CIVIL CASE OPENING MANUAL



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ELECTRONIC CIVIL CASE OPENINGS

PLEASE BE ADVISED: Prior to opening a civil case in the Northern District of Indiana, you must be an active member of the bar of this court. If you are not an active member, please go to the Admission to Practice link on the court's website and complete the electronic application process: https://ecf.innd.uscourts.gov/AttorneyReg/

Opening a new case in CM/ECF is a two-step process:

First: The case is assigned a case number through the case assignment module of CM/ECF. *NOTE: As part of the case assignment process, the case automatically receives the next case number in the sequence for the division and case type specified.*

Second: The case is opened when one of the case opening events "Complaint" or "Notice of Removal" are docketed. A Judge will be assigned after the case is opened by Court personnel.

Payment of Filing Fees:

Payment of filing fees will be made through Pay.gov, a service used by the District Court to process filing fees. Pay.gov is NOT a department of, or managed by the District Court.

Pay.gov accepts Visa, MasterCard, Discover, and American Express. Bank Account Debit (ACH) is also acceptable.

Please review General Order 2012-12, available on the court's website, regarding refund of filing fees paid electronically.

Help Desk Support

There is a Help Desk in each divisional office which is staffed Monday thru Friday from 9:00 a.m. - 4:00 p.m. If you are experiencing a problem, you can call the Help Desk for the appropriate office for assistance.

Location :	Help Desk #:
Fort Wayne	(800) 745-0265
Hammond	(800) 473-0293
Lafayette	(877) 377-1219
South Bend	(866) 217-5925

If you have opened a case incorrectly, **do not open another case**. Call the Help Desk and we will resolve any issues with the first case. If it is after Help Desk staffed hours, please call as soon as possible on the next business day for assistance.

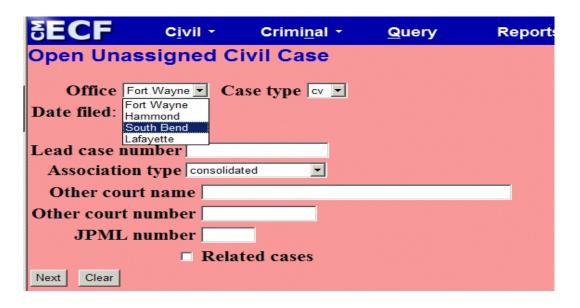
The Clerk's Office will assign a judge and designate a magistrate judge once an attorney opens a case and files the initiating documents. The filing attorney will receive an email notification of the assignment.

CASE OPENING:

1. Civil Events - Under the "Open a Case" category, select Civil Case - Unassigned.



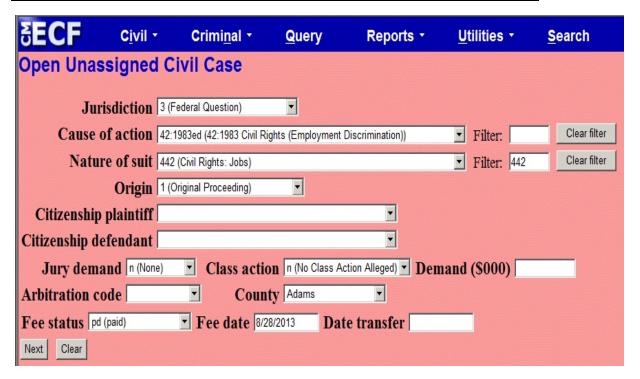
2. OFFICE: Use drop down box to choose which divisional office the Complaint is to be filed in.



3. CASE TYPE: Defaults to cv, no need to change anything.

- 4. LEAD CASE NUMBER: Leave this field blank <u>UNLESS</u> you are filing a case which will be a member case in a Multi-district Litigation Matter in the Northern District of Indiana. If so, enter the LEAD DOCKET NUMBER (such as: 3:12-md-2391) in the Lead case number field.
- 5. ASSOCIATION TYPE: Defaults to consolidated. Do not modify this field <u>UNLESS</u> you are filing a case which will be a member case in a Multi-district Litigation Matter. If so, use the drop down arrow to select **Multi-district Litigation**.
- 6. OTHER COURT NAME/NUMBER: Leave these fields blank <u>UNLESS</u> you are filing a case which is being Removed from State Court. If you are filing a Notice of Removal, enter the state court name in the **Other court name** field, and the state court case number in the **Other court number** field.
- 7. JPML NUMBER: Leave this field blank.
- 8. RELATED CASES: Leave this box empty.
- 9. CLICK "NEXT" TO PROCEED.

CIVIL CASE STATISTICAL INFORMATION SCREEN



- 1. **JURISDICTION**: Choose from drop down box for number and description.
- 2. **CAUSE OF ACTION**: You may choose from drop down box to select the appropriate number and description. Once the field is populated with the appropriate cause of action, you are ready to move on to the **Nature of suit** field.
- 3. **NATURE OF SUIT**: Choose from drop down box for number and description -or- you can begin typing the nature of suit code, if known, in the Filter box to go directly to the matching nature of suit(i.e. type in **442** to find the appropriate nature of suit for Civil Rights: Jobs). Once the field is populated with the appropriate Nature of suit, you are ready to move on to case **Origin**.
- 4. **ORIGIN**: Choose the appropriate case origin from drop down box (select either **Original Proceeding** or **Removal from State Court** as appropriate).
- 5. **CITIZENSHIP PLAINTIFF/DEFENDANT**: For diversity cases. Select appropriate citizenship for both plaintiff and defendant, if applicable.
- 6. **JURY DEMAND**: If a party to the case is making a Jury Demand, pick the appropriate selection from the drop down box. If no jury trial is demanded, leave the field at the default setting of **N** (None).
- 7. **CLASS ACTION**: If the complaint contains an <u>allegation</u> of Class Action, this field should be changed from the default of **N** (No Class Action Alleged), to **Y** (Class Action Alleged).
- 8. **DEMAND (\$000)**: If there is a dollar demand included in the complaint, indicate the amount requested in this field (i.e. enter 10 for \$10,000)
- 9. **ARBITRATION CODE**: Leave this field **blank**.
- 10. **COUNTY**: Choose county of first listed plaintiff. If USA is the plaintiff, use the first defendant's county code; if Outside State or Outside U.S. you will choose the applicable codes for those.
- 11. **FEE STATUS**: Choose from drop down box. The default is **pd** (paid). If you are submitting a motion to proceed in forma pauperis, select **fp** (in forma pauperis). If you are filing a Complaint on behalf of the USA, select **wv** waived.
- 12. **FEE DATE**: Defaults to the current date. If submitting a motion to proceed in forma pauperis, or if filing on behalf of the USA, delete the date and leave this field blank.
- 13. **DATE TRANSFER**: Leave this field **blank**.
- 14. Click on **Next**. This takes you to add/search for party screen.

ADDING PARTIES

The panel on the left hand side of the screen contains the buttons to [Add New Party] and [Create Case].



Since no parties have been entered in this new case yet, the participant tree (under Collapse All) is empty.

Refer to the Guide For Entering Parties in CM/ECF for entry of parties as they appear in your complaint. First, search for each party by entering the last name, and first name in the corresponding fields and clicking [Search]. If the party name appears in the Search Results box, highlight it and click [Select Party]. If the party name does not appear, click [Create New Party] and create the party.

REMEMBER: Party names in this court are entered in upper and lower case letters, as appropriate, and WITH NO PUNCTUATION.

PARTY ROLE



Once you have selected a party name using either the [Select Party] or [Create New Party] buttons, the Party Information screen will open. The *Role* field on this screen defaults to Defendant and must be changed when entering plaintiff(s) names.

THE ROLE MUST BE CHANGED TO EITHER PLAINTIFF OR DEFENDANT

If there is descriptive information for a party included in your complaint, enter it in the *Party Text* field. **EXAMPLE**: Hillary Clinton, in her official capacity as Secretary of State.

Leave all other fields blank. **Do not enter address information**.



Select [Add Party]. The party will be added to the participant tree in the left panel.

EDITING PARTIES

The participant tree is displayed on the left panel as parties are added to the case. The **Expand All** hyperlink displays all of the participants that have been added to the case, including aliases.

The **Collapse All** hyperlink displays only the parties in the case (plaintiffs and defendants), with the other participants collapsed in the tree. Also present in the participant tree are functional icons:

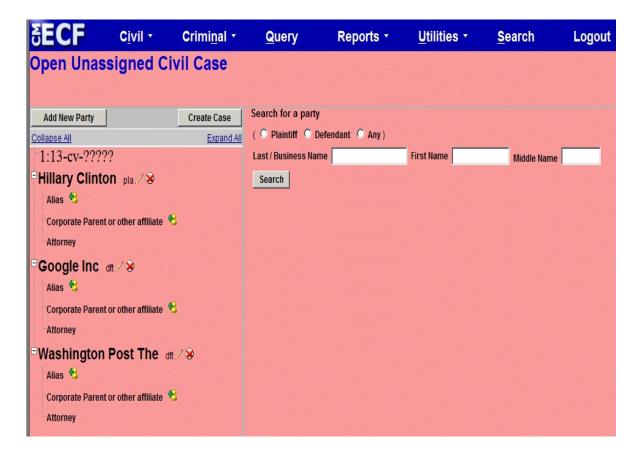
Delete this party from this case.

Add new alias, corporate parent.

Edit the party, alias, or corporate parent.

Note: The Edit icon only displays beside a party once it's been added to the participant tree; therefore, if no participant is added, this icon is suppressed. To add an alias, click the Add Party icon.

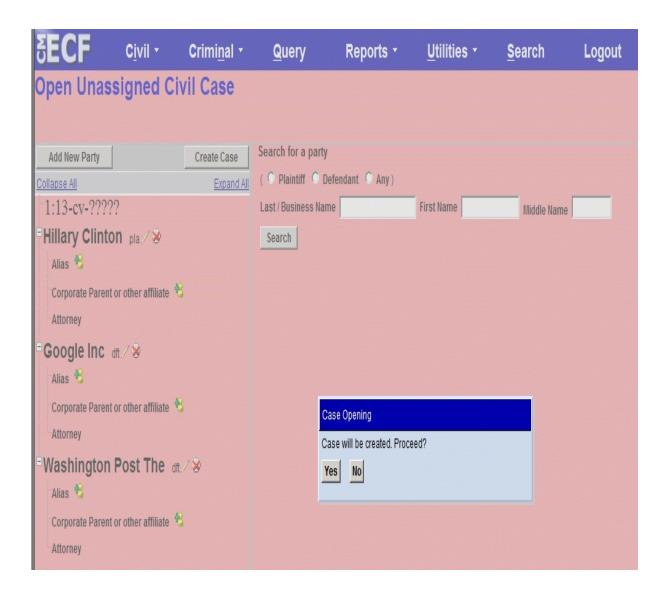
The right panel of the screen allows you to search for and add additional parties. Add all of the parties as they appear in the caption of the complaint.



CREATING THE CASE

Once all parties have been added to the case, click [Create Case].

Once the **[Create Case]** button has been selected, you will be presented with an option to either create the case or stop the process. If you select **[Yes]** and create the case, you must continue and file the complaint. Clicking **[No]** allows you to add or make changes to the participant tree.



ASSIGNMENT OF CASE NUMBER

Once the case has been created, you will be given a case number. Make note of the case number so that you may file the complaint electronically.

Note: The new case number is displayed without an assigned Article III Judge. The Clerk's Office will notify you of the assigned judge once the case has been reviewed.



What To Do If An Error is Discovered After Case Opening?

Once the case has been created, do not click the back button on your web browser. If you forgot to add a party or parties, or have made another type of error, please contact the Clerk's Office

YOU MUST NOW DOCKET THE COMPLAINT (OR NOTICE OF REMOVAL). THE COMPLAINT/NOTICE OF REMOVAL <u>MUST</u> BE DOCKETED THE SAME DAY THAT THE CASE IS OPENED.

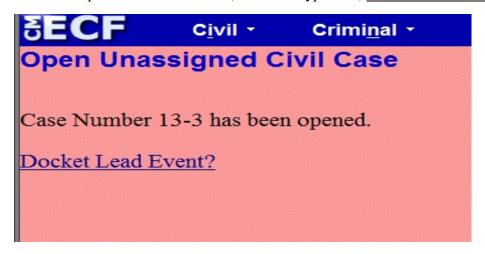
CLICK ON "DOCKET LEAD EVENT?" TO BEGIN THE PROCESS OF DOCKETING THE COMPLAINT OR NOTICE OF REMOVAL.

DOCKETING A COMPLAINT/NOTICE OF REMOVAL IN CM/ECF

STEP 2:

PLEASE NOTE: Before a Complaint or Notice of Removal can be filed in CM/ECF, a civil case must first be opened electronically in the Northern District of Indiana. If you have not viewed the training module for Electronic Civil Case Opening prior to viewing this training module, please do so before proceeding.

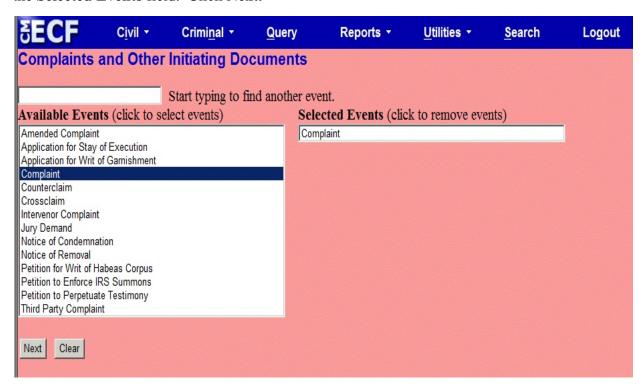
To file the Complaint from this screen, click the hyperlink, **Docket Lead Event?**



If for some reason you have completed the case opening in district court, but closed out your screen prior to filing the Complaint or Notice of Removal, click Civil on the blue bar across the top of the screen. Then, under Initial Pleadings and Service, select Complaints and Other Initiating Documents. Otherwise, click the Docket Lead Event? link, and proceed.



Select *Complaint* (or Notice of Removal) from the Available Events list and it will populate in the Selected Events field. Click Next.



Your new case number should be automatically generated in the **Civil Case Number** field. If not, enter the case number. Click **Next**.



A confirmation screen will appear indicating the case number and short title of the case you have selected (<u>Do not click on the case number on this screen - it is a hyperlink to the docket sheet and will take you out of the case opening process</u>). Once you have confirmed that you are filing the complaint or Notice of Removal in the proper case. Click Next.



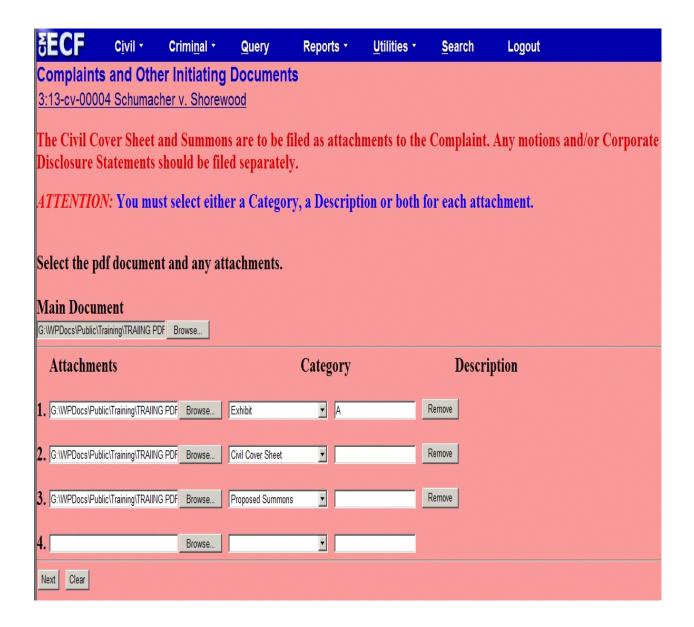
ATTACHING DOCUMENTS TO BE FILED:

The next screen allows you to attach the documents to be filed.

Click the **Browse** button under Main Document, find and select the PDF version of your Complaint or Notice of Removal on your computer to attach it to the docket entry. Be sure to right click on the file name, then **Open Document**, to verify that you selected the correct PDF document. Close the PDF document and select Open at the bottom right hand corner of the screen. You may then add all necessary attachments, including the civil cover sheet, summons and any exhibits. You may select from the drop down choices in the **Category** boxes and/or type a description of the attachment in the **Description** boxes.



Once all documents have been attached and descriptions added, click Next.



An informational screen will appear advising that the filing fee must be paid through Pay.gov unless a Motion to Proceed In Forma Pauperis is being submitted with the Complaint. The screen also warns against using this event to file an Amended Complaint. If you are filing an amendment to a complaint which has already been filed with the court, use the event 'Amended Complaint'. Click **Next**

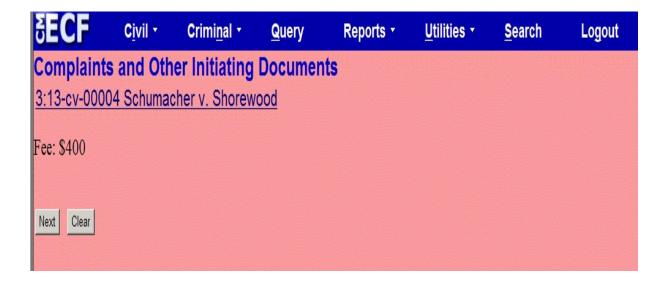


The next screen asks whether a request to proceed in forma pauperis will be submitted with this filing or whether you are filing on behalf of the USA. If the answer to either of these questions is 'Yes', CM/ECF will bypass the link to Pay.gov for electronic payment of the fee and will allow the Complaint to be filed without payment. Clicking 'No' will take you through Pay.gov, where you will be able to pay the fee online. After you have made your selection, click **Next**.

<u>NOTE</u>: If you do not represent the USA and you have not filed a Motion to Proceed IFP, a notation will be made on the docket and you will be contacted by a court employee to make arrangements for payment of the fee.



If you selected 'No', CM/ECF will begin the electronic payment process. The screen indicates that the filing fee is \$400. Click **Next.** The screen will briefly indicate that it is loading the payment processing screen. Please wait for the Pay.gov screen to appear. Once you reach the Pay.gov screen, **DO NOT** use the back button on your web browser for any reason.



PAYING THE FILING FEE ON-LINE USING PAY.GOV:

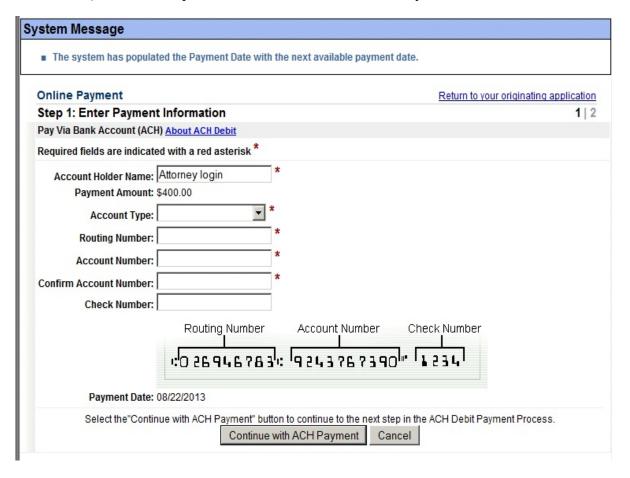
There are two payment options to select from: ACH (debit) or Plastic Credit Card, both of which appear on the same screen. Simply fill out the section for the payment option you wish to use, leaving the other payment option fields blank.

Andrea Barrera	
online Payment step 1: Enter Payment Information	Return to your originating application 1 2
ay Via Bank Account (ACH) About ACH Debit	1 2
Required fields are indicated with a red asterisk *	
Account Holder Name: Attorney login	
Payment Amount: \$400.00	
Account Type: *	
Routing Number: *	
Account Number:	
Confirm Account Number:	
Check Number:	
Routing Number Acc	ount Number Check Number
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Payment Date: 08/22/2013	
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Select the "Continue with ACH Payment" button to continue with ACH Pay Via Plastic Card (PC) (ex: American Express, Discover, Ma Required fields are indicated with a red asterisk * Account Holder Name: Attorney login Payment Amount: \$400.00 Billing Address: 204 S. Main Street Billing Address 2: City: State / Province: Country: United States Card Type: Card Number: * (Card number)	Stercard, VISA) * ** ** ** ** ** ** ** ** *
Select the "Continue with ACH Payment" button to cont Continue with ACH Pay Via Plastic Card (PC) (ex: American Express, Discover, Ma Required fields are indicated with a red asterisk * Account Holder Name: Attorney login Payment Amount: \$400.00 Billing Address: 204 S. Main Street Billing Address 2: City: State / Province: Country: United States Card Type: Card Number: * Help finding your security code	Stercard, VISA) * ** ** ** ** ** ** ** ** *
Select the "Continue with ACH Payment" button to cont Continue with ACH Pay Via Plastic Card (PC) (ex: American Express, Discover, Ma Required fields are indicated with a red asterisk * Account Holder Name: Attorney login Payment Amount: \$400.00 Billing Address: 204 S. Main Street Billing Address 2: City: State / Province: Country: United States Card Type: Card Number: Security Code: * Help finding your security code Expiration Date: * / ** * Continue with ACH Payment* button to cont Continue with ACH Continue with ACH * Continue with ACH * * * * * * * * * * * * *	Stercard, VISA) * * * * * * * * * * * * *
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Select the "Continue with ACH Payment" button to cont Continue with ACH Pay Via Plastic Card (PC) (ex: American Express, Discover, Ma Required fields are indicated with a red asterisk * Account Holder Name: Attorney login Payment Amount: \$400.00 Billing Address: 204 S. Main Street Billing Address 2: City: State / Province: Country: United States Card Type: Card Number: Security Code: * Help finding your security code Expiration Date: * / ** * Continue with ACH Payment* button to cont Continue with ACH Continue with ACH * Continue with ACH * * * * * * * * * * * * *	Stercard, VISA) Payment Cancel Stercard, VISA) Page 201 AND 201 Page 20
Select the "Continue with ACH Payment" button to cont Continue with ACH Pay Via Plastic Card (PC) (ex: American Express, Discover, Ma Required fields are indicated with a red asterisk * Account Holder Name: Attorney login Payment Amount: \$400.00 Billing Address: 204 S. Main Street Billing Address 2: City: State / Province: Country: United States Card Type: Card Number: * Security Code: * Expiration Date: * Select the "Continue with Plastic Card Payment" button to	Stercard, VISA) Payment Cancel Stercard, VISA) Page 201 AND 201 Page 20

A. Payment Option 1 - Bank Account (ACH) Debit

The account holder name field should already be populated with the filing attorney's name. The Payment amount \$400.00 is also populated. Select the Account Type by clicking the drop down arrow and clicking on the preferred account type (options are: Personal Checking, Personal Savings, Business Checking, and Business Savings).

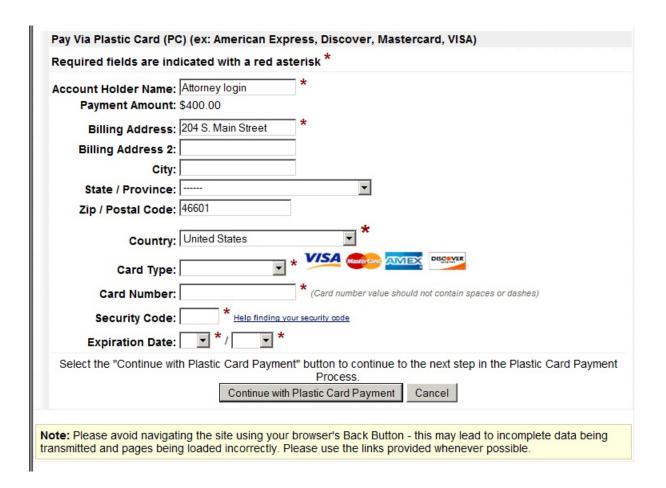
Proceed to fill out the remaining required fields with ther requested information (marked with a red asterisk *). When complete, click **Continue with ACH Payment**.



B. Payment Option 2 - Credit Card

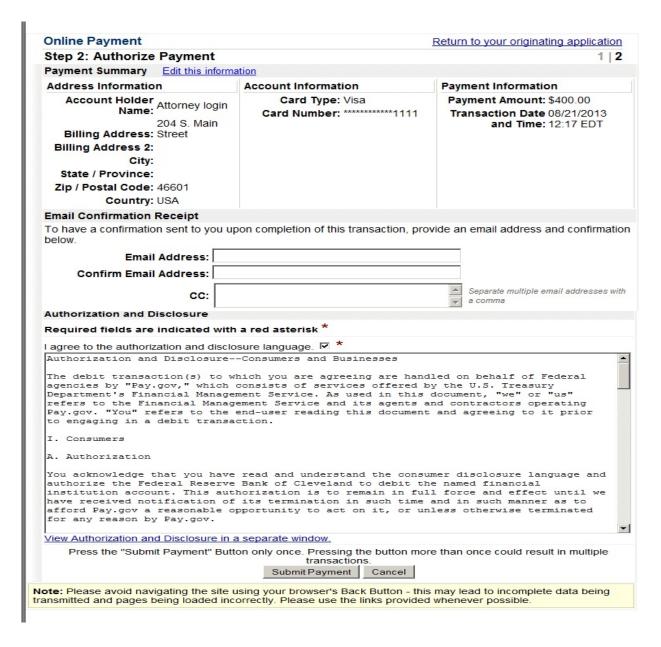
The account holder name field should already be populated with the filing attorney's name. The Payment amount \$400.00 is also populated. Select the Card Type by clicking the drop down arrow and clicking on the card type which you are using (options are **Visa**, **Mastercard**, **American Express**, **Discover**).

Proceed to fill out the remaining required fields with ther requested information (marked with a red asterisk *). When complete, click **Continue with Credit Card Payment.**



C. AUTHORIZATION FOR PAYMENT

Step 2 of the payment process will appear on the screen. If you would like to have a confirmation of payment sent to you by email, enter your email address in the fields provided. If you would also like a copy sent to other email addresses, you may enter those addresses in the **CC:** field. If entering more than one address in this field, you must separate the addresses with a comma.

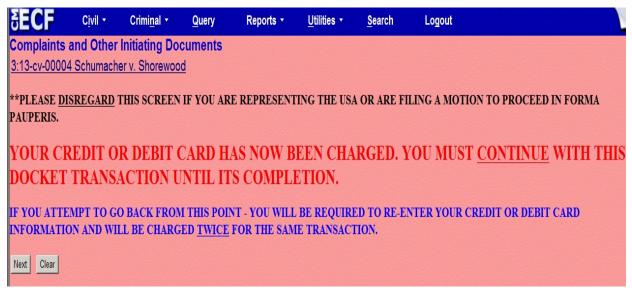


You <u>MUST</u> check the box indicating that you agree to the authorization and disclosure language (marked with a red asterisk *). Click **Submit Payment**. (*Press the Submit Payment Button only once. Pressing the button more than once could result in multiple transactions*).

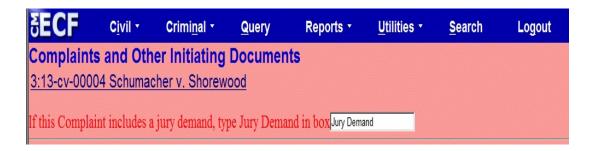
The screen will then briefly indicate that your payment is being processed. You will then be returned to CM/ECF to complete the filing of the Complaint or Notice of Removal.



Now back to CM/ECF, the screen informs you that, unless you represent the USA or are filing a Motion to Proceed In Forma Pauperis, your credit/debit card has been charged and you must now continue with the docket transaction until complete. This screen also warns that attempting to hit the back arrow from this point will link you back to the Pay.gov payment screens, which in order to continue, will require you to re-enter your credit/debit card information, resulting in payment of the filing fee a second time. Click **Next**.

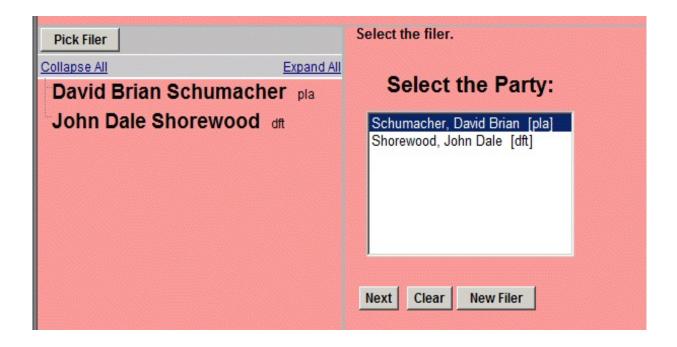


The top portion of this screen directs you to type the words "Jury Demand" into the text box if the Complaint includes a Jury Demand. If it does not, simply leave the box blank and continue to Select the filer.

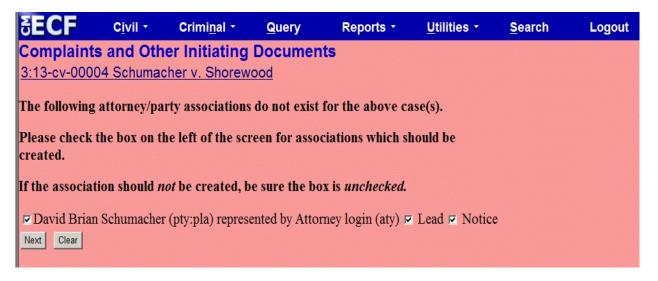


SELECTING FILING PARTY(S) AND LINKING ATTORNEY TO FILER

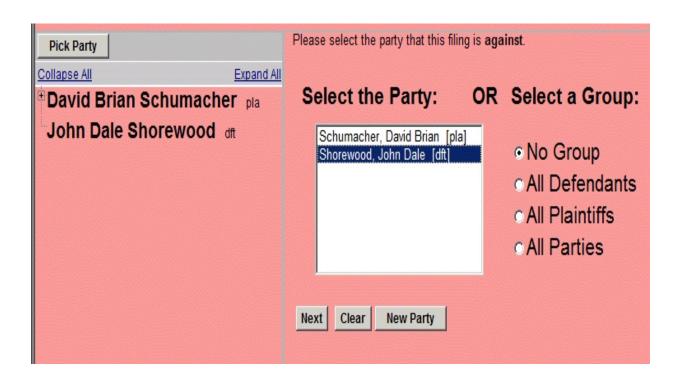
Under **Select the Party**, select the name of the party filing the Complaint or Notice of Removal and click **Next**.

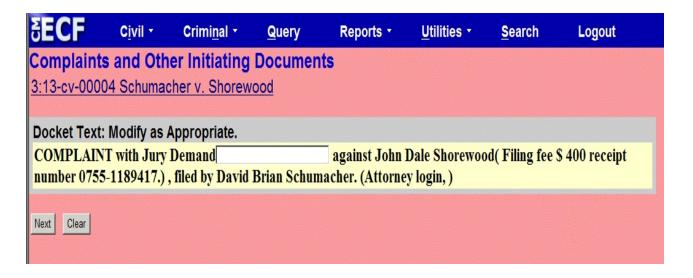


CM/ECF will automatically link the filing attorney to the filing party selected on the previous screen. Leave the three boxes on this screen checked (default). This will associate the filing attorney with the filing party. Unchecking these boxes will prevent the filing attorney and his or her staff from receiving Notices of Electronic Filing (NEF) in the case. Click **Next**.

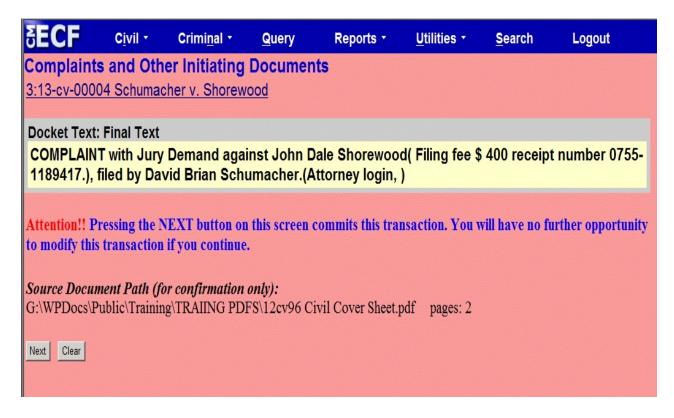


Next, select the party or parties that this filing is against and click **Next** (*If you are filing a Notice of Removal on behalf of the defendant(s), your filing is against the plaintiff)*.





On this screen, you may type additional text in the blank text field if necessary. A receipt number for the filing fee will appear in the docket text. If it does not, either the fee was not properly paid, or you have indicated that you represent the USA or that you will be filing a Motion to Proceed In Forma Pauperis. If you entered all requested payment information in the Pay.gov payment processing screens and a receipt number does not appear in the entry, please call the Clerk's Office for assistance.



This is the final screen before submission to the Court. A warning appears advising that pressing the next button on this screen will commit the transaction. Click **Next** to complete the transaction.

SUBMISSION OF COMPLAINT OR NOTICE OF REMOVAL TO THE COURT

Once the final transaction is submitted, a Notice of Electronic Filing (NEF) is generated, as shown. This is your confirmation that the case has now been opened and the Complaint or Notice of Removal has been submitted to the Court.



After the case is examined by the Clerk's Office, you will be notified of the Article III Judge assigned to the case and summons will be issued and sent back to you by email for service upon the defendant(s). Please note, however, that if a Motion to Proceed In Forma Pauperis was submitted, summons will not be issued until the motion is granted by the Court.