CM/ECF Electronic New Civil Case Opening

A Guide to Filing New Cases Electronically for Attorneys and Law Firm Staff



United States District Court Southern District of Florida

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I. Attorney Checklist

Before Opening a New Civil Case:

- ... Read all instructions on the CM/ECF Electronic New Civil Case Opening Guide.
- ... Prepare the following documents (if applicable) to file and convert to PDF format:
 - Initiating Document (i.e. Complaint, Notice of Removal, etc.)
 - Civil Cover Sheet (JS-44)
 - Summons(es) or Motion to Proceed In Forma Pauperis (IFP)
- ... Have all credit card information readily available. Payment by credit card is the only acceptable method of payment for remote case filing. The credit card information is not required if you are filing a motion to proceed in forma pauperis (IFP) or representing the USA.

Opening a New Civil Case:

- ... Enter all necessary information on CM/ECF screens.
 - Enter all the statistical information.
 - Enter all the parties in the exact order they are listed on the complaint.
 - Do not enter any address information.
 - Modify the party role type to the correct role (defaults to defendant).

... Docket the lead event.

- Select the appropriate lead event and attach the signed initiating document.
- Attach the completed and signed civil cover sheet as a separate attachment and describe it properly.
- Attach any supporting documentation as a separate attachment (i.e. exhibits).
- Attach any summons(es) or motion to proceed IFP as a separate attachment.

Subsequent Documents:

... Proceed to file all subsequent filings upon receipt of the judge assignment notification.

If you have any questions or need assistance during the case opening process, please contact the Help Desk at 1-888-318-2260.

II. Attorney Electronic Civil Case Opening

ELECTRONICALLY FILING NEW CASES

Effective January 1, 2010 attorneys can electronically file civil cases in CM/ECF if...

- (1) The attorney has a valid USDC Southern FL login and password.
- (2) The required filing fee is paid with a credit card through pay.gov;
- (3) The case is being filed in forma pauperis; or
- (4) The filing fee is waived (i.e. cases filed by the U.S. government, 2255 Cases, etc.)

REQUIREMENTS TO PROCESS NEW CASES

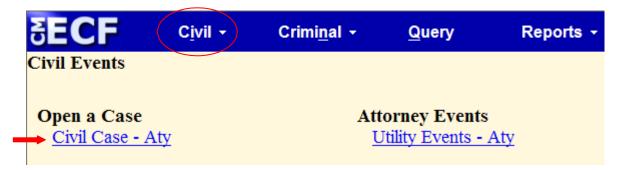
To successfully process the case:

- Complete the entire process as instructed in this Case Opening Guide.
- Enter all necessary information on the CM/ECF screens.
- Docket the lead event and upload all pdf documents.
- Enter all necessary information on the pay.gov screens.
- Never hit the back button once you begin the process.
- DO NOT attempt to open the same case twice.

OPEN NEW CIVIL CASE

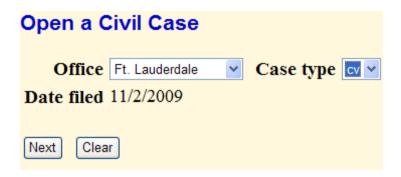
Click [Civil] on the blue menu bar at the top of the CM/ECF screen.

Select [Civil Case - Aty] under the Open a Case category.



SELECT THE DIVISIONAL OFFICE & CASE TYPE

On the next screen, select the Office and Case type. The Date filed is automatically displayed on the screen and cannot be modified.



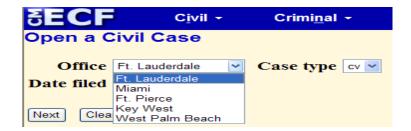
The office is determined by:

- 1. the county in which the incident occurred occasioning the law suit (If not applicable, then 2)
- 2. the county of the residence of first listed plaintiff (If not applicable, then 3)
- 3. the county of residence of first listed defendant

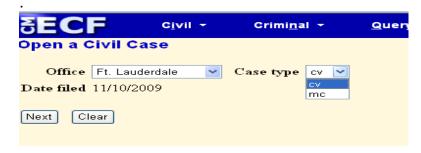
The District is divided into five divisions:

- 1. Ft. Pierce Division: Highlands, Indian River, Martin, Okeechobee and St. Lucie Counties
- 2. West Palm Beach Division: Palm Beach County
- 3. Fort Lauderdale Division: Broward County
- 4. Miami Division: Miami-Dade County
- 5. Key West Division: Monroe County

Select the appropriate divisional office from the drop-down menu.



Select the case type from the drop-down menu according to the table below



AVAILABLE CASE TYPES

Below is a table of available events for each case type.

CV	MC
Complaint	Application for Extradition
Complaint RE: Seaman	Application for Judicial Assistance/Letter Rogatory
Complaint for Forfeiture	Motion (Complaint) RE: Property of Dead Seaman
Interpleader Complaint	Motion (Complaint) for Appointment of Counsel (Capital Cases)
Motion (Complaint) for Writ of Error Corum Nobis	Motion (Complaint) to Extend Time to File CAFRA Case
Motion (Complaint) to Enforce/Quash/COMPEL Arbitration Award	Order (Complaint) for Appointment of Receiver
Motion (Complaint) to Vacate/Set Aside/Correct Sentence (2255)	Petition (Complaint) to Perpetuate Testimony
Notice of Condemnation	Petition/Motion (Complaint) RE: Subpoena from Another District
Notice of Removal	Registration of Foreign Judgment
Petition (Complaint) by Prisoner for Writ of Mandamus	Petition (Complaint) for Protection of a Juror
Application for Stay of Execution	
Application/Petition (Complaint) for Writ of Habeas Corpus	
Bankruptcy Motion (Complaint) for Stay and Other Intermediate Requests for Relief	
Motion (Complaint) to CONFIRM Arbitration Award	
Petition (Complaint) to Enforce RE: Government Agency	

Once all the information has been selected click [Next].

STATISTICAL SCREEN

All information on this screen should be obtained from the Civil Cover Sheet (JS-44).



Completing the statistical screen:

Jurisdiction: There are five options.

- 1. U.S. Government Plaintiff
- 2. U.S. Government Defendant
- 3. Federal Question (system default)
- 4. Diversity (Citizenship fields required for both plaintiff & defendant)
- 5. Local Question

Cause of action: Select the appropriate code from the drop-down list or use alpha-numeric codes in the filter fields.

Nature of suit: Select the appropriate code from the drop-down list or use alpha-numeric codes in the filter fields.

Origin: Select either 1 (Original Proceeding) when filing an original Complaint or 2 (Removal from State Court) when filing a Notice of Removal. All additional options are for COURT USE ONLY.

Citizenship plaintiff/Citizenship defendant: Complete these fields only if the Jurisdiction, selected above, was 4 (Diversity).

Jury Demand: Select the appropriate code from the drop-down list.

- n (None): if plaintiff does not want a Jury Trial
- p (Plaintiff): if plaintiff wants a Jury Trial
- b (Both): Notice of Removal cases only, if both parties have requested jury trial in either court
- d (Defendant): Notice of Removal cases only, if only the defendant has requested jury trial

Class Action: Skip this option.

Demand (\$000): Leave blank.

Arbitration Code: Leave blank.

County: Select the county corresponding with the Office Code selected on the divisional office (*previous*) screen.

Fee Status:

- fp (in forma pauperis): for COURT USE ONLY
- none (no fee required): for US Attorney use only
- pd (Paid): if being paid electronically with this filing, through pay.gov
- pend (IFP pending) if submitting a motion to proceed in forma pauperis with filing
- wv (waived) for 28USC2255 cases only

Fee Date: System generated. Do not modify.

Date Transfer: Leave Blank

Once all the information has been selected click [Next].

ADDING PARTIES

Add all parties in the order in which they appear on your charging document. On the right pane of the screen, the search for a party option appears.

To add a new party, type in the party's last name, or if a business, the business name in the "Last/Business Name" field. Complete the "First Name" and "Middle Name" fields, as applicable. (Use upper and lower case letters to input names (i.e. Jane Doe or ABC Corporation)



Click [Search].

If the system finds the correct name, highlight the name already in the database to eliminate different versions of the same party name and then click [Select Party]. If no match is found, click the [Create New Party] button.

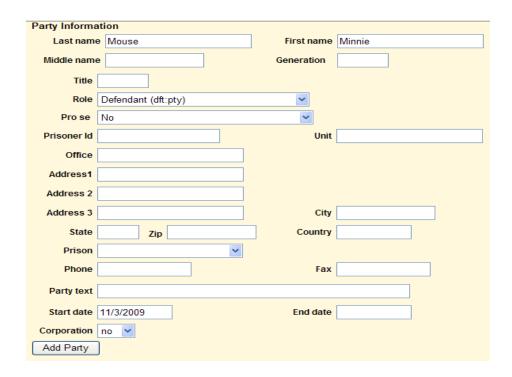
Search for a party				
Last / Business Nan	ne Mouse	First Name	Minnie	Middle Name
Search				
Search Results Mouse, Minnie				
Select Party	Create New Party)		

Verify the "Last/Business Name", "First Name" and "Middle Name" fields. Complete the "Generation" fields, if applicable.

Do not enter the party's address information.

Select the correct "Role" of the party; the role defaults to defendant.

Enter any "Party text" information (i.e. individually, a Florida corporation, etc). Do not enter any alias, corporate pa or other affiliate information in this field (see section on adding alias, corporate parent, or other affiliate information).



Click the [Add Party] button.

A new search screen will be displayed from which the user then can search for and add additional party(s). Repeat the above process until ALL parties have been entered.

PARTY ICONS

After searching for, selecting, and adding all parties, the parties' names appear on the left pane, in the participant tree. Parties that are added to civil cases will have control icons in the participant tree so the user can add aliases, corporate parents, etc. for the party during this process.



The user can either:

- add an alias or corporate parent by clicking on the corresponding ¹ "add" icon,
- edit the party information by clicking on the pencil <a> "edit" icon,
- delete the party by clicking the red X "delete" icon,
- add a new party by clicking on the [Add New Party] button at the top left of the screen.

CREATING THE CASE

Once all parties have been entered, click [Create Case].



Click [Yes] to proceed with the case opening or [No] to return to the party screen.

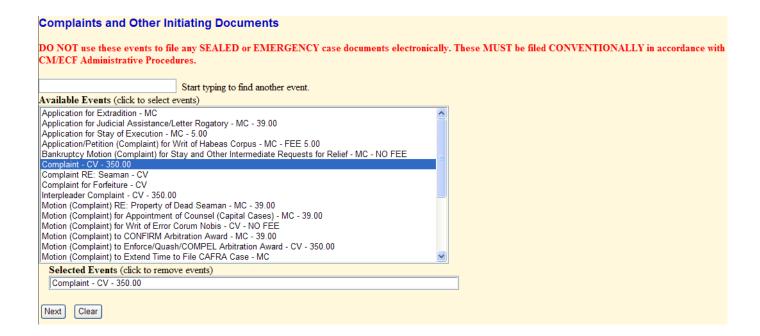


DOCKETING THE LEAD EVENT

Click [Please Click Here to Docket the Lead Event Now] to proceed to docket your initiating document.

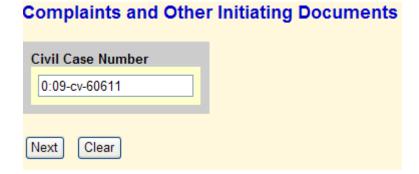


Select the appropriate lead event from the list and click [Next].



CASE NUMBER

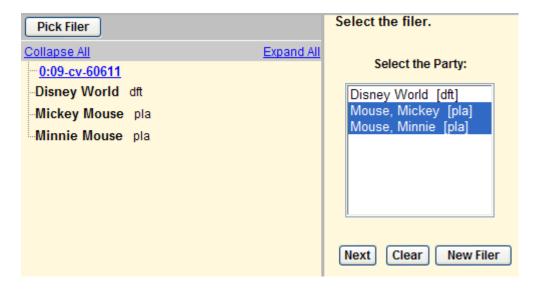
The case number assigned will be displayed.



Click [Next] on this screen. Do not alter any information or click the [Clear] button.

SELECTING THE FILER(S)

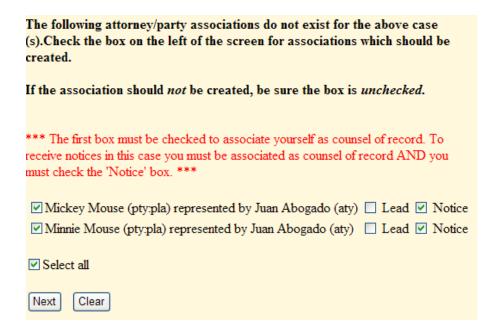
Select the filer by clicking on the party's name. To select multiple filers, hold the [Ctrl] key on your keyboard down and click all applicable filers.



Click [Next] to proceed.

ATTORNEY/PARTY ASSOCIATION SCREEN

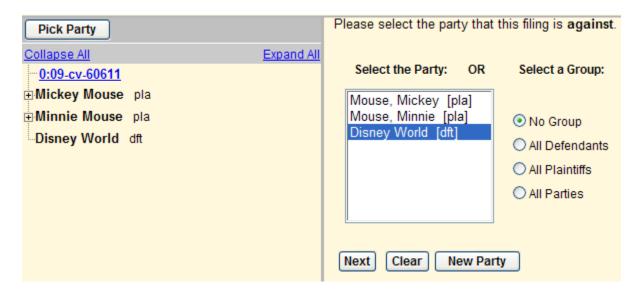
Ensure that you associate yourself as counsel of record by verifying that the first box and Notice box are checked for each party you are representing. Only the attorney whose login is used to electronically file the case will be associated. Co-counsel is required to file a notice of attorney appearance electronically after the Judge assignment has been completed by the Clerk's office.



Click [Next] to proceed.

SELECTING PARTY(IES) THAT FILING IS AGAINST

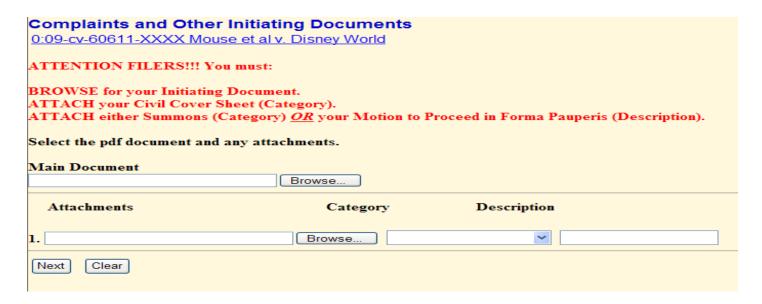
Select the party that this filing is against by clicking on the party's name. To select multiple filers, hold the [Ctrl] key on your keyboard down and click all applicable filers under the "Select the Party" box or use one of the options under the "Select a Group" section.



Click [Next] to proceed.

UPLOADING PDF DOCUMENTS & ATTACHMENTS

- Under Main Document, click [Browse] to select the initiating PDF document.
- Under *Attachments*, <u>line #1</u>, click **[Browse]** to select the civil cover sheet PDF and select "Civil Cover Sheet" under the Category drop-down.
- Under <u>line #2</u>, click [Browse] to select the Summons PDF and select "Summons(es)" under the Category drop-down or click [Browse] to select the Motion to Proceed in Forma Pauperis (IFP) PDF and type "Motion to Proceed IFP in the Description box. (Note: If you are filing multiple proposed summonses, attach all as a single attachment under line #2.)
- Use the remaining lines, beginning at <u>line #3</u>, to add any additional attachments (i.e. Exhibits, etc.)
- Attachments will be numbered in the order in which they are uploaded.
- Each PDF document may be up to 5MB in size.



Verify that all pdf documents have been added to your entry.

Complaints and Other Initiating	ng Docume	ents			
0:09-cv-60611-XXXX Mouse et al v.	Disney World	<u>1</u>			
ATTENTION FILERS!!! You must:					
BROWSE for your Initiating Documen	nt.				
ATTACH your Civil Cover Sheet (Cat					
ATTACH either Summons (Category)	OK your Mot	ion to Proceed in Fo	rma P	auperis (Description).	
Select the pdf document and any attac	hments.				
Main Document					
O:\TRAINING\Attorney\Complaint.pdf	Browse				
Attachments	Categor	y Descri	iption		
1. O:\TRAINING\Attorney\Civil Cover Sheet.	p Browse	Civil Cover Sheet	*		Remove
2. O:\TRAINING\Attorney\Summons.pdf	Browse	Summons(es)	~		Remove
3. O:\TRAINING\Attorney\Exhibit.pdf	Browse	Exhibit	~	Records of Patient Goofy	Remove
4.	Browse		~		
Next Clear					

Click [Next] to proceed.

FILING FEE, MOTION IFP, OR USA FILER SCREEN

The fee will display in accordance with the lead event selected. Answer the following questions below, as follows.

If the filing included a Motion to Proceed In Forma Pauperis (IFP), change the radio button to Yes.

If the filing is being filed on behalf of the USA, change the radio button to Yes.

Complaints and Other Initiating Documents 0:09-cv-60603-XXXX Mouse et al v. Disney World
The fee for this case is
Fee: \$350.00
Is this filed with an Application/Motion to Proceed Without Prepayment of Fees/In Forma Pauperis? ○ Yes ⊙ No
Is this complaint filed on behalf of the USA? ○ Yes ⊙ No
Attention filer!! Answering NO to both of these questions will obligate you to pay the referenced filing fee on the following screens. Please have your credit card available to process this transaction now. Click NEXT to proceed.
Next Clear

Click [Next] to proceed.

If the filer answers "Yes" to either question, the online payment screens will be skipped.

ONLINE PAYMENT

If you answered "No" to both questions, you will proceed to the online payment screens below. Please wait while the online payment screen appears.

Complaints and Other Initiating Documents

0:09-cv-60603-XXXX Mouse et al v. Disney World

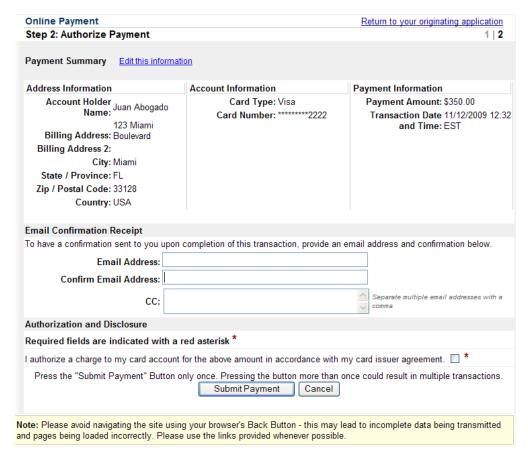
Now loading the payment processing screen. This process might take a few seconds.

The online payment screen will display. Do not click the "back button", this may lead to incomplete data being transmitted. Complete the payment data fields as required. Refer to http://fms.treas.gov/paygov/index.html for any additional payment processing questions.



Once the credit card information has been entered click [Continue with Plastic Card Payment] to proceed.

A payment authorization screen will appear. You may enter your email address for payment confirmation.



Click the payment authorization box and the [Submit Payment] to proceed.

SCREENS AFTER PAYMENT PROCESS COMPLETION OR IFP/USA FILER

Once the payment process has been completed, the filer indicated that the filing included a motion to proceed IFP, or is being filed on behalf of the USA; the following CM/ECF screen will appear.

DOCKET TEXT MODIFICATION SCREEN

This screen will allow a generous amount of text to further describe your entry.

Complaints and Other Initiating Documents

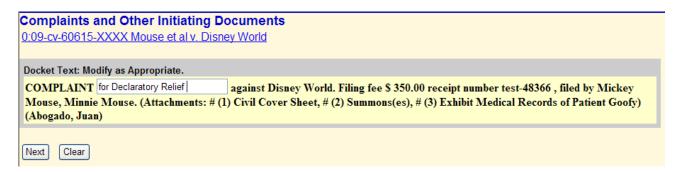
0:09-cv-60615-XXXX Mouse et al v. Disney World

Docket Text: Modify as Appropriate.

COMPLAINT

against Disney World. Filing fee \$ 350.00 receipt number test-48366, filed by Mickey Mouse, Minnie Mouse. (Attachments: # (1) Civil Cover Sheet, # (2) Summons(es), # (3) Exhibit Medical Records of Patient Goofy) (Abogado, Juan)

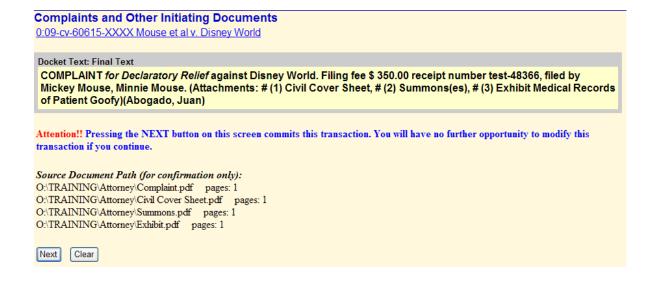
Enter the appropriate text in the manner it should appear in the final docket text. (Note: CM/ECF does not have spell check)



Click [Next] to proceed.

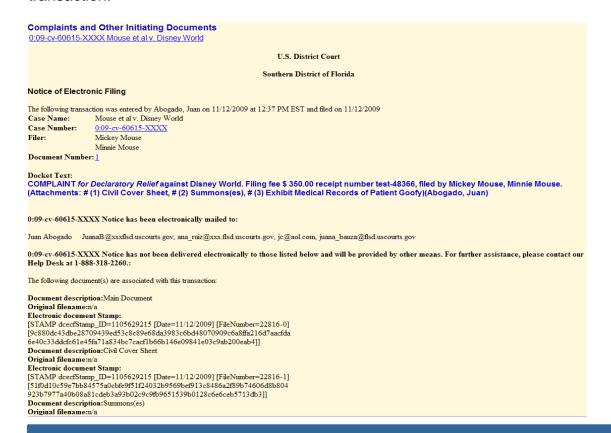
FINAL DOCKET TEXT SCREEN

The final docket text will be displayed with all attachment descriptions. Click [Next] to proceed.



NOTICE OF ELECTRONIC (NEF)

The Notice of Electronic Filing (NEF) is displayed with all the filing information as a receipt of the transaction.



SUBSEQUENT FILINGS

All subsequent filings may be submitted upon receipt of the Judge assignment notification.