

Fifth Circuit U.S. Court of Appeals

How to File an Amicus Curiae Brief

(with notes for **Intervenor** Briefs)

1. Single click **Docketing** from the menu bar.
2. Single click **File a Document** from the drop-down menu.



3. Click to place your cursor in the **Case:** text box.

A screenshot of the 'File a Document' page in a web application. The page has a green header bar with the text 'Docketing SELECT THE TYPE OF DOCUMENT YOU ARE FILING'. Below it is a grey navigation bar with links: 'Docketing', 'Reports', 'Utilities', 'Logout', and 'Help'. The main content area is light blue and contains the following elements:

- A vertical sidebar on the left with the text 'M/ECF Appellate'.
- The case name 'Case 60-23232 Lyondell Chemical Co, et al v. Albemarle Corp, et al'.
- The title 'File a Document'.
- A 'Case:' text box containing '60-23232', which is circled in red. To its right is a link: 'Enter case number as yy-nnnn (e.g., 05-2475)'.
- A 'Filed Date: 10/05/2009' label.
- A section titled 'SELECT A CATEGORY' with a radio button. Below it are several options: 'Bill of Costs', 'Briefs', 'Calendar', 'Case Opening and Reopening', 'Certificate of Appealability', 'Fee', and 'Miscellaneous'.
- A section titled 'SELECT THE TYPE OF DOCUMENT YOU ARE FILING' with a radio button. Above it is a link: 'Select One'.

4. Enter your case number (ex. 08-10084, 08-2).
5. Single click a radio button to the left of **Briefs**. When a choice is made, the available events for that category display on the right.

☒ **SELECT A CATEGORY**

☐ Bill of Costs

☐ Briefs

☐ Calendaring

☐ Case Opening and Reopening

☐ Certificate of Appealability

☐ Fee

☐ Miscellaneous

☐ Motion, Response, Reply

☐ Party, Attorney

☐ Transcript, Court Reporter

6. Scroll through the list and single click a radio button to the left of **Amicus Curiae Brief Filed** (or **Intervenor Brief Filed**).

☐ **SELECT A CATEGORY**

☐ Bill of Costs

☒ **Briefs**

☐ Calendaring

☐ Case Opening and Reopening

☐ Certificate of Appealability

☐ Fee

☐ Miscellaneous

☐ Motion, Response, Reply

☐ Party, Attorney

☐ Transcript, Court Reporter

When the Briefs category is chosen, available brief events display to the right.

Select One

☒ **SELECT THE TYPE OF DOCUMENT YOU ARE FILING**

☐ ECF Appellant/Petitioner Brief Filed

☐ ECF Anders Brief Filed

☐ ECF Appellee/Respondent Brief Filed

☐ ECF Appellant/Petitioner Reply Brief Filed

☐ ECF Cross Appellant/Petitioner Brief Filed

☐ ECF Cross Appellee/Respondent Brief filed

☐ ECF Cross Appellant/Petitioner Reply Brief Filed

☐ ECF Record Excerpts Filed

☐ ECF Corrected Brief Filed (to Correct Content - MUST FILE MOTION)

☐ ECF Brief Made Sufficient (previously deemed insufficient)

☐ ECF Motion No Appellee/Respondent Brief Made Filed

7. If your case is associated with another case (e.g., consolidated, cross-appeal, additional), the other case will display in the **Case Selection** box and will default as checked so that the entry you are docketing will be applied to both cases (or all cases if multiple are listed).

In the situation where your filing does not apply to all cases checked,

single click the checkbox to the left of the case to de-select it.

Uncheck boxes for each case in which this document should not be filed.

Case Selection

- ☒ 60-23232 Lyondell Chemical Co, et al v. Albemarle Corp, et al (Target Case)

Total: 0 Selected: 0

All Clear All

This case is not associated with another case. The case you selected to file displays and no change can be made.

8. Click **Continue** to proceed to the next screen.
9. On the popup message:
 - a. If you have *Consent of the Parties, Leave of Court* or are the *US government*, single click the top checkbox (far right) next to **Continue**. If none of these conditions exist, click **OK**. Remedy the situation and then begin this event again.
 - b. Single click the top **Continue** checkbox to acknowledge that you have filed an appearance in this case. If you have not, do not click the checkbox, simply click **OK**. The event will not proceed. Obtain the appearance form from our web site, file the appearance with that event and then docket the motion.

Docketing ECF Amicus Curiae Brief Filed

Event Preconditions

Case(s):	Explanation:	
All	Warning: You must have CONSENT OF THE PARTIES, LEAVE OF COURT or be the UNITED STATES OR ITS OFFICER OR AGENCY, OR A STATE, TERRITORY, COMMONWEALTH, OR THE DISTRICT OF COLUMBIA to file an Amicus-Curiae Brief.	☐ Continue
	Attention Attorney Filers: Warning: If you have NOT yet filed a Form for Appearance of Counsel , you may NOT docket in this case. The Form for Appearance of Counsel is available at www.ca5.uscourts.gov .	☐ Continue
Information: (Attorneys appointed under the Criminal Justice Act are exempt from the requirement to file a Form for Appearance of Counsel.)		

You must check Continue and OK for processing to continue for the case/s.

OK

For **intervenor** briefs, the latter message asks you to confirm that a) you have filed a notice of intervention if you are a party to a

commission proceeding, or b) you have filed a motion for leave to intervene with the clerk. If neither is true, do not click the bottom checkbox.

If you are able to confirm both warnings are addressed, single click **OK** after clicking the **Continue** checkboxes.

If you click **OK** without confirming the items, you will not be able to proceed past the initial event selection screen.

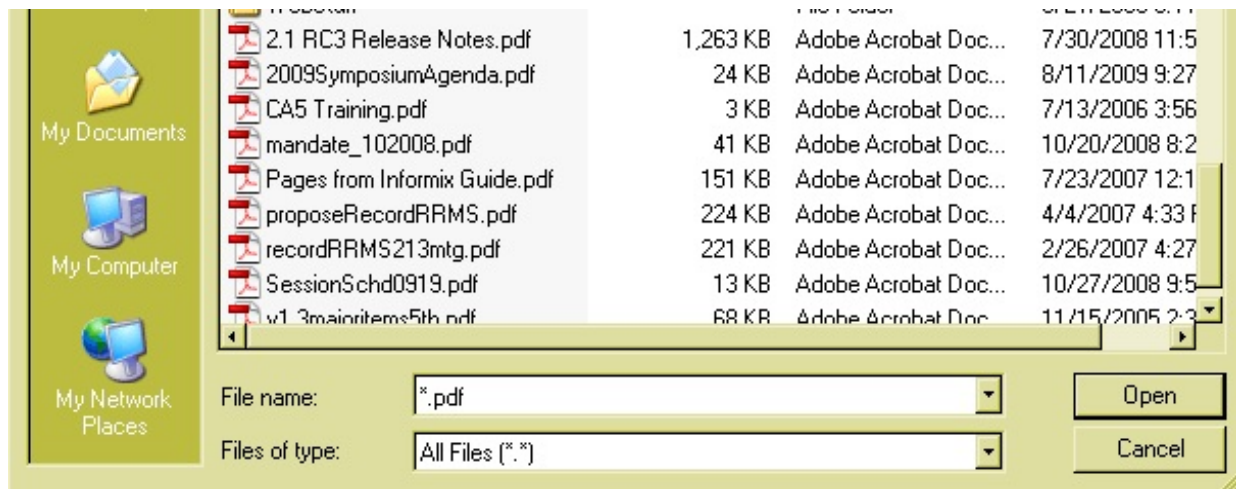
10. Enter the name of the party filing the Amicus Brief in the text box provided.

Additional Information

Type the name of the party filing the Amicus Brief below:

For intervenor briefs, enter the name of the party filing the Intervenor Brief in the text box provided.

11. Upload your document.
 - a. Either type the complete path to the file or click **Browse** to locate it (single click to select the file and click **Open**).



- b. Enter a description for your document using the format of the example below. A description is mandatory.

Amicus Brief of the City of Florence
Intervenor Brief of Jones Company

PDF Document

Document: Description:

12. If you have additional documents to attach to this filing, click **Add Another** and follow the steps in 9 above.

If you want to file something that has a separate event you should use that instead of making it an attachment. However, if your document is so large that it needs to be broken into separate documents, you would upload the extra parts of the documents as attachments. The file size limitation for a single file is 10 MB. If multiple files are attached to the entry, the limitation for all files is 50 MB.

13. Enter the date on your certificate of service. Either type the date in the **Service Date:** text box or single right click in the box. Choose **Select Date from Calendar** and then select the date from the popup monthly calendar.

Service

Service Date:

14. Indicate who you served and how.
 - a. Attorneys in the case will display in the **Service** box. Single click the checkbox to the left of the name to de-select anyone you have not served. To de-select all, single click the checkbox to the left on the title row.

The individual's service preference will default as checked. Registered attorneys will all have a preference checked of **Email**. In the circumstance where an attorney has not yet registered during the voluntary phase, their preference may be set to **US mail** and you should serve them in the pre-CM/ECF manner.

The **Display All** button displays other attorneys that didn't originally display, e.g., attorneys linked to terminated parties. To undo your changes and begin the service process again, click the **Reset**

button. The **Service** box will return to it's original state.

Service

To deselect all, click the upper checkbox. Then, single click each row as needed.

Service Date: 10/01/2009

Service

☐	Name	Originate/Party Type	US mail	Fax	Hand	Email	Clerk	3rd pty
☐	Testaty, Anne, aty	Appellant	☐	☐	☐	☐	☐	☐
☒	Lapeze, Keith W, aty	Appellant Cross-App...	☐	☐	☐	☒	☐	☐
☒	Mattox, Sharon M, aty	Appellant Cross-App...	☐	☐	☐	☒	☐	☐
☒	Bates, David Matthew, aty	Appellee	☐	☐	☐	☒	☐	☐
☒	Fong, Kevin Murray, aty	Appellee	☐	☐	☐	☒	☐	☐

Display All

Reset

15. Click **Continue**.
16. On the **Docket Text** box, you cannot make changes to the text on the popup screen. This is an advance of how the text will look if you complete your transaction. If you need to add text about this entry, add that in the white text box on this screen. The box appears small, but it will hold over 200 characters. When complete, click **Continue**.

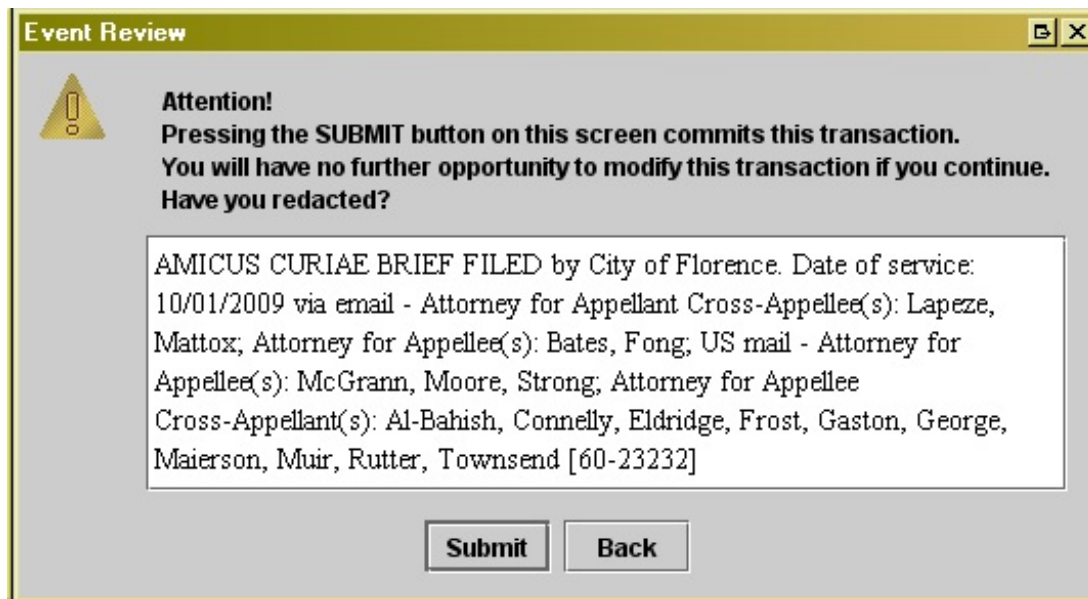
Docket Text

 **AMICUS CURIAE BRIEF FILED by City of Florence.** **Date of service:** 10/01/2009 via email - Attorney for Appellant Cross-Appellee(s): Lapeze, Mattox; Attorney for Appellee(s): Bates, Fong; US mail - Attorney for Appellee(s): McGrann, Moore, Strong; Attorney for Appellee Cross-Appellant(s): Al-Bahish, Connelly, Eldridge, Frost, Gaston, George, Maierson, Muir, Rutter, Townsend [60-23232]

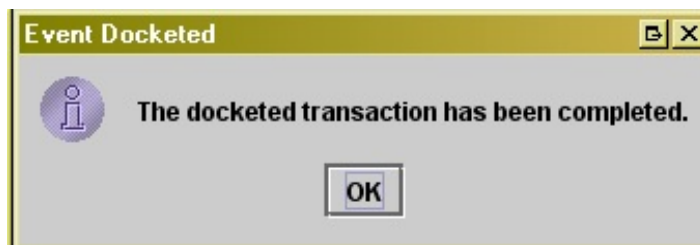
Continue **Back**

If something in the text causes you to believe you have made an error, click **Back** to return to the event. Use the **Back** button to maneuver through the entry to see where you made the mistake.

17. Click **Submit** on the final **Event Review** popup screen. Any text you entered in the box on the prior window will appear in *italics*. Again, if you notice an error at this point, click **Back** to return to the entry and make adjustments.



18. Click **OK** on the **Event Docketed** popup screen as confirmation that the entry has been completed.



19. The Notice of Docket Activity (NDA) will open in a new screen at the completion of your entry. Click the upper right X to close the screen after you have printed or saved it. Alternatively, select **File** from the browser menu and then **Exit**.

60-23232 Lyondell Chemical Co, et al v. Albemarle Corp, et al "ECF Amicus Curiae Brief Filed" - Windows Internet Explorer

https://ecf.ca5.uscourts.gov/cmecf/servlet/TransportRoom?servlet=ShowDoc/0051

File Edit View Favorites Tools Help

60-23232 Lyondell Chemical Co, et al v. Albemarle Corp...

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

United States District Court for the Fifth Circuit

Notice of Docket Activity

The following transaction was entered on 10/07/2009

Case Name: Lyondell Chemical Co, et al v. Albemarle Corp, et al

Case Number: [60-23232](#)

Document(s): [Document\(s\)](#)

Clicking the case number takes you to the docket report for this case. Clicking the [Document\(s\)](#) link will open the uploaded document (if only one) or display a list (if multiple).

To receive your 'one free look' and avoid PACER charges, you must use the link from this Notice of Docket Activity to access the document(s). Save or print your own copy. Thereafter, you will be charged to view the document(s).

Docket Text:

AMICUS CURIAE BRIEF FILED by City of Florence. Date of service: 10/01/2009 via email - Attorney for Appellant: Testaty; Attorney for Appellant Cross-Appellee(s): Lapeze, Mattox; Attorney for Appellee(s): Bates, Fong; US mail - Attorney for Appellee(s): McGrann, Moore, Strong; Attorney for Appellee Cross-Appellant(s): Al-Bahish, Connelly, Eldridge, Frost, Gaston, George, Maierson, Muir, Rutter, Townsend [60-23232] (AT)

The following document(s) are associated with this transaction:

Document Description: Amicus Brief of City of Florence

Original Filename: sample1.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1105048708 [Date=11/18/2009] [FileNumber=6411786-0]
[5c31507185adba6db94db183c950b9ebc100b5082530bc3de1afe4aa303b73827d873711019ca1b182031d1cca3e190e0b2847be]

