

**EMERGENCY PROCEDURES
FOR THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS**

Revised 7/19/10

These emergency procedures are to be used to submit a document for filing **when there is an emergency affecting access to the divisional office where your case is pending, and/or ECF, which prevent you from submitting a document for filing in the ordinary course.** Also, see FED. R. CIV. PROC. 6(a)(3) and FED. R. CRIM. PROC. 45(a)(3) for rules related to the extension of time due to inaccessibility of the Clerk's Office. These procedures are to be used during the emergency **unless you are otherwise directed by a judge in an individual case.**

If you are unable to file a document electronically due to a technical failure or system outage **that affects you and not the court's ECF system** (for example, you are unable to file a document electronically because your firm's computer network is down), then [click here](#) for instructions.

PLEASE PRINT THIS INFORMATION, INCLUDING ALL ATTACHMENTS, FOR YOUR RECORDS IN CASE THIS WEBSITE FAILS. CHECK THE INFORMATION PERIODICALLY FOR UPDATES.

If at some future date this website (<http://www.txnd.uscourts.gov>) is inaccessible due to an emergency condition affecting the District Court, you may go to our alternate emergency website (<http://coop.txnd.uscourts.gov>). Our website will regularly post updated emergency procedure content. You may also call the main telephone number of the divisional office where your case is pending. If your call is not answered by a clerk's office employee, please listen to any recorded message that may be provided for information about the status of that divisional office.

Whenever the telephone system for a divisional office is not working, call the first alternate divisional office on the succession list of divisional offices provided at the bottom of these instructions. If the telephone system of the first alternate divisional office is not working, call the second alternate divisional office.

I. Filers Requesting Immediate Review

If you have a document, such as a motion for a temporary restraining order, that must be seen by a judge immediately, call the divisional office where your case is pending. If you call during business hours and the telephone system for the divisional office is not working, then contact the deputy in charge for an alternate divisional office pursuant to the succession list of divisional offices at the end of these instructions.

II. ECF Filers

A. Continue to Use ECF

If you are an ECF filer, ECF should still be available even if the office where your case is pending is inaccessible due to an emergency closure. Submit your document electronically as usual. You may access ECF directly at <https://ecf.txnd.uscourts.gov>. If you have difficulty accessing ECF during business hours:

- contact the ECF help desk for assistance in Amarillo (800-596-9414), Dallas/Wichita Falls (866-243-2866), Fort Worth (800-240-7240), or Lubbock/Abilene/San Angelo (806-472-1905);
- use the [ECF On-Line Help](#) system; or
- contact the office manager for the division where your case is pending. If you call during business hours and the telephone system is not working, contact the manager in an alternate division pursuant to the succession list of divisional offices at the end of these instructions.

B. If a Deadline Will be Missed, Use this Alternate Procedure

Use this alternate procedure to submit a document electronically **only** if you are an ECF filer who cannot submit your document for filing using ECF because ECF is not working (if ECF experiences a technical failure, a notice will be posted on the court's website), and you are in **danger of missing a filing deadline**. **CAUTION:** If you use this procedure because of an emergency affecting you, while ECF is working, or you are not in danger of missing a filing deadline, the presiding judge may direct the clerk's office to unfile the document.

Step 1: Prepare an e-mail message that clearly states why you must submit the document for filing in this manner. Specify your filing deadline, and the date and time(s) when you attempted to submit the document using ECF.

Step 2: Ensure that your document is in Portable Document Format (PDF) and attach the PDF document to an e-mail message and send the message to:

USDCemergencyfile@txnd.uscourts.gov

Step 3: Keep proof of the date and time when you sent this e-mail in case a question arises.

C. Second Alternate Procedure

Use this second alternate procedure if you satisfy the conditions for submitting your document for filing using the first alternate procedure in B., above, but you cannot complete the first alternate procedure.

Submit an electronic (on disk, CD or DVD) version of your document in Portable Document Format (PDF) to the clerk's office. Contact the office manager of the division where your case is pending to obtain assistance. If you call during business hours and the telephone system is not working, contact the manager in an alternate division pursuant to the succession list at the end of these instructions. If you meet the conditions, you may be granted an opportunity to have the document filed in that divisional office.

D. Continue to Submit a Paper Judge's Copy, If Required

If the presiding judge requires you to provide a judge's copy of a filed document (whether the document was filed using ECF, or was submitted for filing using one of the alternate methods described in B. or C., above), send the judge's copy by mail (USPS or other service) to the divisional office where your case is pending.

III. Paper Filers

A. Mail or Hold All Papers

Unless you will miss a filing deadline, if a divisional office is inaccessible due to an emergency closure, mail the papers to the divisional office or hold them until the affected office is open for business. (Note: filing procedures for prisoner litigants remain the same.)

B. If a Deadline Will be Missed, Use This Alternate Procedure

Use this alternate procedure only if a divisional office is inaccessible due to an emergency closure, and you are in **danger of missing a filing deadline**. **CAUTION:** If you use this procedure and you do not satisfy both of these conditions, the presiding judge may direct the clerk's office to unfile the document.

- Step 1: Prepare an e-mail message that clearly states what your filing deadline is.
- Step 2: Convert your document to Portable Document Format (PDF) and attach the PDF document to the e-mail message and send the message to:

USDCemergencyfile@txnd.uscourts.gov

- Step 3: Keep proof of the date and time when you sent the e-mail in case a question arises.

When you submit a document using this alternate method, you must mail the original and the requisite number of copies (per the local rules) to the appropriate divisional office. If you fail to submit the original and copies, the presiding judge may direct the clerk's office to unfile the document.

C. Second Alternate Procedure

If you cannot use the alternate procedure in B., above, and you are in **danger of missing a filing deadline**, then contact the office manager in an alternate division pursuant to the succession list of divisional offices at the end of these instructions. You may be granted an opportunity to submit the document for filing in that divisional office.

IV. Parties Scheduled for Court Proceedings

You will likely receive communication from the judge's staff or clerk's office personnel if you are scheduled for a court proceeding in a divisional office that is inaccessible due to an emergency closure. You may also look on the court's website for posted information.

V. Court Advisory Committee Members

At least one member of the court's advisory committee resides in each division of the Northern District of Texas. The clerk's office will provide these [members](#) with information that can be disseminated in the event of an emergency closure of a divisional office.

Succession List of Divisions

<i>Emergency In</i>	<i>First Alternate Contact, Office Manager</i>	<i>Second Alternate Contact, Office Manager</i>
Abilene Division	Lubbock Division 806-472-1900	San Angelo Division 325-655-4506
Amarillo Division	Fort Worth Division 817-850-6601	Dallas Division 214-753-2201
Dallas Division	Fort Worth Division 817-850-6601	Wichita Falls Division 940-767-1902
Fort Worth Division	Dallas Division 214-753-2201	Wichita Falls Division 940-767-1902
Lubbock Division	Abilene Division 325-677-6311	San Angelo Division 325-655-4506
San Angelo Division	Lubbock Division 806-472-1900	Abilene Division 325-677-6311
Wichita Falls Division	Dallas Division 214-753-2201	Fort Worth Division 817-850-6601

**ATTACHMENT TO EMERGENCY PROCEDURES
FOR THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS**
Revised 7/19/10

The following instructions are for submitting a document to the court when an ECF user is unable to submit the document electronically due to the ECF user's technical difficulties **and** the ECF user is in danger of missing a filing deadline as a result of the technical difficulties. For example, an ECF user's law firm may have a power outage that prevents the ECF user from submitting a document through ECF.

INSTRUCTIONS:

The presiding judge will decide the consequences of your failure to submit a document through ECF. **You should first attempt to obtain directions from the presiding judge's chambers if you are unable to submit a document through ECF and will consequently miss a deadline** ([click here](#) for a chambers phone directory).

If you are unable to obtain directions from the judge's chambers and are in danger of missing a deadline, you may wish to take immediate steps to demonstrate your effort to submit the document for filing. Steps might include submitting an electronic (on disk, CD or DVD) version of your document in Portable Document Format (PDF) through the court's emergency e-mail system (USDCemergencyfile@txnd.uscourts.gov), or bringing an electronic (on disk, CD or DVD) version of your document in Portable Document Format (PDF), or a paper copy of the document, to the clerk's office.

Regardless of the alternate method you choose, you must clearly state in an attached document why you are submitting the document for filing using the alternate method. Specify your filing deadline, the date and time when you tried to submit the document properly through ECF, and the specific nature of the technical difficulty that prevented you from submitting the document through ECF.

CAUTION:

Due to the realistic possibility of periodic technical failures or system outages, if you have a filing deadline, you should electronically file your document before the clerk's office is scheduled to close at 4:30 p.m. each business day.