

Instructions for Electronic Filing

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Registering an eCMS Account

1. Click on <https://fmsihrc-ecms.entellitrak.com/>. The link will lead to the *FMSHRC - eCMS* sign in page.
2. Click on the “Register” link, located at the bottom right corner of the page.

criminal prosecution under the Criminal Code (Title 18 USC 1030).

All info on this computer system may be monitored, intercepted, recorded, read, copied, or captured and disclosed by and to authorized personnel for official purposes, including criminal

⚠ System Status

Until May 31, 2021, most case issuances of the Federal Mine Safety and Health Review Commission (FMSHRC), including inter alia notices, decisions, and orders, will be sent only through electronic mail. Further, FMSHRC will not be monitoring incoming physical mail or facsimile described in 29 CFR 2700.5(c)(2). If possible, all filings should be e-filed as described in 29 CFR 2700.5(c)(1).

Username

Password

Sign On

[Forgot Password](#) [Register](#)

3. The “Register” link will lead to the Federal Mine Safety and Health Review Commission e-Filing Portal. This is the “Account Registration” page.

Account Registration

To register, complete this form and activation instructions will be emailed to you.
Fields marked with **R** icon are required.

Name:

Title: **R**

Representing: **R**

Employer:

First Name: **R**

Middle Initial: (1 character)

Last Name: **R**

Suffix:

Address Information:

Address Line 1: **R**

Address Line 2:

City: **R**

State: **R**

ZIP: **R**

E-mail Address: **R**

Phone(w): **R** (Format: 5553334444)

Phone(c): (Format: 5553334444)

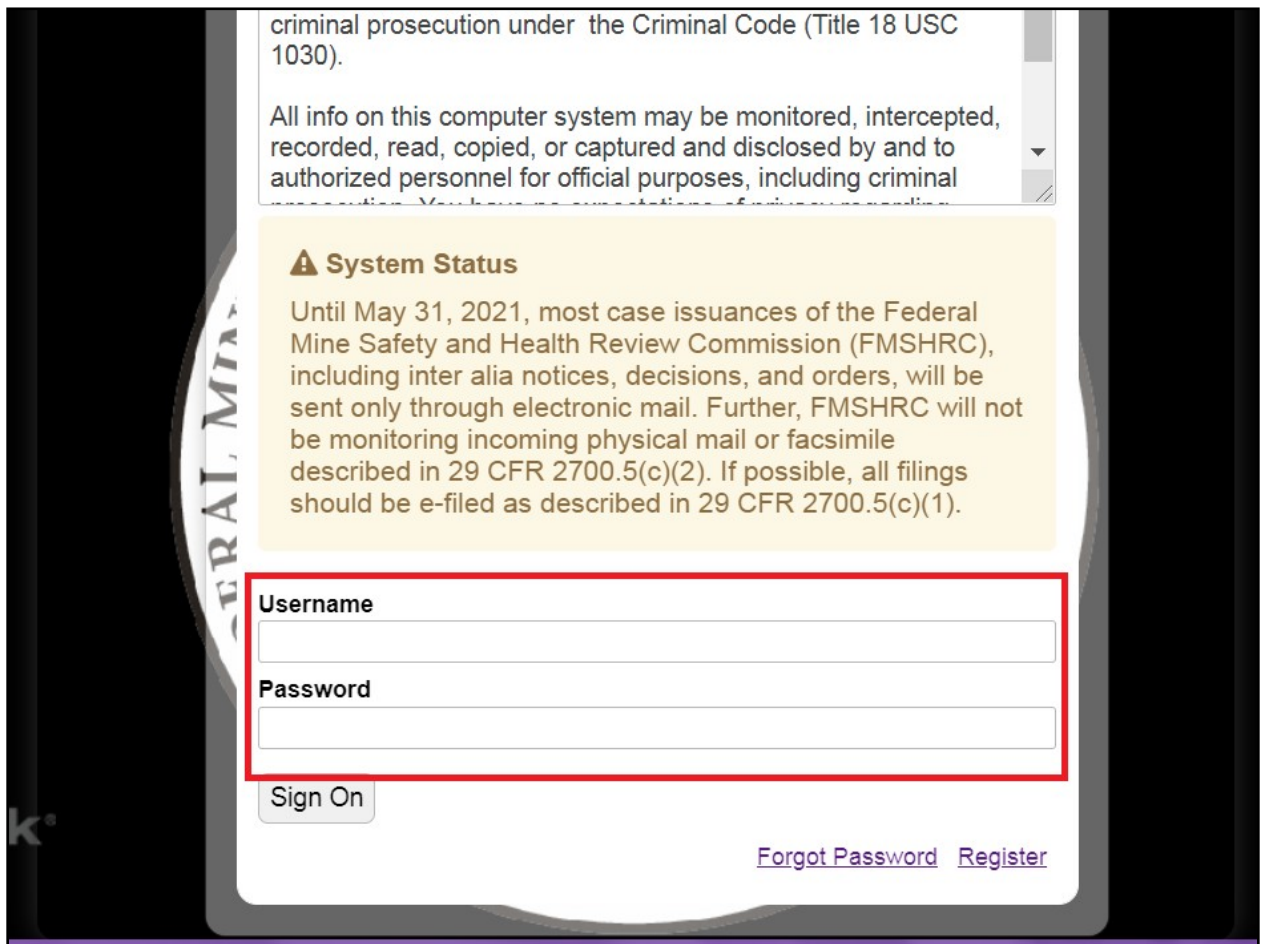
Fax Number: (Format: 5553334444)

4. Complete all required fields.
5. Once completed, a notice will appear at the top of the screen indicating whether the request for registration has been accepted. A confirmation email will be sent to the email address provided under the “Address Information” section with a Username and temporary Password.

Filing for Existing Docket

In this section a Petition for Assessment of Penalty, Motion, Brief, or other document is e-filed in a proceeding where a docket number has already been assigned.

1. Log in to eCMS with Username and Password.



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Username

Password

Sign On

[Forgot Password](#) [Register](#)

2. The e-File page will appear.

Welcome to FMSHRC e-File

[Instructions for Electronic Filing](#)

Filing for Existing Docket

File a Petition for Assessment of Penalty, motion, brief, or other document in any proceeding in which a docket number has already been assigned.

[Click to Start »](#)

Filing for New Docket

File the initial document in a new proceeding in which a docket number has not yet been assigned, such as a Discrimination or Compensation Complaint, an Application for Temporary Reinstatement, a Notice of Contest, an Emergency Response Plan Dispute Referral, or an Application for Fees and Expenses under the Equal Access to Justice Act (EAJA).

[Click to Start »](#)

Filing for Motion to Reopen

If a proposed penalty assessment was not contested in a timely manner.

[Click to Start »](#)

If a Judge issued a default order in the case.

[Click to Start »](#)

Filing for Commission Review

File a document seeking appellate review of a Judge's order or decision in an existing proceeding such as a Petition for Discretionary Review, a Petition for Interlocutory Review, or a Petition for Temporary Reinstatement.

[Click to Start »](#)

3. Go to “Filing for Existing Docket” and click on the green button: “Click to Start”.

Welcome to FMSHRC e-File

Filing for Existing Docket

File a Petition for Assessment of Penalty, motion, brief, or other document in any proceeding in which a docket number has already been assigned.

[Click to Start »](#)

4. Scroll halfway down to the following fields:

Docket Number:

Docket Level Owner:

Please select... ▾

OCALJ: Office of Chief Administrative Law Judges (Document is intended for an OCALJ Judge, including the Chief Judge's Office)

OGC/OCC: Office of General Counsel / Office of the Chairman and Commissioners (Document is an appellate filing)

Document Title:

Document Type:

Motion ▾

Document:

No file chosen

5. Enter the Docket Number in the box under the “Docket Number” field. Be sure to include the preceding letters (i.e., WEST 2021-0001, SE 2021-0002).
6. From the “Docket Level Owner” field, select “OCALJ” from the drop-down menu if the case is before an administrative law judge or “OGC/OCC” for cases that are on appeal before the Commissioners.
7. Enter the title of the document in the box under the “Document Title” field.
8. Select the type of document from the drop-down menu in the “Document Type” field (i.e., “Answer” for an answer to a petition, “Motion” for a motion, etc.).
9. Select the “Choose File” option in the “Document” field; upload the correct document to be filed. We recommend using a PDF document.
 - a. Note: Settlement motions must be filed as PDF documents, and proposed settlement orders must be filed as Word documents.
10. Click on the “Submit e-filing” button.
11. After the document is uploaded a message will appear in green at the top of the screen indicating the file was successfully uploaded. User will also receive a confirmation email.
12. **Additional Notes:**
 - a. **Do not file additional courtesy copies via fax, the U.S. Postal Service, or courier.**
 - b. **File a certificate of service with each document, if applicable.**
 - c. **Documents uploaded to e-CMS must comply with the Procedural Rules at 29 CFR 2700, including those addressing privacy considerations and the protection of personal and medical information. 29 CFR 2700.5(e).**

Filing for New Docket

In this section the initial document in a new proceeding is e-filed in a proceeding where a docket number has not yet been assigned. Document examples include a Discrimination or Compensation Complaint, an Application for Temporary Reinstatement, a Notice of Contest, an Emergency Response Plan Dispute Referral, or an Application for Fees and Expenses under the Equal Access to Justice Act (EAJA).

1. Log in to eCMS with Username and Password.

criminal prosecution under the Criminal Code (Title 18 USC 1030).

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⚠ System Status

Until May 31, 2021, most case issuances of the Federal Mine Safety and Health Review Commission (FMSHRC), including inter alia notices, decisions, and orders, will be sent only through electronic mail. Further, FMSHRC will not be monitoring incoming physical mail or facsimile described in 29 CFR 2700.5(c)(2). If possible, all filings should be e-filed as described in 29 CFR 2700.5(c)(1).

Username

Password

Sign On

[Forgot Password](#) [Register](#)

2. The e-File page will appear.

Welcome to FMSHRC e-File

[Instructions for Electronic Filing](#)

Filing for Existing Docket

File a Petition for Assessment of Penalty, motion, brief, or other document in any proceeding in which a docket number has already been assigned.

[Click to Start »](#)

Filing for New Docket

File the initial document in a new proceeding in which a docket number has not yet been assigned, such as a Discrimination or Compensation Complaint, an Application for Temporary Reinstatement, a Notice of Contest, an Emergency Response Plan Dispute Referral, or an Application for Fees and Expenses under the Equal Access to Justice Act (EAJA).

[Click to Start »](#)

Filing for Motion to Reopen

If a proposed penalty assessment was not contested in a timely manner.

[Click to Start »](#)

If a Judge issued a default order in the case.

[Click to Start »](#)

Filing for Commission Review

File a document seeking appellate review of a Judge's order or decision in an existing proceeding such as a Petition for Discretionary Review, a Petition for Interlocutory Review, or a Petition for Temporary Reinstatement.

[Click to Start »](#)

3. Go to "Filing for New Docket" and click on the green button: "Click to Start".

Filing for New Docket

File the initial document in a new proceeding in which a docket number has not yet been assigned, such as a Discrimination or Compensation Complaint, an Application for Temporary Reinstatement, a Notice of Contest, an Emergency Response Plan Dispute Referral, or an Application for Fees and Expenses under the Equal Access to Justice Act (EAJA).

[Click to Start »](#)

4. Scroll halfway down to the OCALJ field:

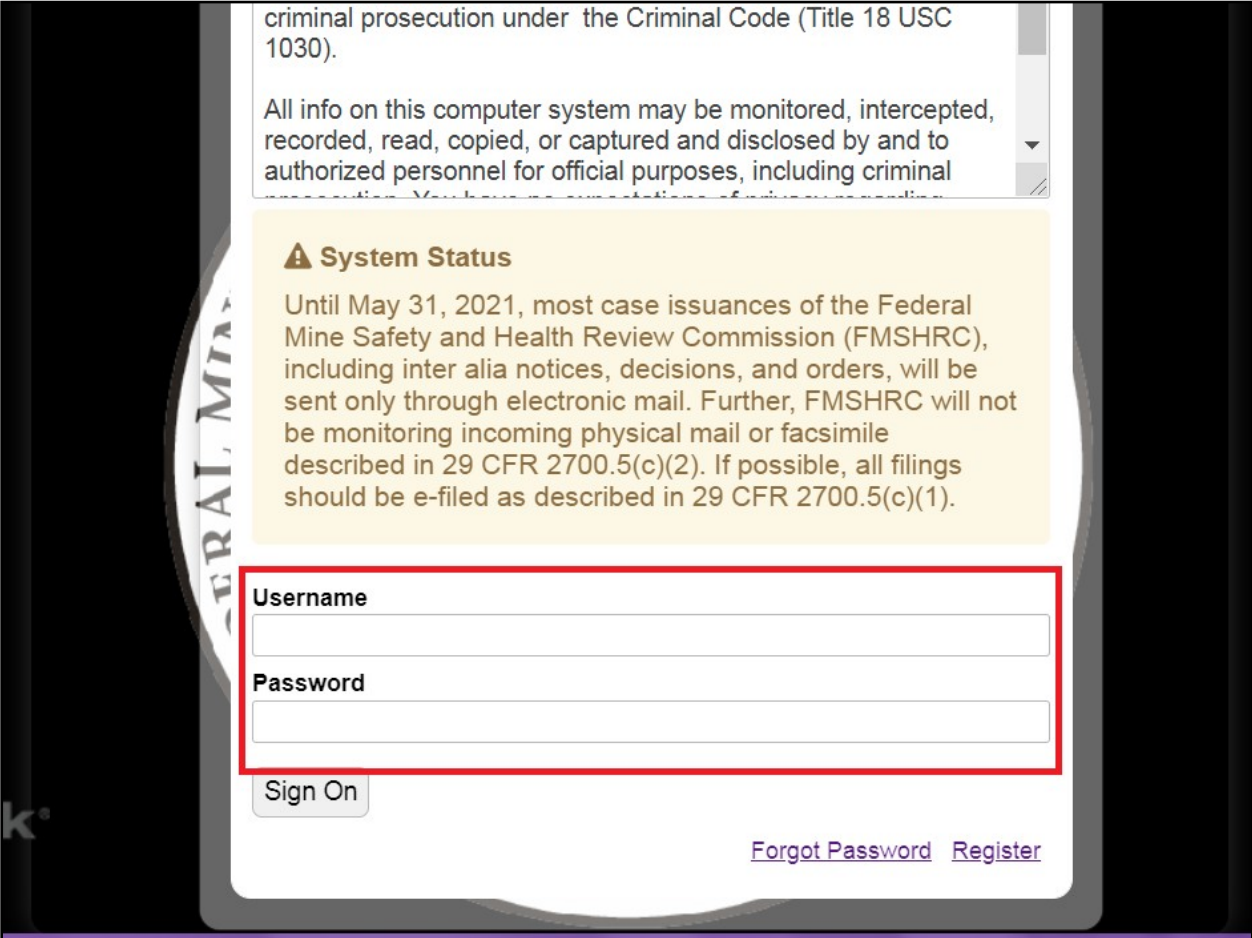
The screenshot shows a web form for e-filing. At the top, there is a section titled "Docket Level Owner:" with a dropdown menu. The dropdown menu is open, showing three options: "Please select...", "OCALJ: Office of Chief Administrative Law Judges (Document is intended for an OCALJ Judge, including the Chief Judge's Office)", and "OGC/OCC: Office of General Counsel / Office of the Chairman and Commissioners (Document is an appellate filing)". The "OCALJ" option is highlighted with a red border. Below this, there is a "Document Title:" field with a text input box containing the placeholder "Enter Document Title". Underneath is a "Document Type:" dropdown menu with "Motion" selected. At the bottom of the form, there is a "Document:" section with a "Choose File" button and the text "No file chosen". A blue "Submit e-filing" button is located at the bottom left of the form.

5. From the "Docket Level Owner" field, select "OCALJ" from the drop-down menu.
6. Enter the title of the document in the box under the "Document Title" field.
7. Select the type of document from the drop-down menu in the "Document Type" field.
 - a. For a Discrimination or Compensation Complaint select "Complaint".
 - b. For an Application for Temporary Reinstatement or for an Application for Fees and Expenses select "Application".
 - c. For a Contest case select "Notice".
 - d. For an Emergency Response Plan Dispute Referral select "Other".
8. Select the "Choose File" option from the "Document" field; upload the correct document to be filed. We recommend using a PDF document.
9. Click on the "Submit e-filing" button.
10. After the document is uploaded a message will appear in green at the top of the screen indicating the file was successfully uploaded. User will also receive a confirmation email.
11. **Additional Notes:**
 - a. ***Do not*** file additional courtesy copies via fax, the U.S. Postal Service, or courier.
 - b. **File a certificate of service with each document, if applicable.**
 - c. **Documents uploaded to e-CMS must comply with the Procedural Rules at 29 CFR 2700, including those addressing privacy considerations and the protection of personal and medical information. 29 CFR 2700.5(e).**

Filing for Motion to Reopen

In this section a Motion to Reopen is e-filed when seeking to reopen a case where the proposed penalty assessment was not timely contested or an administrative law judge issued a default order.

- 1. Log in to eCMS with Username and Password.



2. The e-File page will appear.

Welcome to FMSHRC e-File

[Instructions for Electronic Filing](#)

Filing for Existing Docket

File a Petition for Assessment of Penalty, motion, brief, or other document in any proceeding in which a docket number has already been assigned.

[Click to Start »](#)

Filing for Motion to Reopen

If a proposed penalty assessment was not contested in a timely manner.

[Click to Start »](#)

If a Judge issued a default order in the case.

[Click to Start »](#)

Filing for New Docket

File the initial document in a new proceeding in which a docket number has not yet been assigned, such as a Discrimination or Compensation Complaint, an Application for Temporary Reinstatement, a Notice of Contest, an Emergency Response Plan Dispute Referral, or an Application for Fees and Expenses under the Equal Access to Justice Act (EAJA).

[Click to Start »](#)

Filing for Commission Review

File a document seeking appellate review of a Judge's order or decision in an existing proceeding such as a Petition for Discretionary Review, a Petition for Interlocutory Review, or a Petition for Temporary Reinstatement.

[Click to Start »](#)

3. Go to "Filing for Motion to Reopen".

a. If contest of a proposed assessment was not timely filed click on the green "Click to Start" button located underneath "If a proposed penalty assessment was not contested in a timely manner."

If a default order was issued, click on the green "Click to Start" button located underneath "If a Judge issued a default order in the case."

Filing for Motion to Reopen

If a proposed penalty assessment was not contested in a timely manner.

[Click to Start »](#)

If a Judge issued a default order in the case.

[Click to Start »](#)

4. Scroll halfway down to the following fields:

Docket Level Owner:

Please select... ▼

OCALJ: Office of Chief Administrative Law Judges (Document is intended for an OCALJ Judge, including the Chief Judge's Office)

OGC/OCC: Office of General Counsel / Office of the Chairman and Commissioners (Document is an appellate filing)

Document Title:

Enter Document Title

Document Type:

Motion ▼

Document:

Choose File No file chosen

Submit e-filing

Filing if Proposed Penalty Assessment was not timely contested.

Docket Number:

Enter Docket Number

Docket Level Owner:

Please select... ▼

OCALJ: Office of Chief Administrative Law Judges (Document is intended for an OCALJ Judge, including the Chief Judge's Office)

OGC/OCC: Office of General Counsel / Office of the Chairman and Commissioners (Document is an appellate filing)

Document Title:

Enter Document Title

Document Type:

Motion ▼

Document:

Choose File No file chosen

Submit e-filing

Filing if judge issued a Default Order

5. If filing to reopen a case that was not timely contested, proceed to step seven (7) and continue the process.
6. If filing to reopen a case that has been defaulted, enter the Docket Number in the box under the "Docket Number" field. Be sure to include the preceding letters (i.e., WEST 2021-0001, SE 2021-0002).
7. From the "Docket Level Owner" field, select "OGC/OCC" from the drop-down menu.
8. Enter the title of the document in the box under the "Document Title" field.
9. Select "Motion" from the drop-down menu in "Document Type" field.
10. Select the "Choose File" option in the "Document" field; upload the correct document to be filed. We recommend using a PDF document.
11. Click on the "Submit e-filing" button.
12. After the document is uploaded a message will appear in green at the top of the screen indicating the file was successfully uploaded. User will also receive a confirmation email.

13. Additional Notes:

- a. ***Do not* file additional courtesy copies via fax, the U.S. Postal Service, or courier.**
- b. **File a certificate of service with each document, if applicable.**
- c. **Documents uploaded to e-CMS must comply with the Procedural Rules at 29 CFR 2700, including those addressing privacy considerations and the protection of personal and medical information. 29 CFR 2700.5(e).**

Filing for Commission Review

In this section a Petition for Discretionary Review or a Petition for Interlocutory Review is e-filed when seeking appellate review of an administrative law judge's order or decision.

1. Log in to eCMS with Username and Password.

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Username

Password

Sign On

[Forgot Password](#) [Register](#)

2. The e-File page will appear.

The screenshot shows the 'Welcome to FMSHRC e-File' page. At the top right is a blue button labeled 'Instructions for Electronic Filing'. Below this are four white boxes, each with a grey header and a green 'Click to Start »' button. The boxes are: 1. 'Filing for Existing Docket' with text: 'File a Petition for Assessment of Penalty, motion, brief, or other document in any proceeding in which a docket number has already been assigned.' 2. 'Filing for Motion to Reopen' with text: 'If a proposed penalty assessment was not contested in a timely manner.' and 'If a Judge issued a default order in the case.' 3. 'Filing for New Docket' with text: 'File the initial document in a new proceeding in which a docket number has not yet been assigned, such as a Discrimination or Compensation Complaint, an Application for Temporary Reinstatement, a Notice of Contest, an Emergency Response Plan Dispute Referral, or an Application for Fees and Expenses under the Equal Access to Justice Act (EAJA).' 4. 'Filing for Commission Review' with text: 'File a document seeking appellate review of a Judge's order or decision in an existing proceeding such as a Petition for Discretionary Review, a Petition for Interlocutory Review, or a Petition for Temporary Reinstatement.'

3. Go to "Filing for Commission Review" and click on the green button: "Click to Start".

This is a close-up of the 'Filing for Commission Review' section from the previous screenshot. It features a grey header with the title 'Filing for Commission Review'. Below the header is a white box containing the text: 'File a document seeking appellate review of a Judge's order or decision in an existing proceeding such as a Petition for Discretionary Review, a Petition for Interlocutory Review, or a Petition for Temporary Reinstatement.' At the bottom of this white box is a green button with the text 'Click to Start »'. A red rectangular border highlights the entire section, including the text and the button.

4. Scroll halfway down to the following fields:

Docket Number:

Docket Level Owner:

Please select... ▾

OCALJ: Office of Chief Administrative Law Judges (Document is intended for an OCALJ Judge, including the Chief Judge's Office)

OGC/OCC: Office of General Counsel / Office of the Chairman and Commissioners (Document is an appellate filing)

Document Title:

Document Type:

Motion ▾

Document:

No file chosen

5. Enter the Docket Number in the box under the “Docket Number” field. Be sure to include the preceding letters (i.e., WEST 2021-0001, SE 2021-0002).
6. From the “Docket Level Owner” field, select “OGC/OCC” from the drop-down menu.
7. Enter the title of the document in the box under the “Document Title” field.
8. Select “Review Petition” from the drop-down menu in the “Document Type” field.
9. Select the “Choose File” option in the “Document” field; upload the correct document to be filed. We recommend using a PDF document.
10. Click on the “Submit e-filing” button.
11. After the document is uploaded a message will appear in green at the top of the screen indicating the file was successfully uploaded. User will also receive a confirmation email.
12. **Additional Notes:**
 - a. **Do not file additional courtesy copies via fax, the U.S. Postal Service, or courier.**
 - b. **File a certificate of service with each document, if applicable.**
 - c. **Documents uploaded to e-CMS must comply with the Procedural Rules at 29 CFR 2700, including those addressing privacy considerations and the protection of personal and medical information. 29 CFR 2700.5(e).**