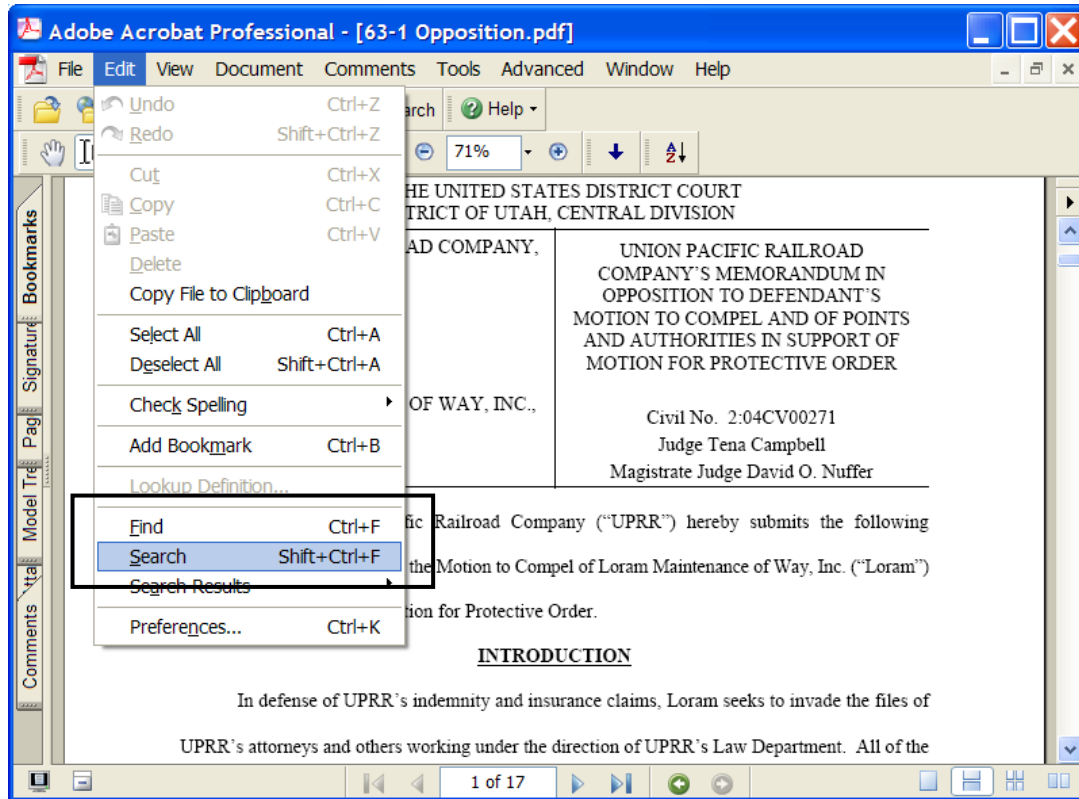
Name convention: [Docket No.] [Description] [(Related Motion Dkt. No.)]

Example: 101 Memorandum in Support (100)

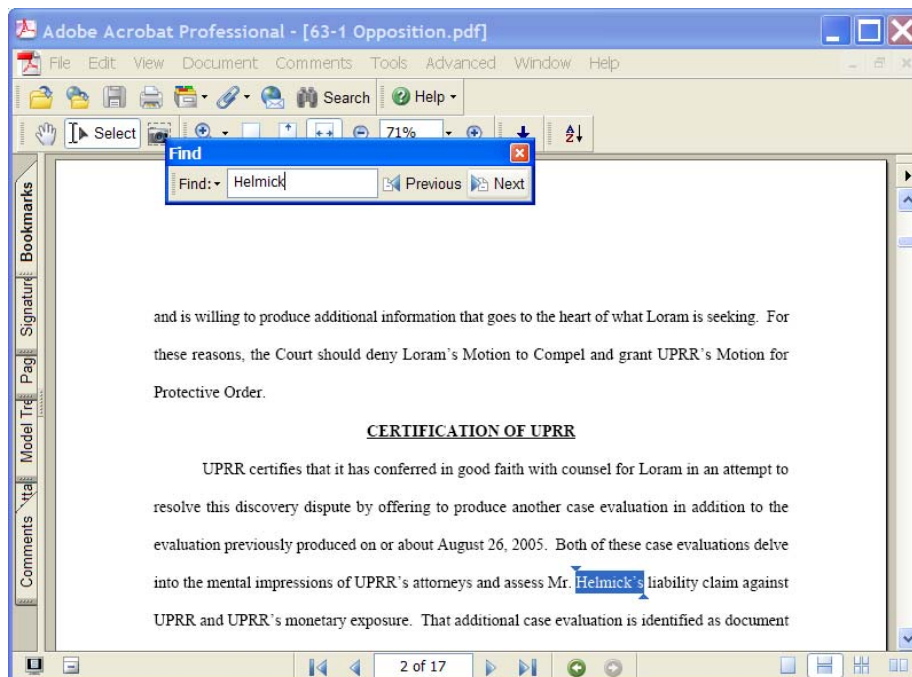
Searching PDF Documents

Acrobat has [two powerful search tools](#).

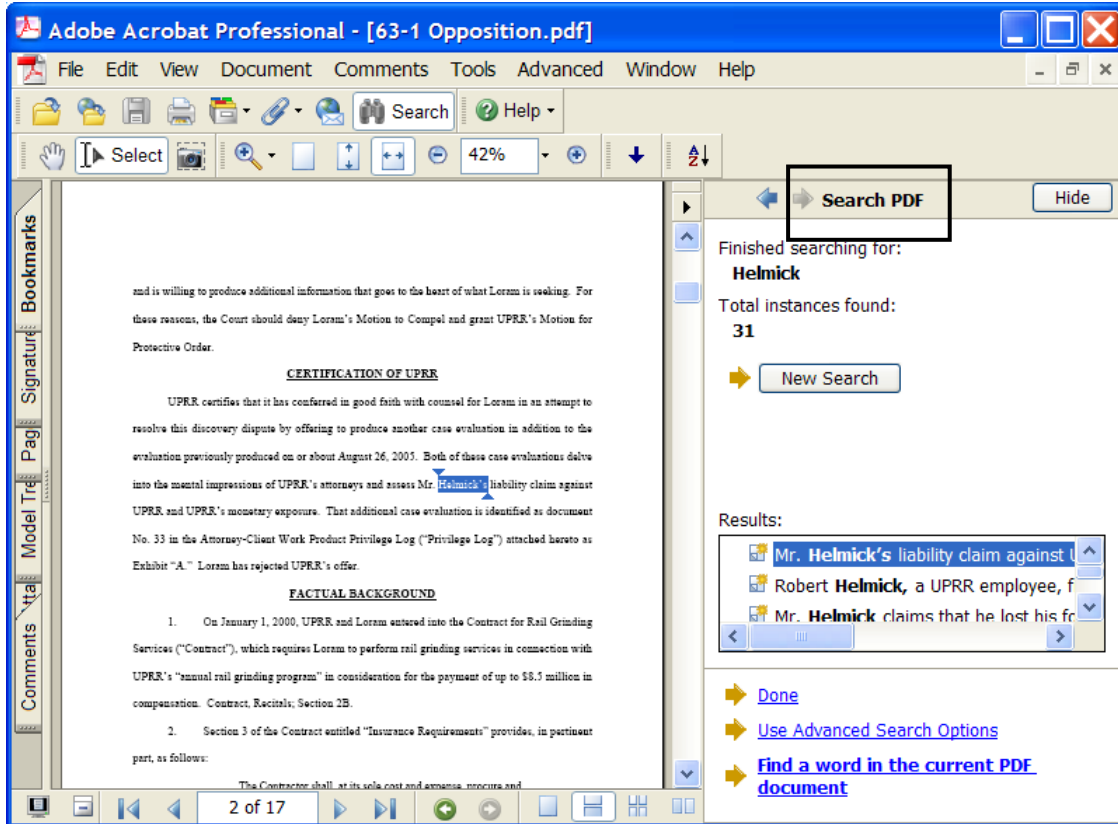
Video Demonstrations: [Find](#) and [Search](#) in Acrobat.



FIND takes you to each successive instance of a word.

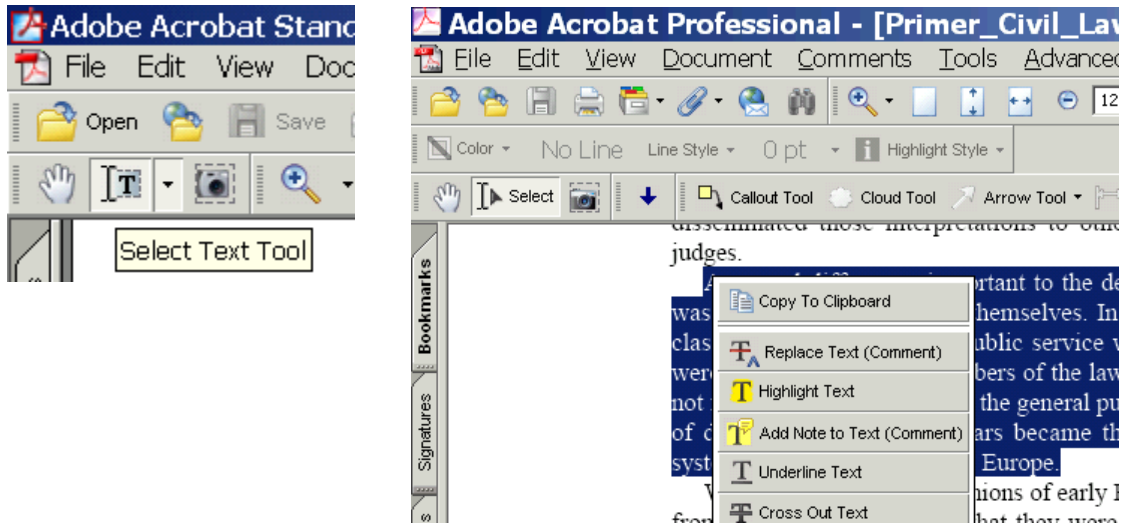


SEARCH shows a listing of all instances of a word in the document.

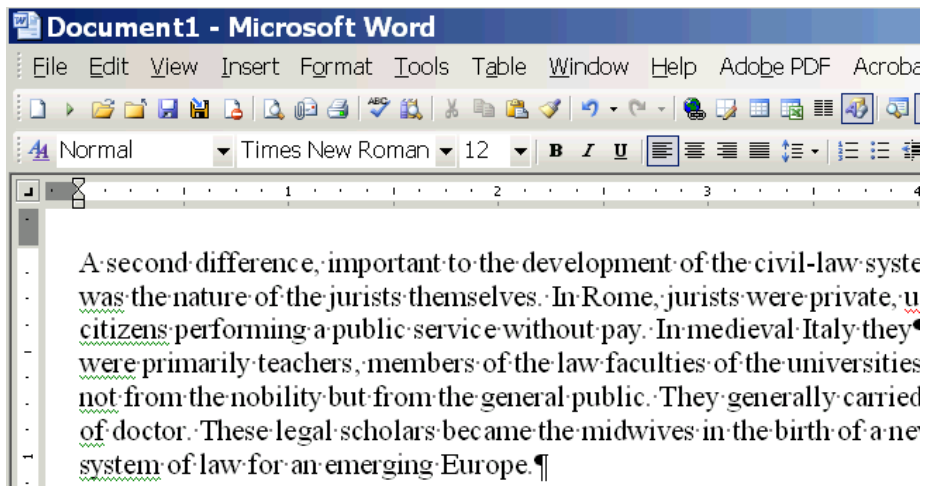


Copy and Paste from a PDF document into a Word Processor

Information from a PDF document may be used in other documents in several ways. If the PDF document is text based you may **copy and paste**, using the Text Select tool.



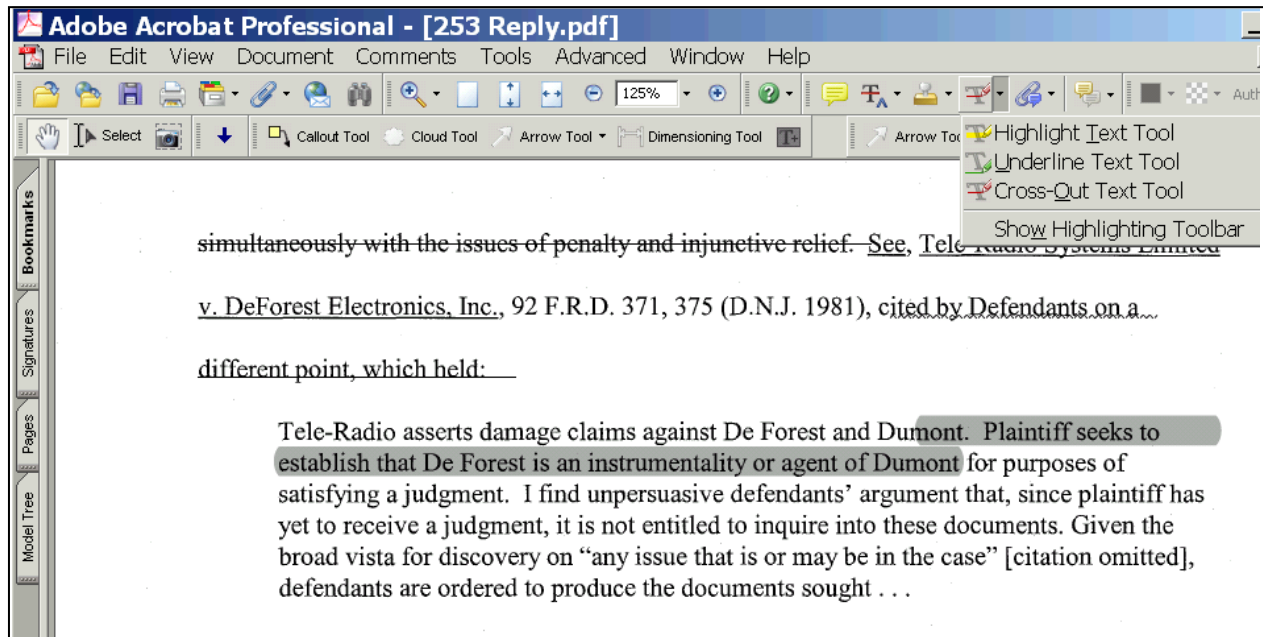
The text may be pasted into any word processor or email program.



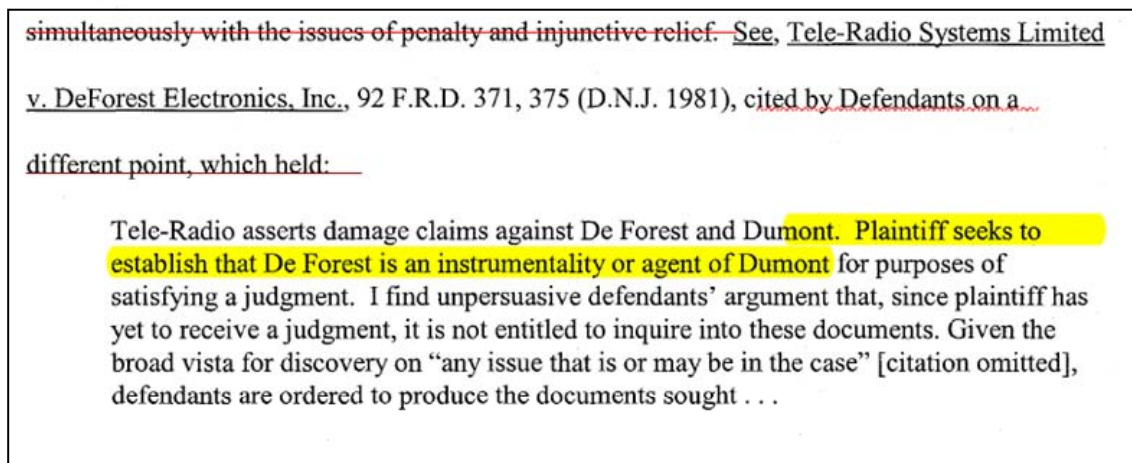
Annotate PDF Documents (in Acrobat Standard or Professional)

Acrobat Standard and Pro have tools to permit [Highlighting](#), [Underlining](#), and [Strikethrough](#). PDF documents can be marked up as easily as paper documents.

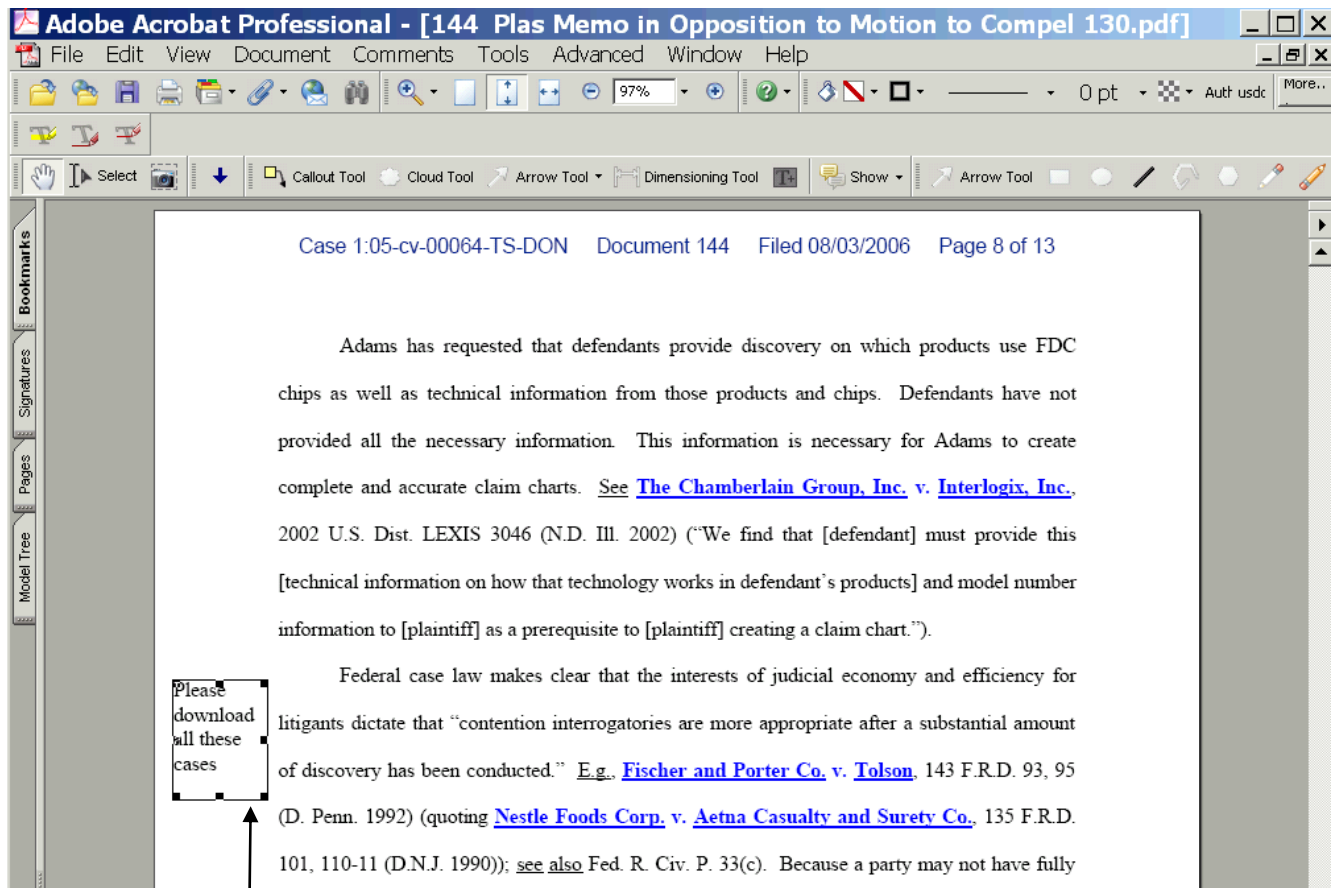
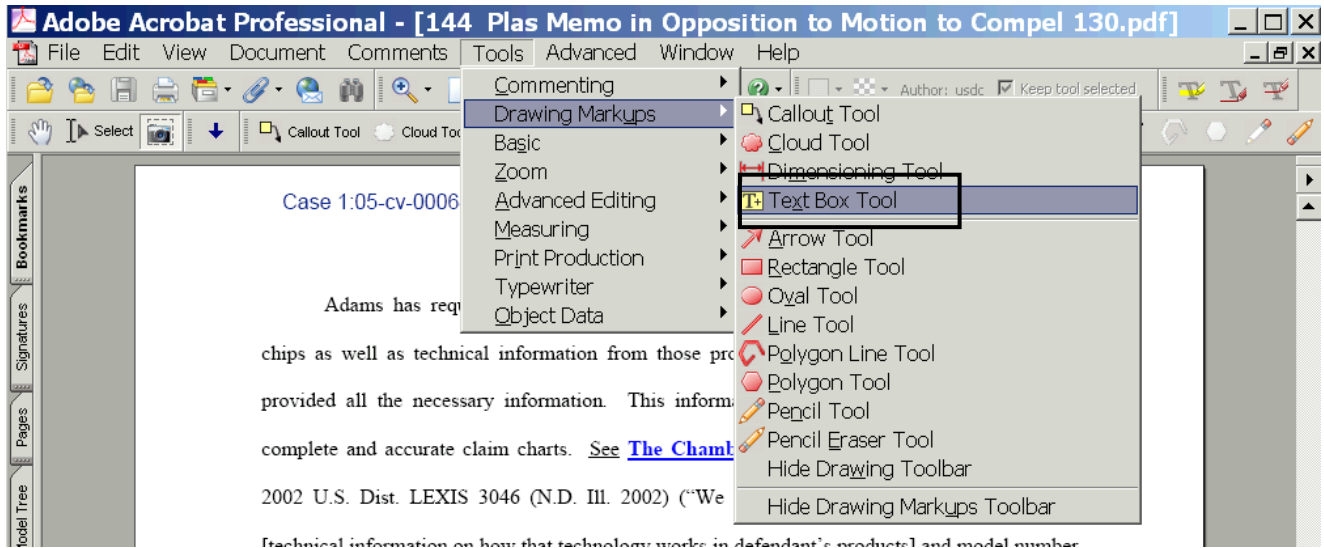
Video Demonstration: [Highlighting, Underlining, and Strikethrough](#)



This lower screen shot shows color, which is user selected.



While reviewing documents, **text boxes** can hold margin notes.
Video Demonstration: [Text Box Annotation in Acrobat](#)

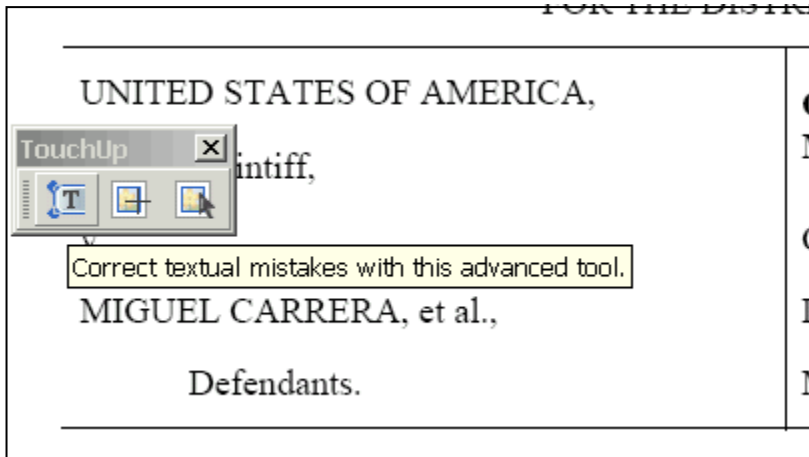


This is a text box

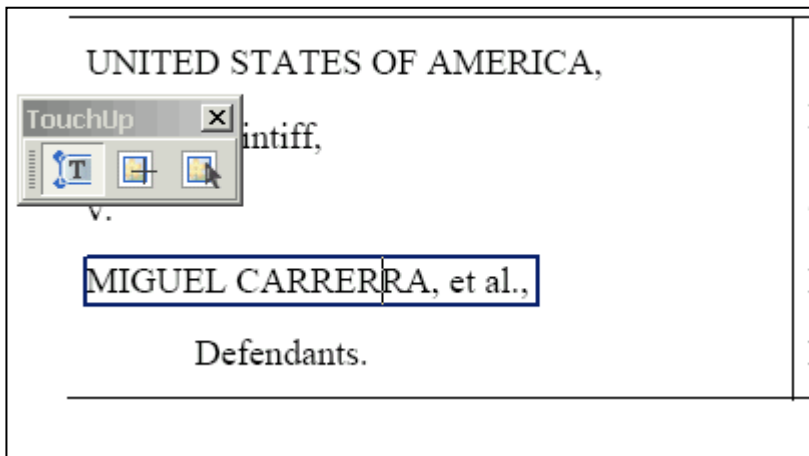
Touch Up Text (in Acrobat Standard or Professional)

Remember the advantage of PDF documents? – that they cannot be changed – not true! The Touch Up Text Tool lets you edit a PDF directly. Great for changing a date, case number or a word or two.

Before:



After:



Know the Types of PDF Documents

The court cares what kind of PDF document you file.

Video Demonstration: [Types of PDF Documents](#)

Scanned PDF – large file, not searchable, no copying, no links, fuzzy

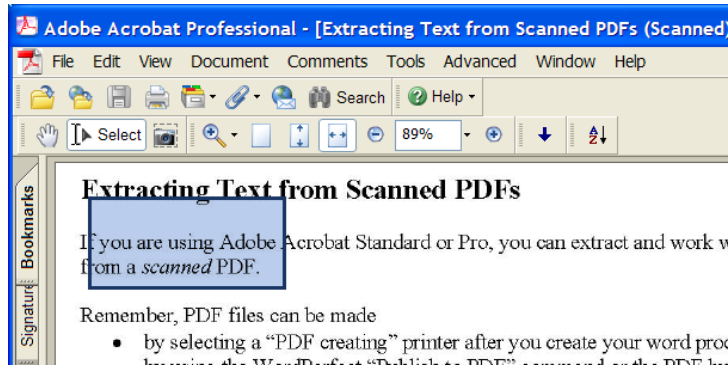
Scott M Lilja (4231) VAN COTT, BAGLEY, CORNWALL & MCCARTHY 50 S. Main Street, Suite 1600 Salt Lake City, Utah 84111 Telephone: 801.532.3333 Facsimile: 801.534.0058	FILED U.S. DISTRICT COURT 2006 JUN -9 P 4: 06 DISTRICT OF UTAH BY: _____ DEPUTY CLERK
<hr/>	
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH	
CENTRAL DIVISION	

Text PDF – small file, searchable, copying, links, clear

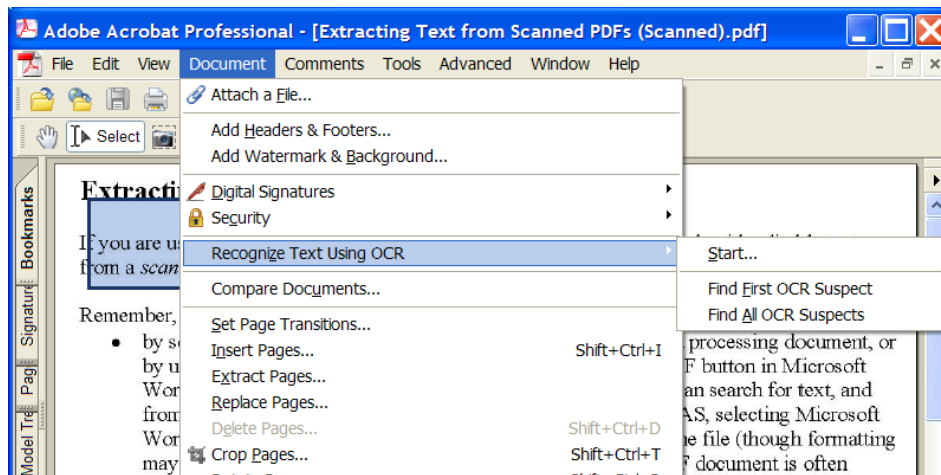
Scott M Lilja (4231) VAN COTT, BAGLEY, CORNWALL & MCCARTHY 50 S. Main Street, Suite 1600 Salt Lake City, Utah 84111 Telephone: 801.532.3333 Facsimile: 801.534.0058	
Attorneys for Third-Party Child Related Research, Inc.	
<hr/>	
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH	
CENTRAL DIVISION	

Convert Image PDF to Text PDF (in Acrobat Standard or Professional)

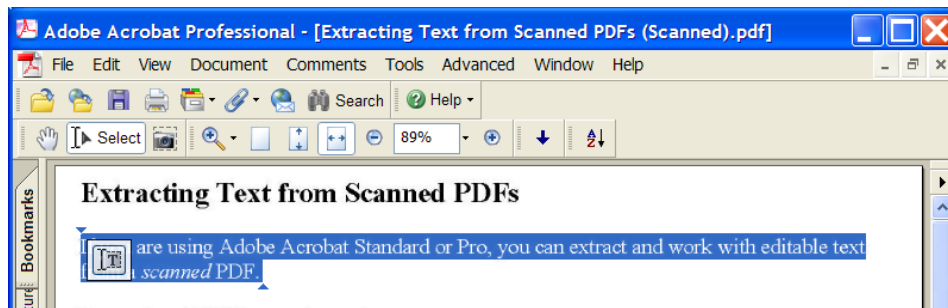
You are working with a PDF and find it is a scanned or image PDF. You need the text. But the Text Select Tool does nothing except draw a box.



Use the Optical Character Recognition tool in Acrobat Standard or Professional to get the text.

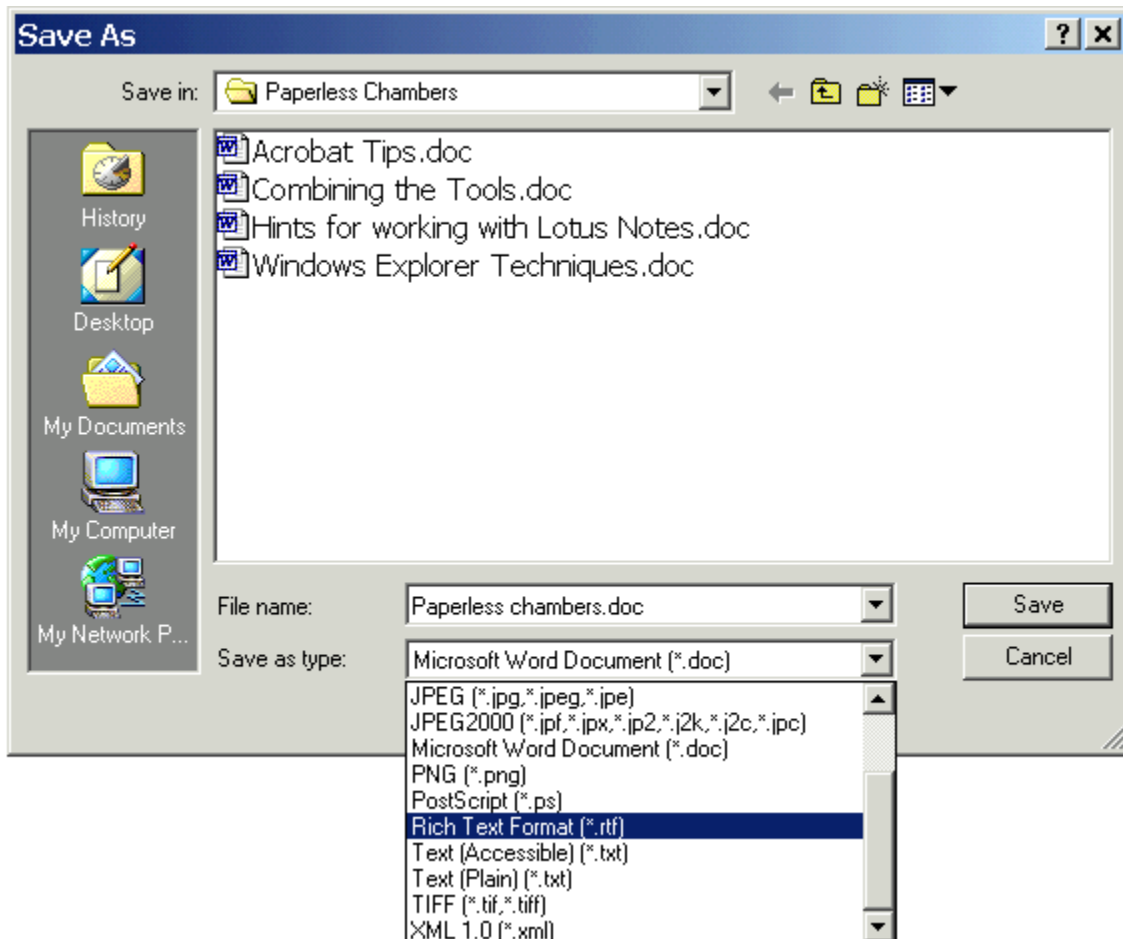


The text can then be copied and pasted – and searched.

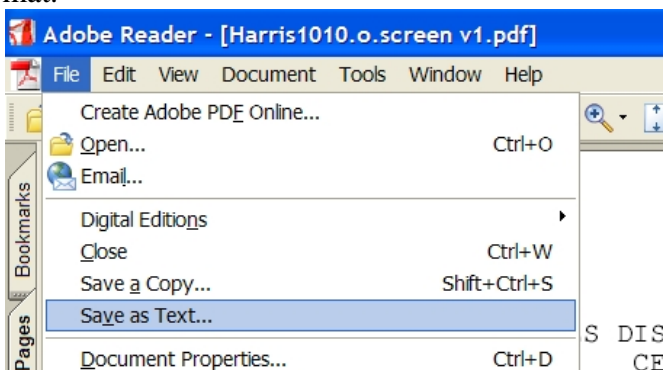


Save a PDF document in RTF format

You may save a PDF document in RTF (Rich Text Format) format resulting in a complete data file with all text in the document, though formatting may not be preserved. This file format can be opened by most word processors.

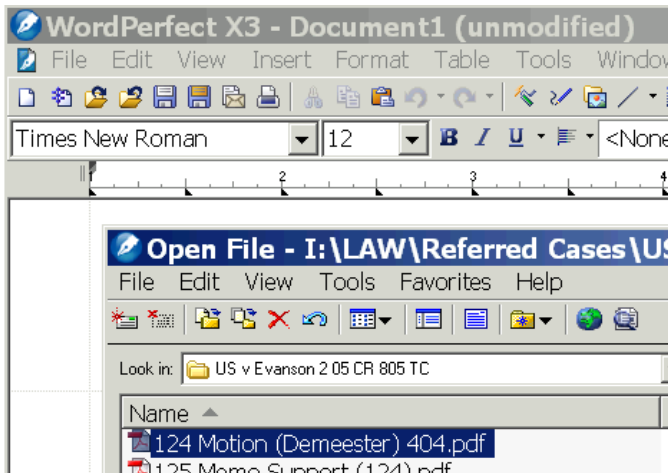


Even if you don't have Acrobat Standard or Professional, you can save from Acrobat Reader in text format.

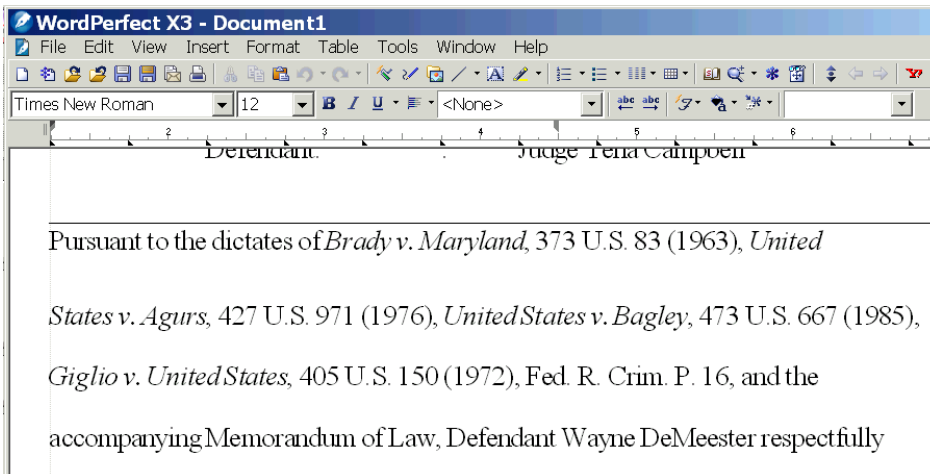


WordPerfect X3 Opens PDF Files

The latest version of WordPerfect will open PDF files. This is another way to get the text out of a PDF document.



Formatting will not be perfect, but the text will be there.

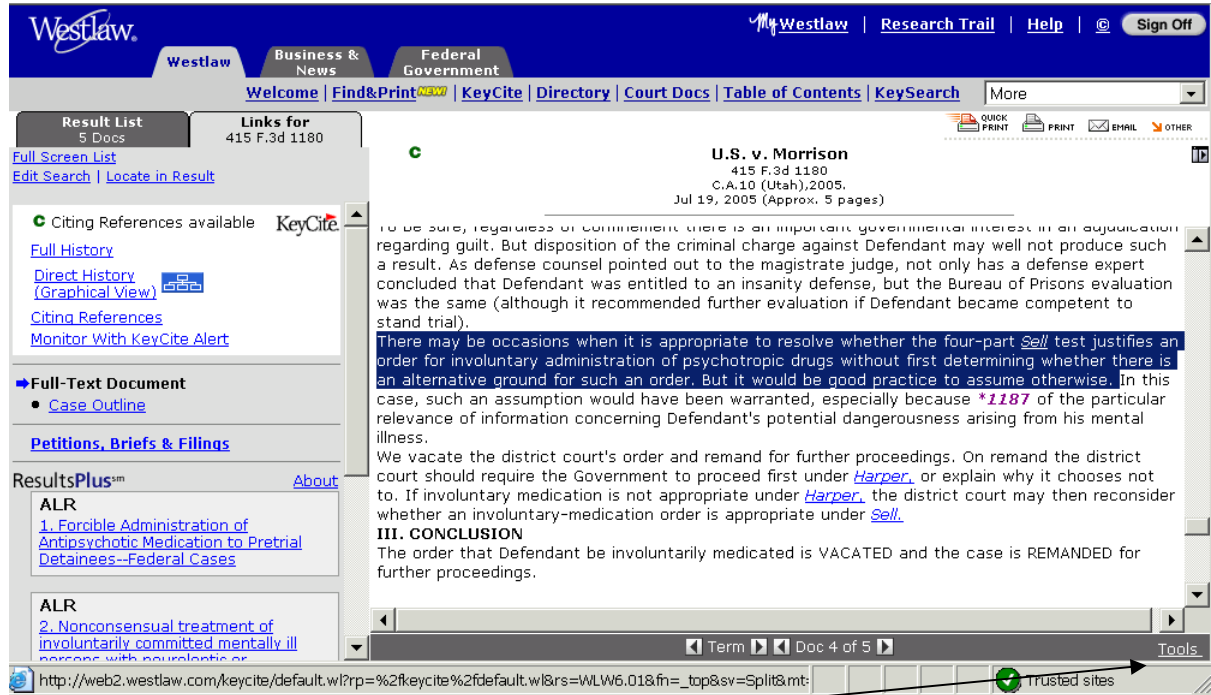


E-Research

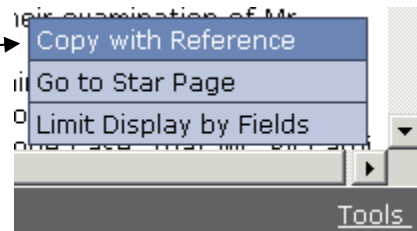
To copy short segments from Westlaw

Video Demonstrations: [Copying and pasting from Lexis](#) [Copying and pasting from Westlaw](#)

Find the text and select it:

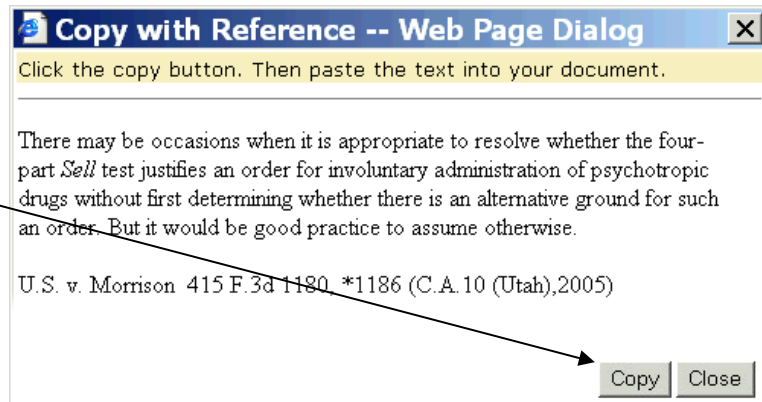


Then click TOOLS in the lower right corner and select Copy With Reference:

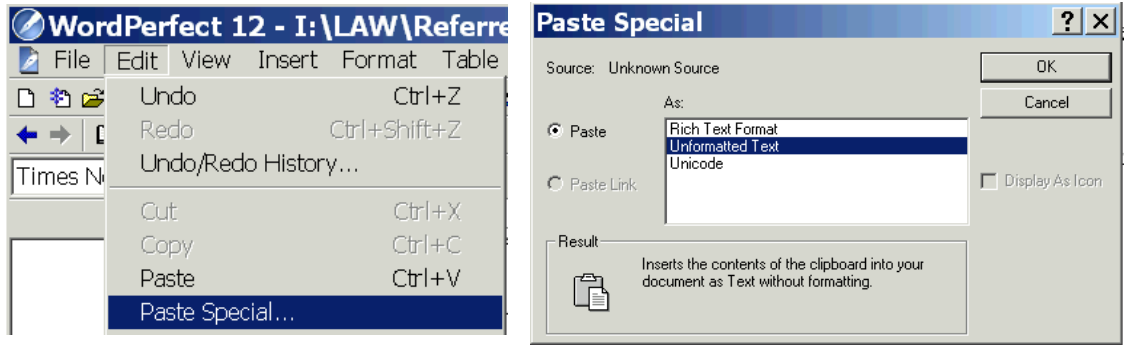


A frame will pop up with the text and reference, and instructions:

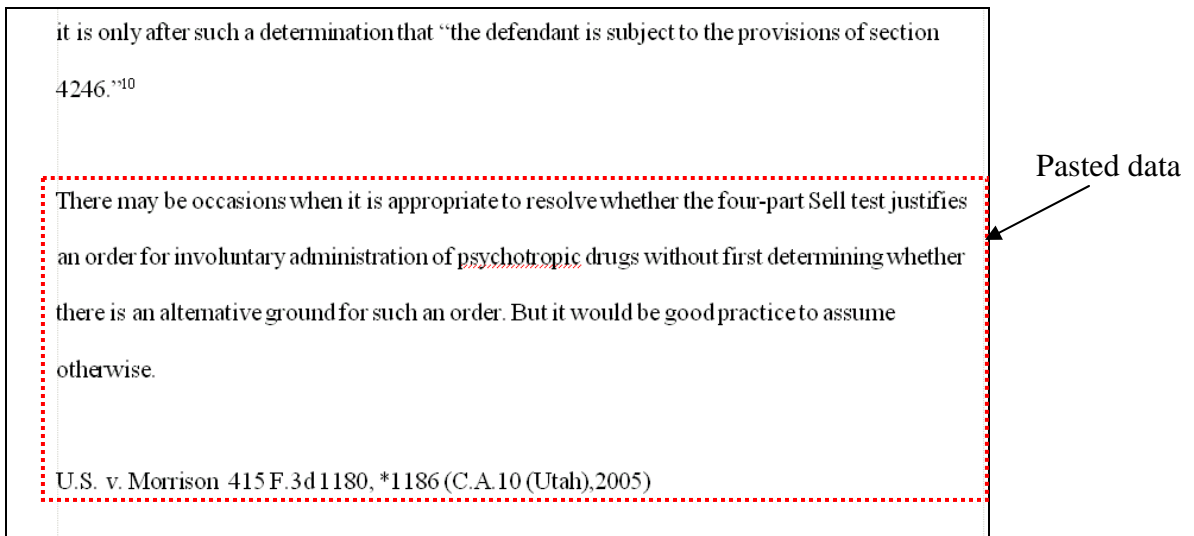
Click COPY



and then
Paste Special
–
Unformatted
Text to place
the text and
reference
into your
word
processing
document.



There will be a little reformatting to do but the essential information is in place.

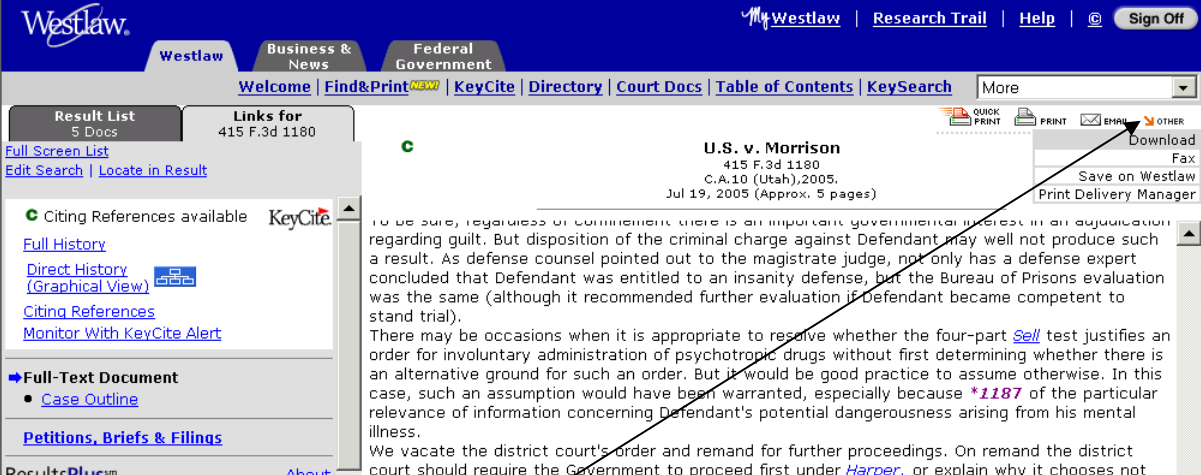


Downloading and Annotating Entire Cases

Why print from Westlaw or Lexis when storing your cases as e-research lets you copy and paste from those cases directly into your document? And you can even highlight and annotate these cases just like paper print outs.

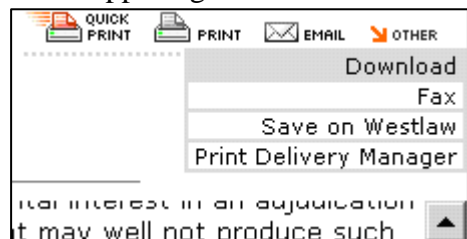
Video Demonstrations: [E-Research in Lexis](#) [E-Research in Westlaw](#)

Find the case/statute/article you want in Westlaw.com



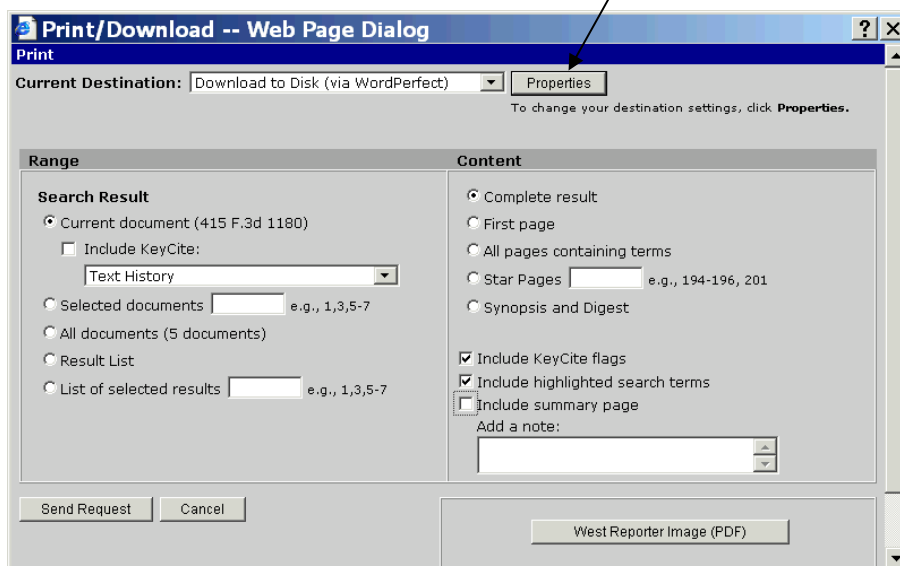
The screenshot shows the Westlaw website interface. At the top, there are navigation tabs for 'Westlaw', 'Business & News', and 'Federal Government'. Below these are links for 'Welcome', 'Find&Print', 'KeyCite', 'Directory', 'Court Docs', 'Table of Contents', and 'KeySearch'. A search bar is visible on the right. The main content area displays the case 'U.S. v. Morrison', 415 F.3d 1180, C.A.10 (Utah), 2005, dated Jul 19, 2005 (Approx. 5 pages). The text of the case is visible, starting with 'To be sure, regardless of commitment there is an important governmental interest in an adjudication regarding guilt. But disposition of the criminal charge against Defendant may well not produce such a result. As defense counsel pointed out to the magistrate judge, not only has a defense expert concluded that Defendant was entitled to an insanity defense, but the Bureau of Prisons evaluation was the same (although it recommended further evaluation if Defendant became competent to stand trial). There may be occasions when it is appropriate to resolve whether the four-part Sell test justifies an order for involuntary administration of psychotropic drugs without first determining whether there is an alternative ground for such an order. But it would be good practice to assume otherwise. In this case, such an assumption would have been warranted, especially because *1187 of the particular relevance of information concerning Defendant's potential dangerousness arising from his mental illness. We vacate the district court's order and remand for further proceedings. On remand the district court should require the Government to proceed first under Harper, or explain why it chooses not'.

Let your cursor pass over the  button in the upper right corner. Select Download from the dropdown menu.



This image shows a close-up of the 'OTHER' button in the upper right corner of the Westlaw interface. A dropdown menu is open, showing options: 'Download', 'Fax', 'Save on Westlaw', and 'Print Delivery Manager'. The 'Download' option is highlighted.

In the dialog that appears, click on Current Destination Properties. (Setting Properties only has to be done once for the rest of your research career.)

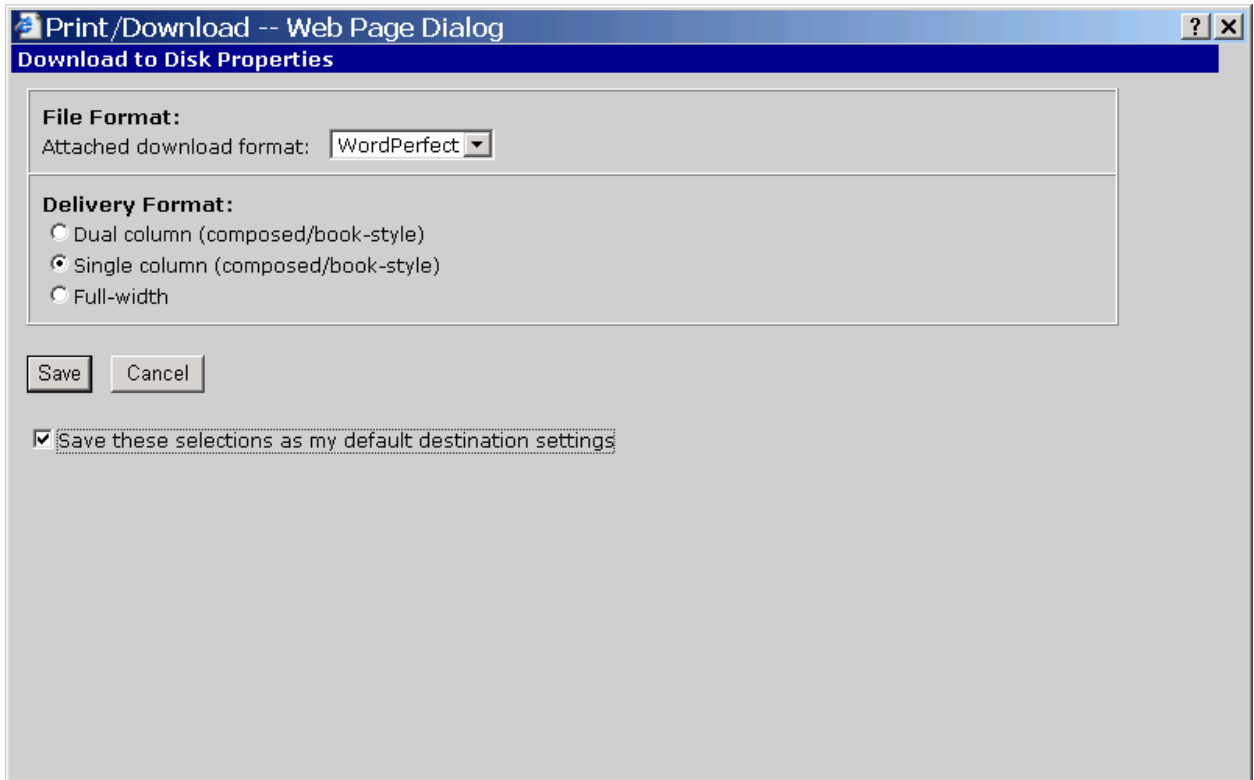


The screenshot shows a dialog box titled 'Print/Download -- Web Page Dialog'. The 'Current Destination' is set to 'Download to Disk (via WordPerfect)'. A 'Properties' button is visible next to it. The dialog is divided into two main sections: 'Range' and 'Content'. Under 'Range', there are options for 'Search Result' (Current document, Selected documents, All documents, Result List, List of selected results) and 'Include KeyCite' (checked). Under 'Content', there are options for 'Complete result', 'First page', 'All pages containing terms', 'Star Pages', 'Synopsis and Digest', 'Include KeyCite flags' (checked), 'Include highlighted search terms' (checked), and 'Include summary page' (unchecked). There is also a text box for 'Add a note:'. At the bottom, there are 'Send Request' and 'Cancel' buttons, and a 'West Reporter Image (PDF)' button.

In the dialog that appears, select

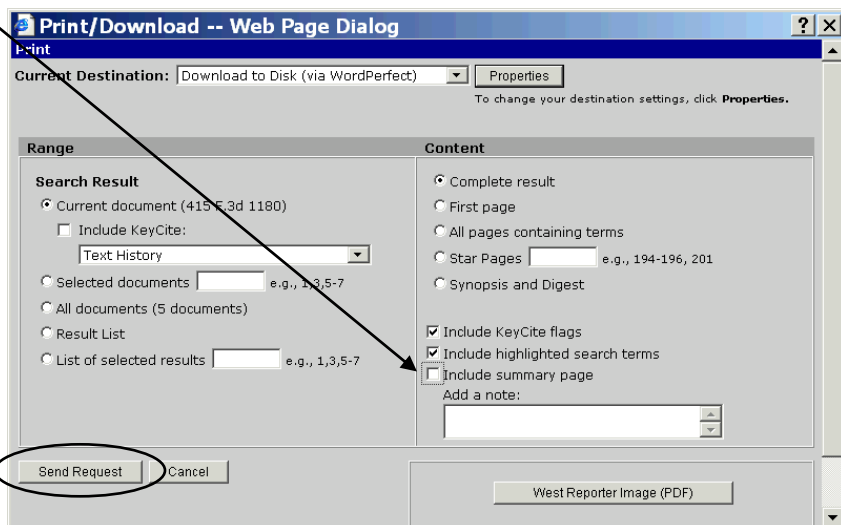
1. The name of your word processor (Word Perfect if you work for the courts and MS Word if you work anywhere else in the entire world)
2. Single Column (important for readability on the screen)
3. Save these selections as my default destinations

(These three steps are set as your future preferences – you won't have to change them again.)



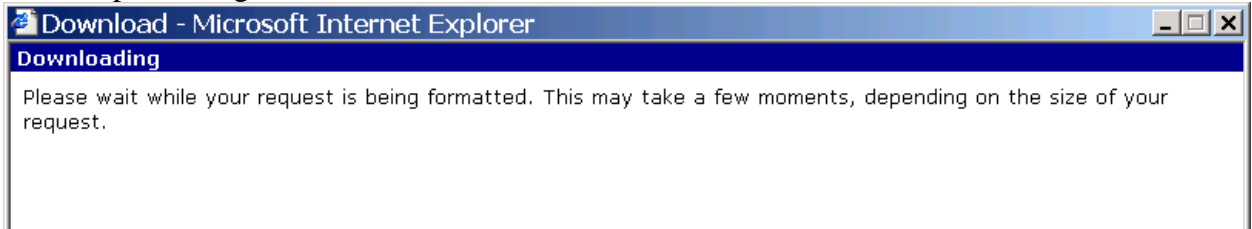
Click Save

Deselect "Include a Summary Page"

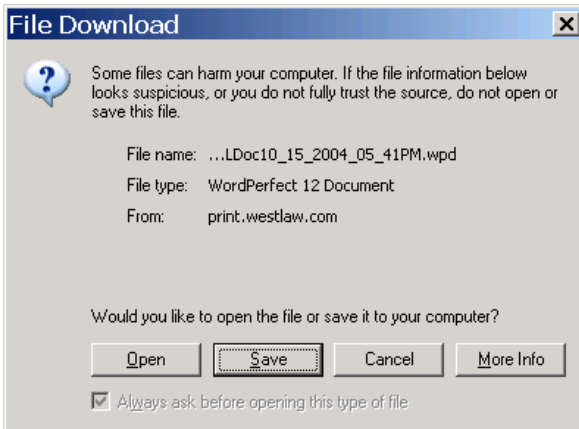


Click "Send Request"

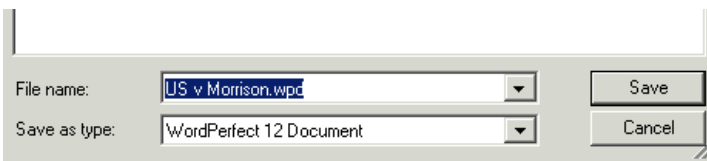
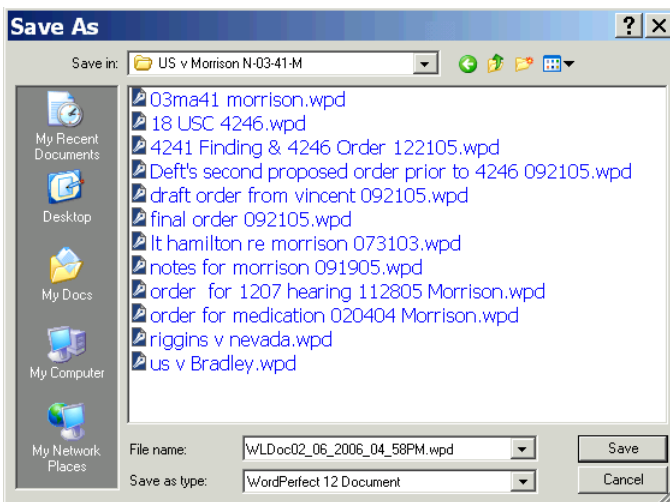
You will see a “processing” notice:



Then in the File Download box, click SAVE

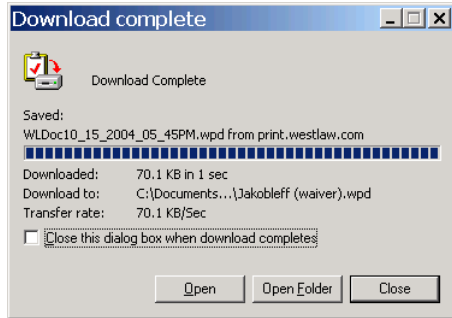


Navigate to the folder where you want to save the document:



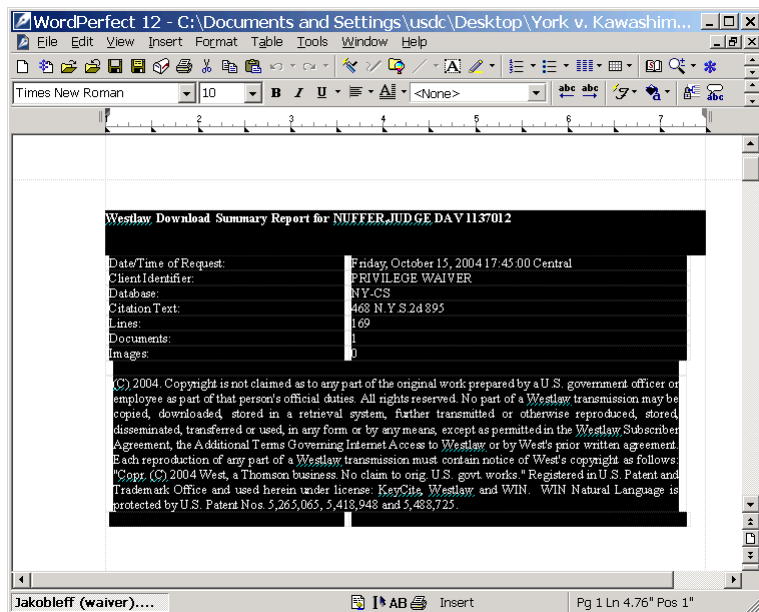
Name the document something sensible! The Westlaw proposed name is NOT helpful.

After the document SAVES

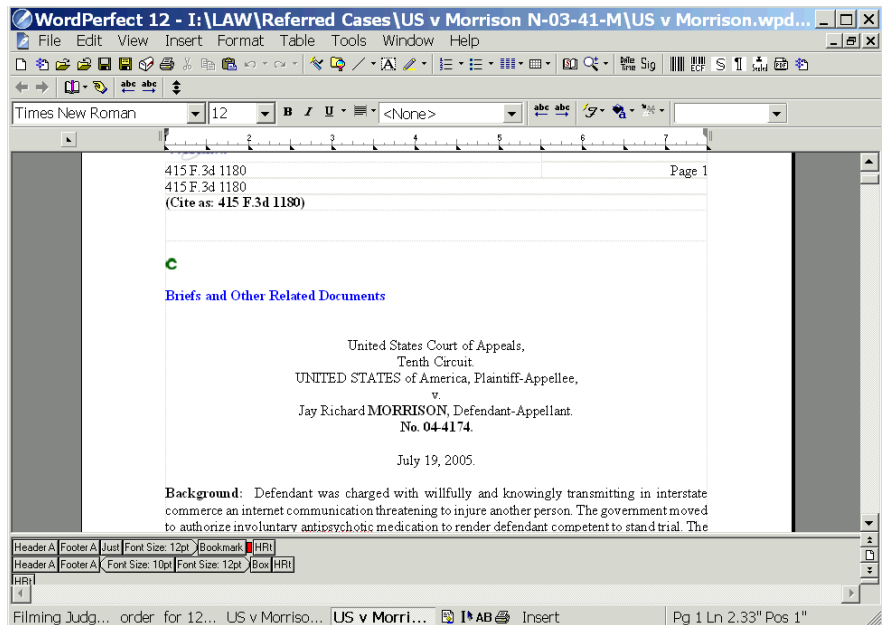


Click OPEN

If you see a summary page one – you don't need it – select and delete all the data on that page.



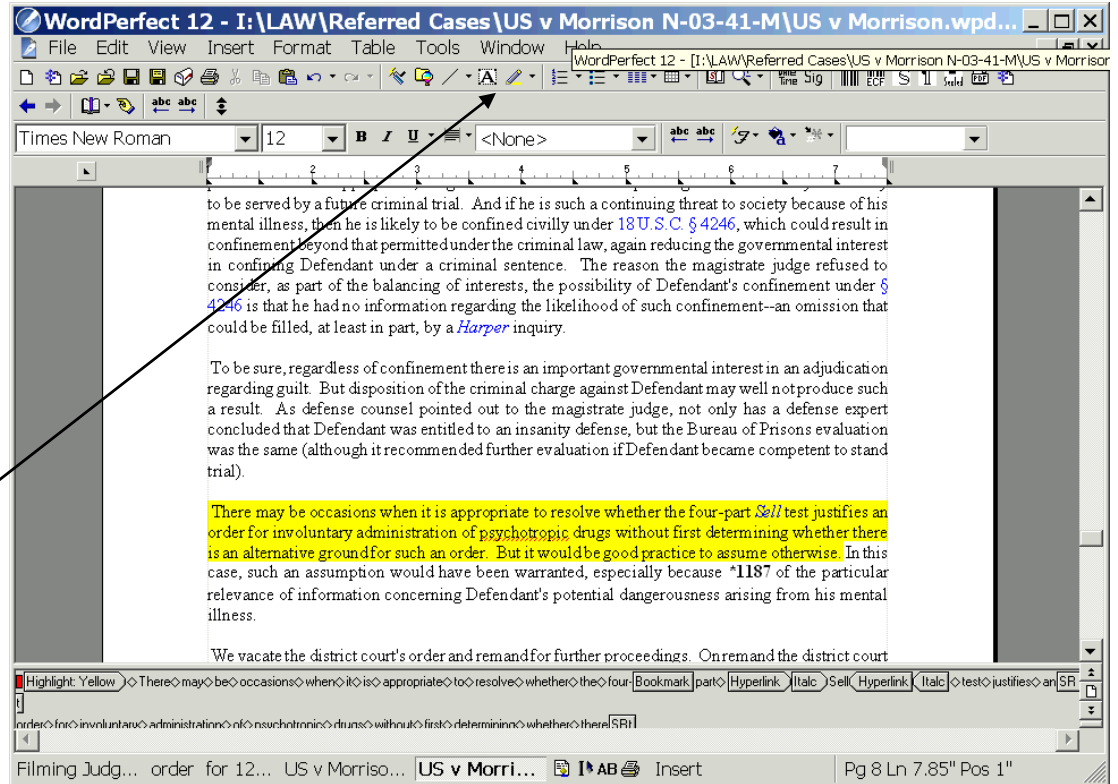
When the actual document is on the first page, CONTROL S to SAVE again.



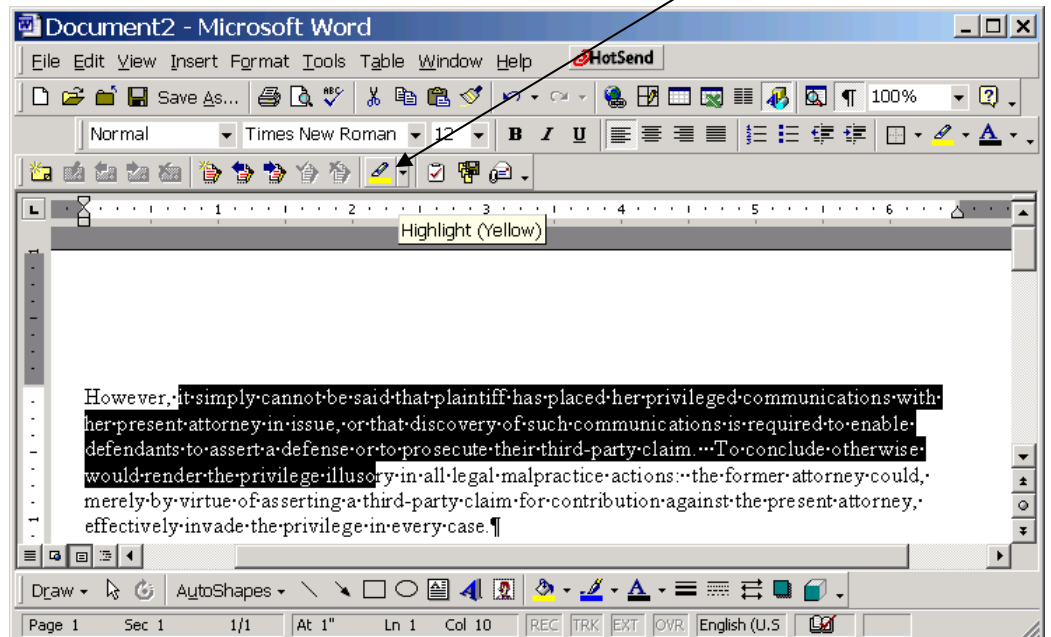
Now, as you work through the document (notice how nice it is to read in one column format) you can highlight as you go, and this is in your permanent record.

In Word Perfect, the Highlight command is ALT-T
ALT-H
ALT-O

Or you can click the HIGHLIGHT tool on the toolbar.



In Word, choose VIEW TOOLBARS REVIEWING TOOLBAR and use the highlighter tool:



Create Documents in the Best Way

Use Hyperlinks to Cited Authorities

Include hyperlinks to authorities cited in your memoranda by using [WestCiteLink](#) or [LexLink](#), part of [LexisNexis Citation Tools 2003](#). See a [sample document with hyperlinks](#). [Another sample](#). [Another sample](#) with a table of contents. [Sample document with Lexis links](#). Click on a link in the sample documents or on blue text below in this sample to see how hyperlinks make it easy to find cases, statutes and rules.

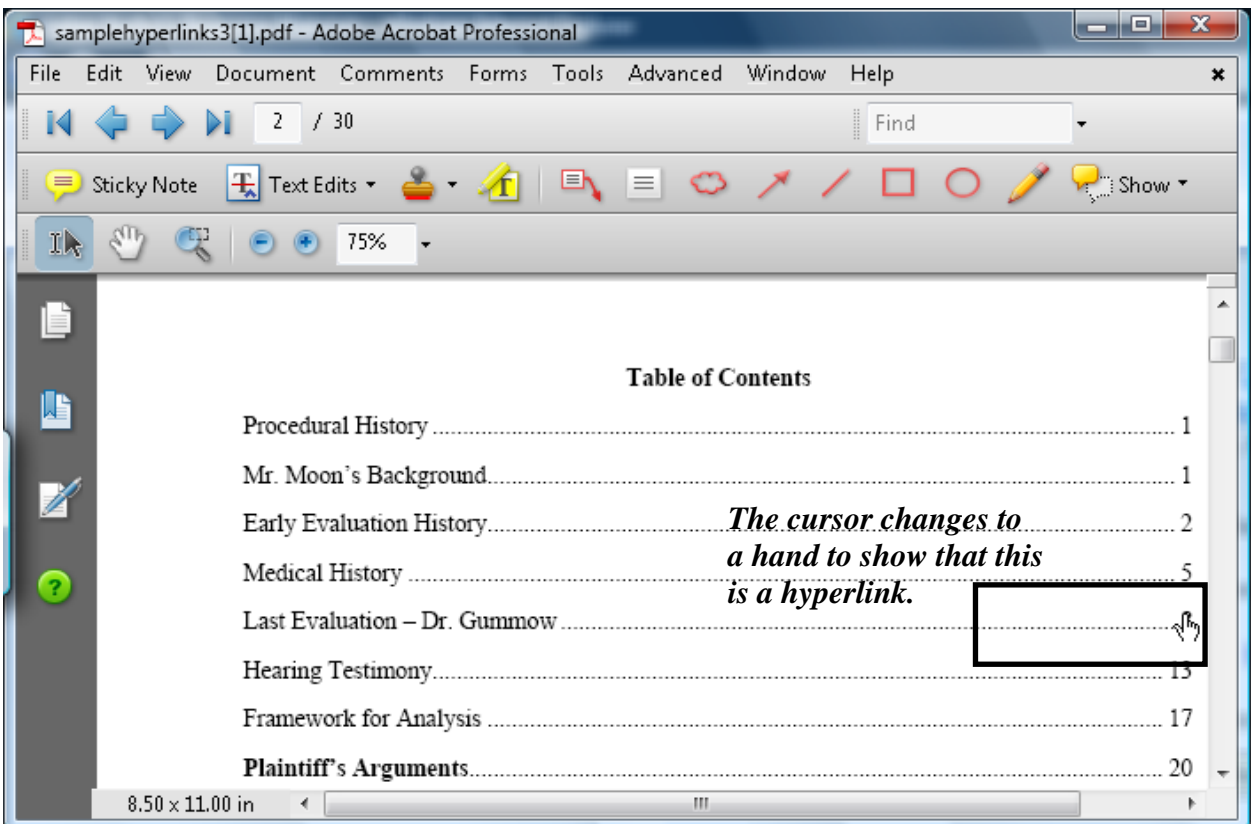
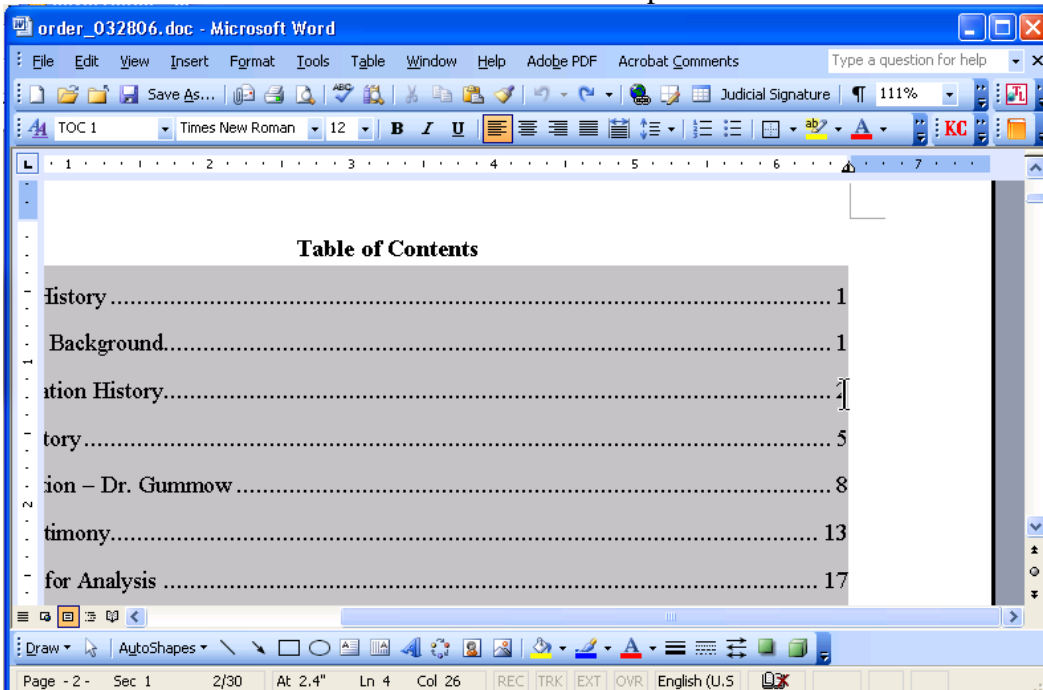
The United States of America filed a petition to enforce its May 19, 2005 IRS Summons ("the Summons") pursuant to [26 U.S.C. §§ 7402\(b\) and 7604\(a\)](#). Judge Stewart issued an Order to Show Cause on January 25, 2006, which referred this matter to the undersigned under [28 U.S.C. § 636\(b\)\(3\)](#). [United States v. Jones, 581 F.2d 816, 817 \(10th Cir. 1978\)](#) (referring IRS summons enforcement to magistrate judge <http://www.westlaw.com/find/default.wl?rs=CLWP3.0&vr=2.0&cite=581+F.2d+816>

The tool to create research hyperlinks for Microsoft Word or WordPerfect is free. The person viewing the document incurs Westlaw or Lexis charges. The court has Westlaw and Lexis access. An April 2006 survey of judges' chambers indicates both are used, but Westlaw use is predominant.

Watch a [video presentation about hyperlinks to cited authorities](#). (requires [Flash player](#)).

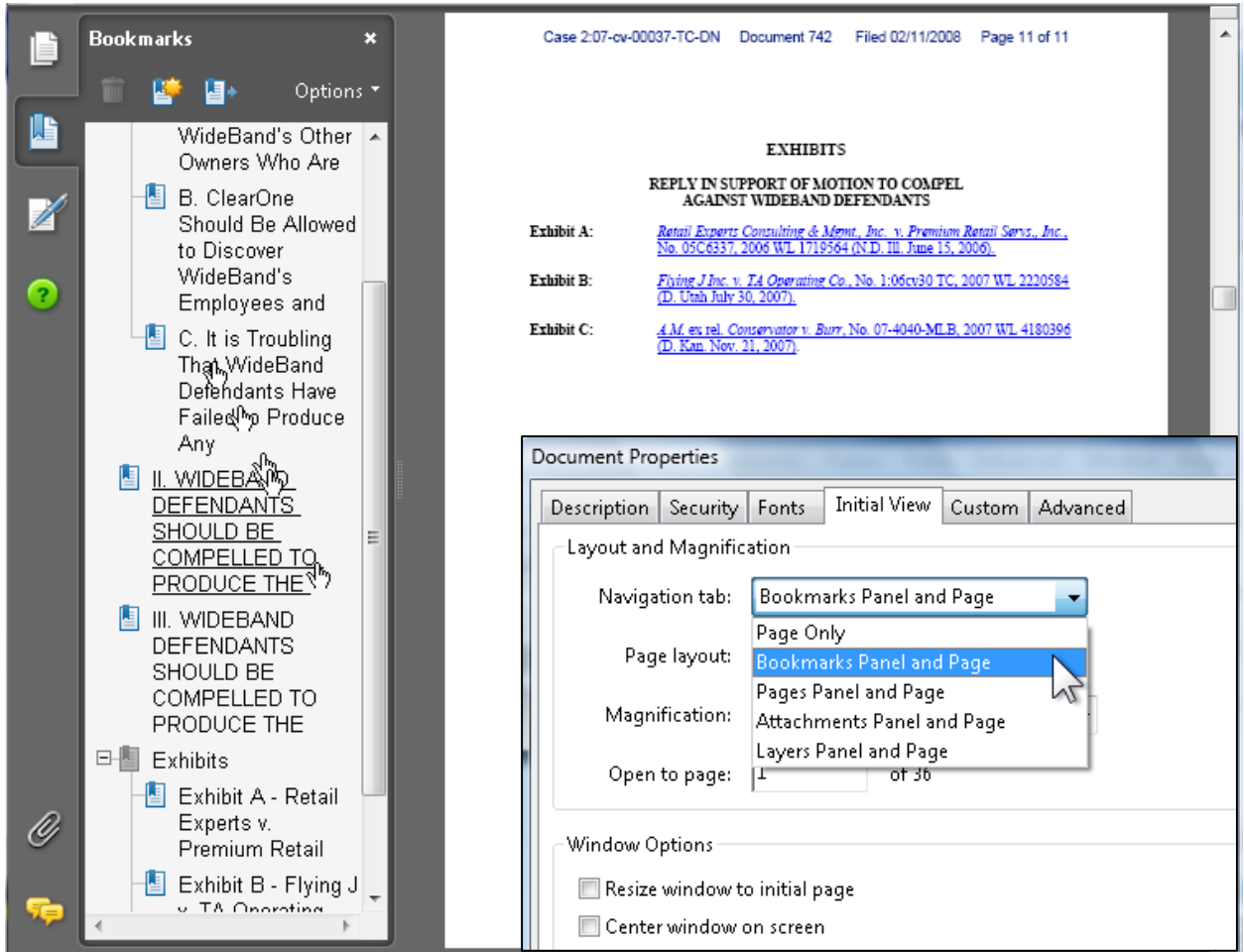
Use Tables of Contents in Long Documents

The links in this Microsoft Word table of contents can be preserved in Adobe Acrobat.



Make Bookmarks for Exhibits and Show the Bookmarks Panel

This PDF document was created using an outline, so there are bookmarks embedded in the PDF – and bookmarks have been created for Exhibits – and the document properties were set so the bookmarks panel shows when it is opened.



Use Document-To-Document Hyperlinks

CM/ECF versions 3.1 and later enable document-to-document hyperlinks. That is, any document in a CM/ECF record can contain a hyperlink to any other document in the CM/ECF record in any court. Documents filed may contain hyperlinks to other documents filed simultaneously, so a memorandum may contain links to a concurrently filed declaration or a previously filed exhibit.

The following document excerpt contains research hyperlinks *and* a link to document 40 in the same case file.

¹⁰ Union Pacific's Memorandum in Support of Motion for Sanctions for Spoliation of Evidence and for Summary Judgment (Supporting Memorandum) at 6, docket no. 40, filed January 15, 2008.

¹¹ *Id.* at 5 (quoting *Phillips v. CSX Transp., Inc.*, 190 F.3d 285, 288 (4th Cir. 1999)).

¹² *Id.* (quoting *Texas & Pac. Ry. Co. v. Griffith*, 265 F.2d 489, 492, 493 (5th Cir. 1959)).

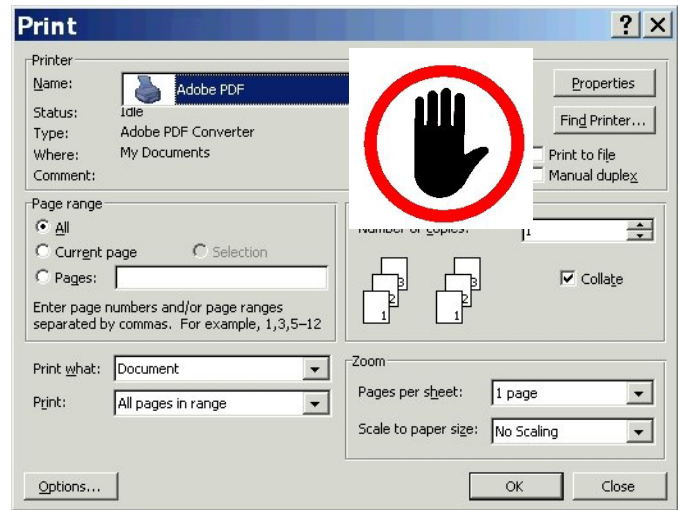
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More information on cross-document hyperlinks, including a video demonstration and written procedure outline is available at <http://www.utd.uscourts.gov/cmecf/ecfpage.html>.

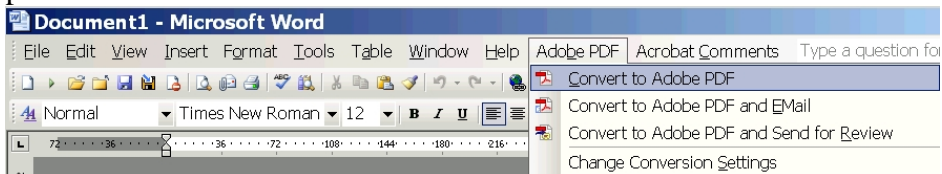
Use PDF Conversion to Preserve Links

When you have prepared a document with hyperlinks to research services or with a Table of Contents, make sure the document is converted to PDF format in a way that preserves the hyperlinks. Even if hyperlinks are present in a word processing document, they may not be converted into PDF format when the document is prepared for filing. This may result from using a PDF converter that cannot convert hyperlinks or from improper settings on a PDF converter. The PDF document created improperly may contain blue text and underlines that signal links, but lack operative links.

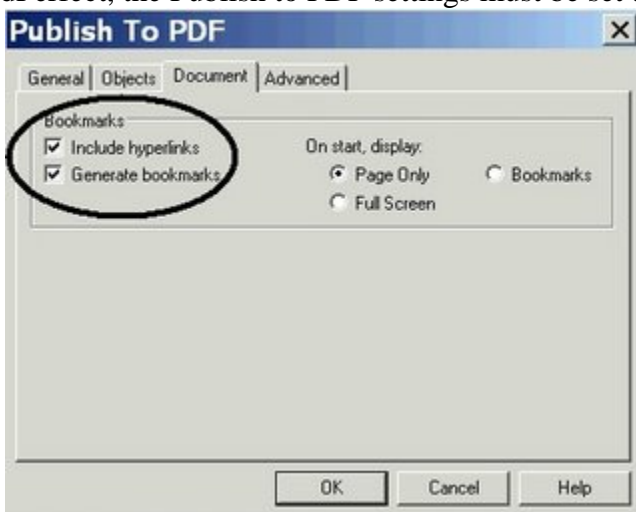
In Microsoft Word, the Adobe PDF printer will **not** convert hyperlinks.



Instead, use the special Adobe PDF menu or toolbar buttons to convert Word documents to PDF with hyperlinks.



In WordPerfect, the Publish to PDF settings must be set to convert hyperlinks and bookmarks.



How it Looks from the Chambers Point of View

Summary NEF



utd_enotice@utd.uscourts.gov To: ecf_notice@utd.uscourts.gov
08/11/2006 12:49 AM cc
bcc: utmj Nuffer/UTD/10/USCOURTS
Subject: Summary of ECF Activity

Activity has occurred in the following cases:

[2:01-cv-00040-DB-DON USA v. Magnesium Corp Amer, et al](#)
Motion to Amend/Correct [292](#)

Docket Text:
Stipulated MOTION to Amend/Correct [230] Order on Motion to Amend/Correct *Scheduling Order* filed by Defendant US Magnesium. (Attachments: # (1) Text of Proposed Order)(Hillman, Shane)

[1:02-cv-00156-TC-DON Nerden, et al v. Dave Moores Inc, et al](#)
Motion for Extension of Time to File Response/Reply [46](#)

Docket Text:
Stipulated MOTION for Extension of Time to File Response/Reply as to [40] Defendant's MOTION for Partial Summary Judgment filed by Defendants Dave Moore's, Inc, David R. Moore. (Attachments: # (1) Text of Proposed Order on Stipulated Motion to Extend Time to File Reply Memorandum in Support of Defendant's Motion for Partial Summary Judgment)(Sanders, Gregory)

[2:03-cv-01098-PGC-DON Lee v. Carlson, et al](#)
Summons Returned Executed [78](#)

Many chambers receive a *summary* Notice of Electronic Filing. It is generated in the early morning hours and includes a summary notice of all filings from the prior day.

Implications:

- Chambers may not know about a filing until the next morning.
- Chambers may not know more than you include in your docket text.
- Only the types of relief you request will show on the docket text and title.

The Motions Report

The screenshot shows a Microsoft Internet Explorer browser window displaying the CM/ECF website for the U.S. District Court. The address bar shows the URL: https://ecf.utd.circ10.dcn/cgi-bin/login.pl?630552747572873-L_186_0-1. The website has a blue header with the CM/ECF logo and navigation links: Civil, Criminal, Query, Reports, Utilities, and Logout. The main content area displays a motion report for a "MOTION for Protective Order" filed on 05/04/2006 by Gateway Inc. The report includes a docket text and related filings section with the following entries:

- 05/04/2006 [101](#) MEMORANDUM in Support re [100] MOTION for Protective Order filed by ThirdParty Defendant Gateway Inc. Exhibits have not been scanned, (not of a scannable quality). Document will be retained. (jmr) Modified on 5/10/2006-Exhibits have now been scanned as document 102 (jmr).
- 05/10/2006 [102](#) EXHIBITS filed by Gateway Inc re [100] MOTION for Protective Order, [101] Memorandum in Support of Motion. Filed with document but were not scanned at that time. (jmr)
- 05/10/2006 [104](#) RESPONSE to Motion re [100] MOTION for Protective Order by Third-Party Gateway, Inc. filed by Counter Defendant Phillip M. Adams. (Phillips, Gregory)
- 05/17/2006 [107](#) RESPONSE to Motion re [100] MOTION for Protective Order filed by Defendant International Business Machines Corporation. (Attachments: # (1))(Shaughnessy, Todd)
- 06/15/2006 [115](#) ORDER taking under advisement [100] Motion for Protective Order. **IT IS HEREBY ORDERED** that Plaintiff, Gateway and IBM shall each (or collectively, if desired) file a statement on or before June 23, 2006, stating whether the position stated in their papers on file on this motion has changed. Any document not efiled shall be emailed to mj.nuffer@utd.uscourts.gov. Signed by Judge David Nuffer on June 15, 2006. This is a docket text order and there is no associated document. (Nuffer, David)

The motions report is a key action tool for chambers. All documents related to a motion show on the report, with docket text and hyperlinks.

Implications:

- If you don't file a document as a motion (i.e., as a request or stipulation), neither it nor any related documents will show on a motion report.
- If you don't link a document to a motion, the document you file will not show on a motion report.
- If you don't select multiple forms of **relief** when filing, the court may not be aware of your requested relief. There is also a barrier to granting relief because CM/ECF shows no motion for that specific relief.

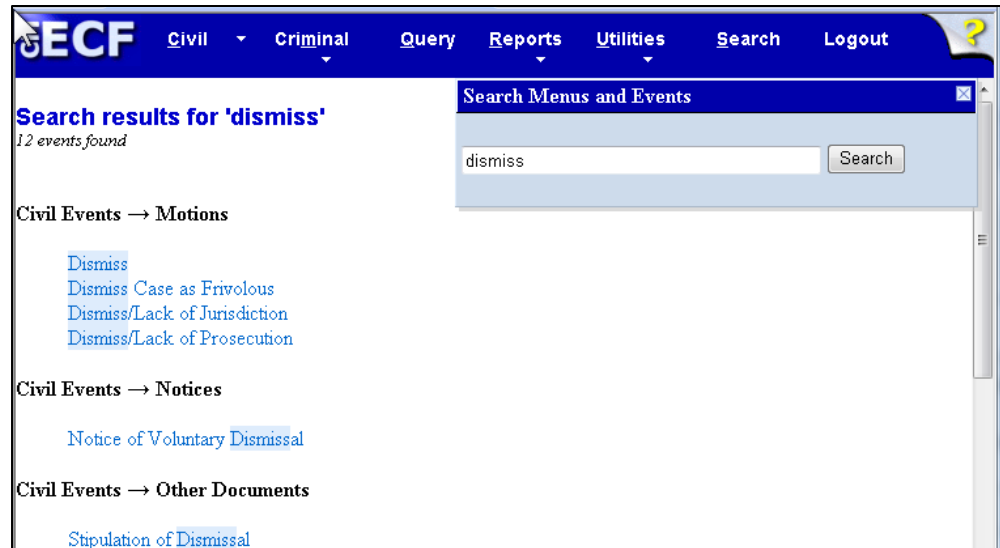
Select All the Right Forms of Relief

Unsure what event to use? Try the search button on the blue bar. It will bring up all events containing the word that you enter.



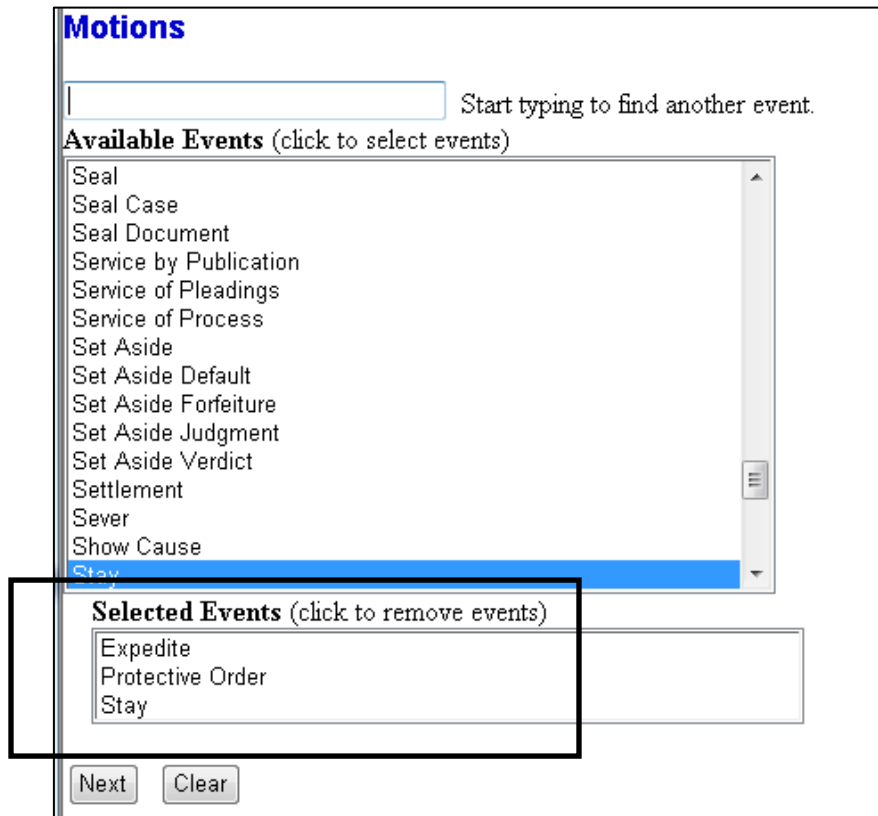
For example, click Search, and enter “dismiss”, and the search will return all events that contain the word “dismiss.”

The search results are all hyperlinks to start the event filing sequence:



Alternatively, go to the Motions page and type in the word you want to find.

Select ALL forms of relief requested in your motion.



Clearly Identify Exhibits

When including attachments,

ECF
Civil • Criminal • Query • Reports • Utilities • Logout

Responses, Replies and Other Motion Related Documents
[2:05-cv-00805-PGC Hajivandi et al v. Sears Roebuck & Co et al](#)

Select one or more attachments.

1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).

Filename

2) At your option, select a document category, enter a description, and select a type.

Category **Description**

Only use the CATEGORY if it is truly appropriate Use DESCRIPTION - descriptions may go up to 255 characters!

Good DESCRIPTIONS make documents accessible

ECF
Civil • Criminal

Document Selection Menu

Select the document you wish to view.

Part	Description	
1	Main Document	15 pages
2		3 pages
3		10 pages
4		6 pages
5		6 pages
6		6 pages
7		6 pages
8		8 pages

ECF
Civil • Criminal

Document Selection Menu

Select the document you wish to view.

Part	Description	
1	Main Document	18 pages
2	Exhibit A - Patent	16 pages
3	Exhibit B - Sevea Brochure	7 pages
4	Exhibit C - Activ Inst Sheet	5 pages
5	Exhibit D - Photo Sample Product	2 pages
6	Exhibit E - Photo Sevea Pamphlet	8 pages
7	Exhibit F - Photo ACA	35 pages
8	Exhibit G - Email to Plaintiff	3 pages