# Working Smart in the CM/ECF World 3<sup>rd</sup> Circuit Judicial Conference April 2008

David Nuffer U.S. Magistrate Judge

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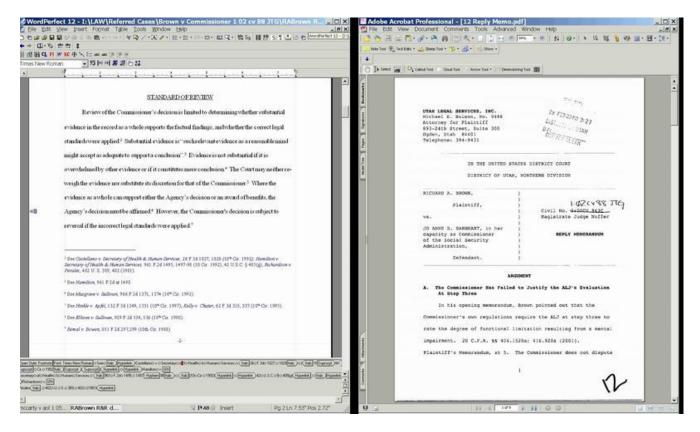
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This document contains colored text and hyperlinks. Download it at http://www.utd.uscourts.gov/judges/nuffer\_resources.htm

#### **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.<sup>1</sup>

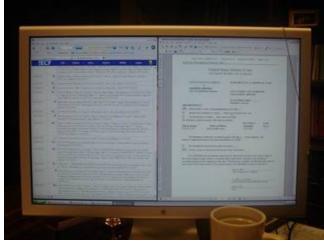


#### Word Perfect document

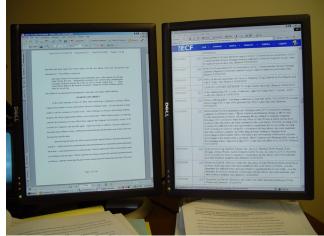
Adobe Acrobat document (from CM/ECF)

*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.)

<sup>&</sup>lt;sup>1</sup> 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

<u>HOW TO: Set Up and Troubleshoot Multiple Monitors in Windows 2000</u> (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.

<u>NVIDIA</u> <u>ATI</u> (use keyword "dual display" to search products) <u>Matrox</u>

Many display adapters are able to use **special software which permits** <u>rotation of displays</u>. 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. <u>Instructions</u>

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

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2	Exhibit A - Retail Experts Consulting v. Premium Retail Servs.	6 pages			
<u>3</u>	Exhibit B - Flying J, Inc. v. TA Operating Co.	16 pages			
4	Exhibit C - A.M. ex rel. Conservator v. Burr	3 pages			
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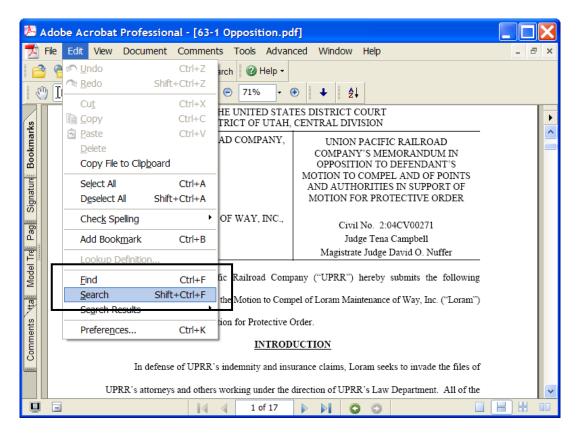
VIEW ALL creates a single comprehensive PDF document. DOWNLOAD ALL creates a Zip Folder.

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Example:	101 Memorandum in Support (100)

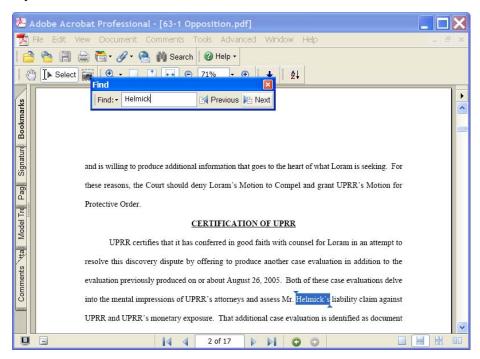
#### Searching PDF Documents

#### Acrobat has two powerful search tools.

Video Demonstrations: Find and Search in Acrobat.



FIND takes you to each successive instance of a word.

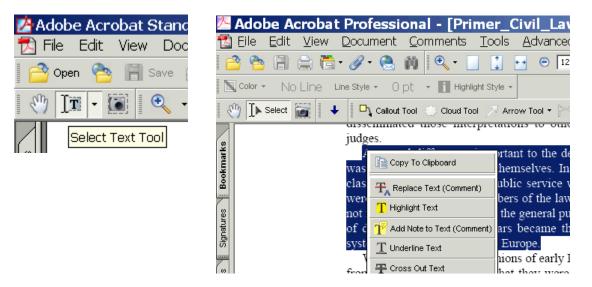


SEARCH shows a listing of all instances of a word in the document.

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#### 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.



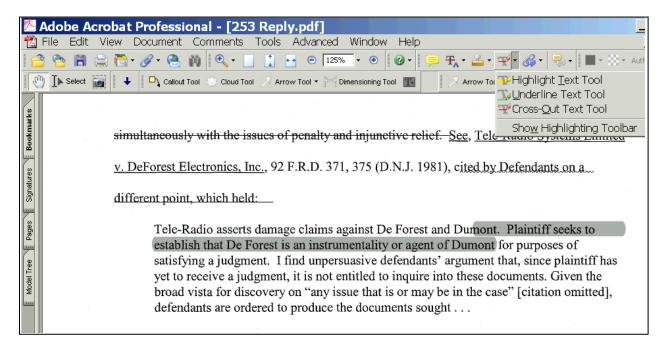
The text may be pasted into any word processor or email program.

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A second difference, important to the development of the c was the nature of the jurists themselves. In Rome, jurists w citizens performing a public service without pay. In mediev were primarily teachers, members of the law faculties of th not from the nobility but from the general public. They gen of doctor. These legal scholars became the midwives in the system of law for an emerging Europe.¶	vere private, u val Italy they ne universities nerally carried

#### 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.

simultaneously with the issues of penalty and injunctive relief. See, Tele-Radio Systems Limited

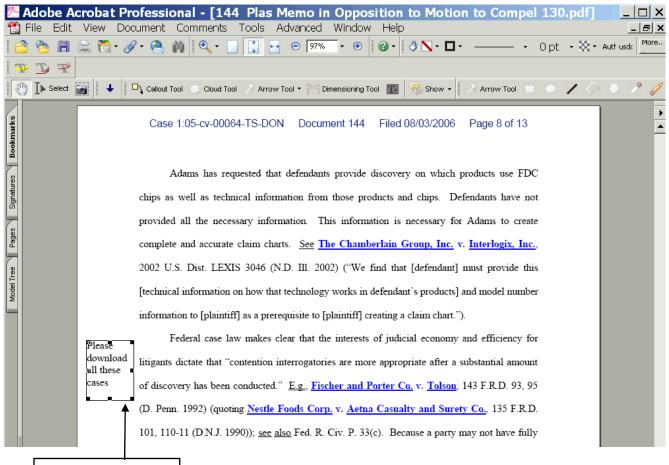
v. DeForest Electronics, Inc., 92 F.R.D. 371, 375 (D.N.J. 1981), cited by Defendants on a

different point, which held:

Tele-Radio asserts damage claims against De Forest and Dumont. Plaintiff seeks to establish that De Forest is an instrumentality or agent of Dumont for purposes of satisfying a judgment. I find unpersuasive defendants' argument that, since plaintiff has yet to receive a judgment, it is not entitled to inquire into these documents. Given the broad vista for discovery on "any issue that is or may be in the case" [citation omitted], defendants are ordered to produce the documents sought . . .

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

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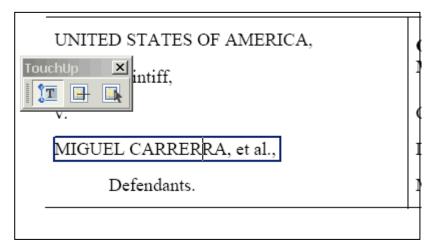
This is a text box

#### 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.

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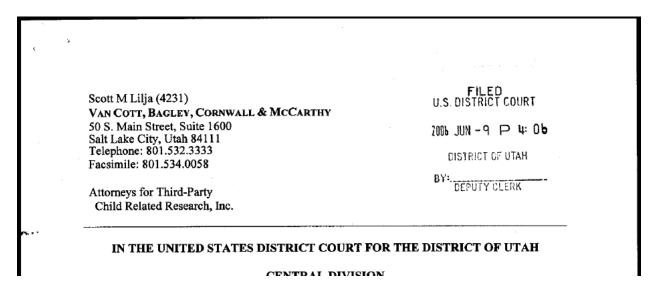


#### Know the Types of PDF Documents

The court cares what kind of PDF document you file.

Video Demonstration: Types of PDF Documents

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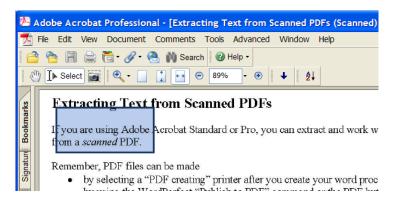


Text PDF - small file, searchable, copying, links, clear

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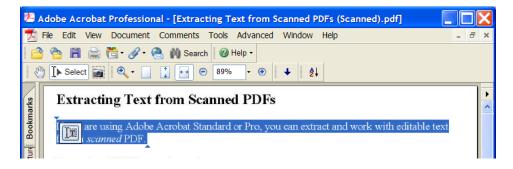
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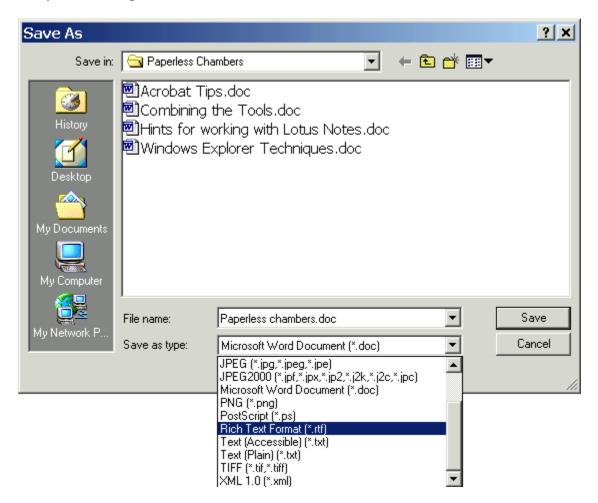
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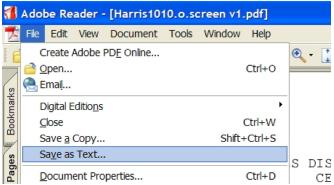


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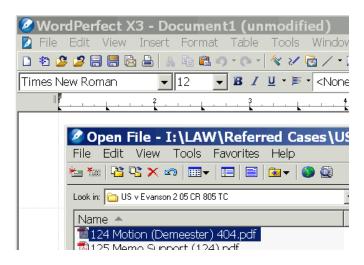


Even if you don't have Acrobat Standard or Professional, you can save from Acrobat Reader in text format.

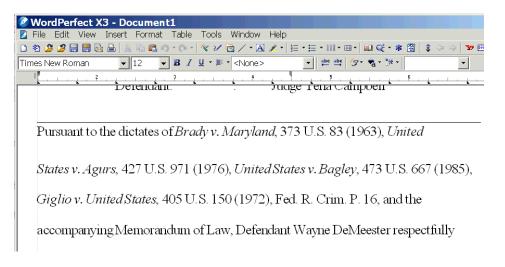


#### WordPerfect X3 Opens PDF Files

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.



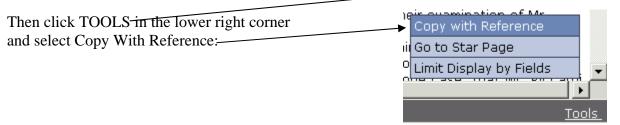
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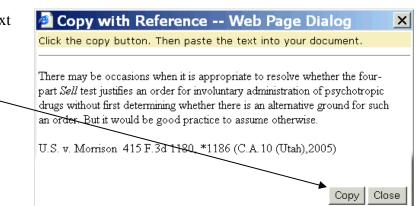
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Result List       Links for         5 Docs       415 F.3d 1180         Full Screen List       Edit Search   Locate in Result         C Citing References available       KeyCite         Full History       Citing References         Direct History       Graphical View)         Citing References       Citing References	C U.S. v. Morrison 415 F.3d 1180 C.A.10 (Utah),2005. Jul 19, 2005 (Approx. 5 pages) To be sure, 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).
Monitor With KevCite Alert  Full-Text Document  Case Outline  Petitions, Briefs & Filings	There may be occasions when it is appropriate to resolve whether the four-part <u>Sell</u> 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 <b>*1187</b> 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
Alc     About       ALR     1. Forcible Administration of Antipsychotic Medication to Pretrial DetaineesFederal Cases       ALR	court should require the Government to proceed first under <u>Harper</u> , or explain why it chooses not to. If involuntary medication is not appropriate under <u>Harper</u> , the district court may then reconsider whether an involuntary-medication order is appropriate under <u>Sell</u> . <b>III. CONCLUSION</b> The order that Defendant be involuntarily medicated is VACATED and the case is REMANDED for further proceedings.
2. Nonconsensual treatment of involuntarily committed mentally ill	



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it is only after such a determination that "the defendant is subject to the provisions of section	
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There may be occasions when it is appropriate to resolve whether the four-part Sell test justifies	
an order for involuntary administration of <u>psychotropic</u> drugs without first determining whether	
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otherwise.	
U.S. v. Morrison 415 F.3d1180, *1186 (C.A.10 (Utah),2005)	

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C Citing References available KeyCite Full History Direct History (Graphical View) Citing References Monitor With KeyCite Alert  Full-Text Document Case Outline Petitions, Briefs & Filings RecultsPlues	regarding guilt. But a result. As defens: concluded that Def was the same (alth stand trial). There may be occa order for involuntar an alternative grou case, such an assu relevance of inform illness. We vacate the dist	disposition of the criminal charge against Defendant may disposition of the criminal charge against Defendant may rendant was entitled to an insanity defense, but the Burer rough it recommended further evaluation if Defendant bec asions when it is appropriate to reserve whether the four- ry administration of psychotropic drugs without first deten nd for such an order. But it would be good practice to asi- mation would have been warranted, especially because * ration concerning Defendant's potential dangerousness ari- trict court's order and remand for further proceedings. On e the Gevernment to proceed first under <i>Harper</i> , or explai	well not produce such as a defense expert au of Prisons evaluation ame competent to part <u>sell</u> test justifies an mining whether there is sume otherwise. In this 1187 of the particular sing from his mental remand the district
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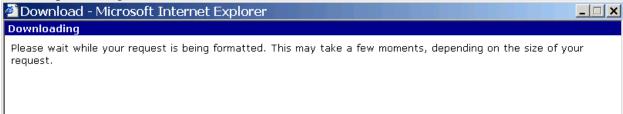
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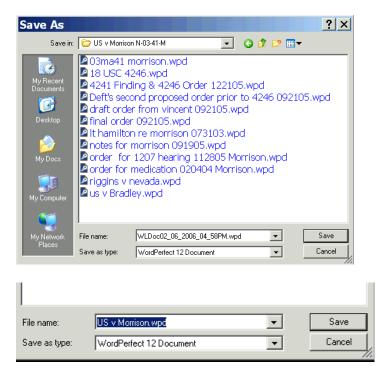
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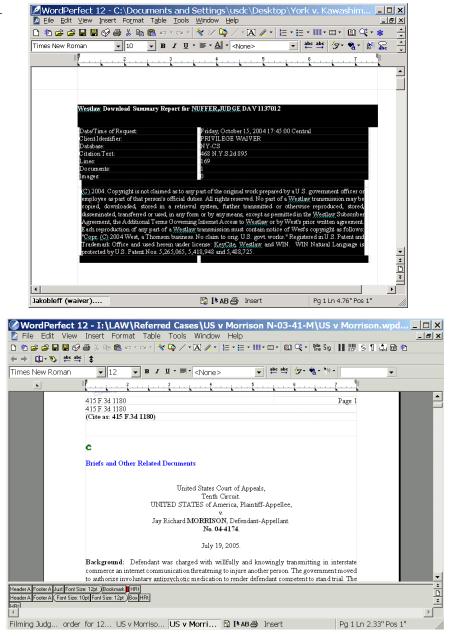
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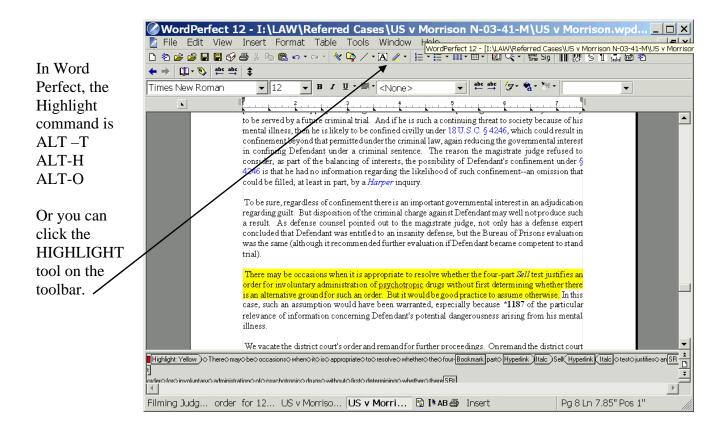


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However, it simply cannot be said that plaintiff has placed her privileged communications with
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defendants to assert a defense or to prosecute their third-party claim To conclude otherwise
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merely by virtue of asserting a third-party claim for contribution against the present attorney,
effectively invade the privilege in every case.
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#### **Create Documents in the Best Way**

#### Use Hyperlinks to Cited Authorities

**Include hyperlinks to authorities cited in your memoranda** by using <u>WestCiteLink</u> or <u>LexLink</u>, part of <u>LexisNexis Citation Tools 2003</u>. See a <u>sample document with hyperlinks</u>. <u>Another sample</u>. <u>Another sample</u> with a table of contents. <u>Sample document with Lexis links</u>. 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 judehttp://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

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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.

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?	WideBand's Employees and	Exhibit B:         Flying J Inc. v. TA Operating Co., No. 1:06cv30 TC, 2007 WL 2220584 (D. Utah July 30, 2007).
	C. It is Troubling	Exhibit C: <u>4.M. ex. rel. Convervator v. Burr, No. 07-4040-MLB, 2007 WL 4180396</u> (D. Kan. Nov. 21, 2007).
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#### 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.

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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.

<sup>&</sup>lt;sup>10</sup> Union Pacific's Memorandum in Support of Motion for Sanctions for Spoliation of Evidence and for Summary Judgment (Supporting Memorandum) at 6, docket 10, 40, filed January 15, 2008.

<sup>&</sup>lt;sup>11</sup> Id. at 5 (quoting Phillips v. CSX Transp., Inc., 190 F.3d 285, 288 (4th Cir. 1999)).

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

#### **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 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 contains blue text and underlines that signal links, but lack operative links.

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

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

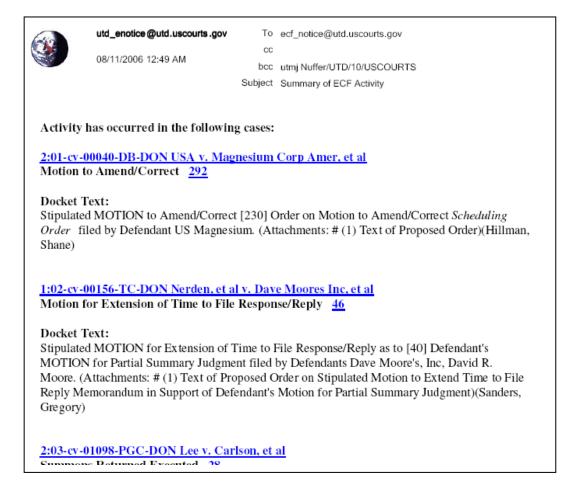
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#### How it Looks from the Chambers Point of View

#### Summary NEF

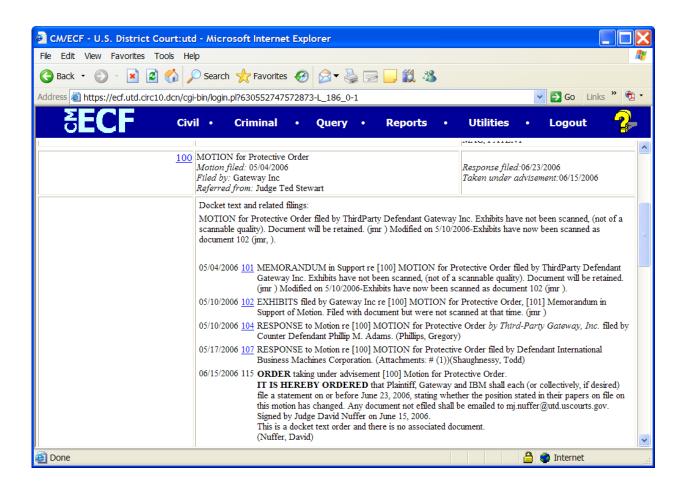


Many chambers receive a *summary* Notice of Electronic Filing. It is generated in the early morning hours and includes a summary notice of all filings from the prior day.

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 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:

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Notice of Voluntary Dismissal						
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Stipulation of Dismissal						

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

Select ALL forms of relief requested in your motion.

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# Clearly Identify Exhibits

When including attachments,

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2) At your option, select a document category, enter a description, and select a type.					
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Good DESCRIPTIONS make documents accessible

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