U. S. District Court, Southern District of Indiana
Case Management/Electronic Case Filing System

Electronic Civil Case Opening Procedures
(Updated 12/1/2023)

Electronic civil case opening is a two part process**: 1) enter the case data**, and **2) file the initiating documents**. This guide describes the procedures for opening a new civil or miscellaneous case in CM/ECF in the Southern District of Indiana. For assistance during electronic civil case opening or other filing matters, please contact the Clerk's Office at (317) 229-3700.

PART I - ENTER the CASE DATA

STEP 1 After logging in to CM/ECF with the filing attorney's ECF (e-filing) account, select Civil from the blue menu bar at the top of the ECF screen.

STEP 2 Select Open a Civil Case on the *Civil Events* screen**.**

STEP 3 Select Office and Case Type

On the screen that follows, select the office and case type, which provide CM/ECF with the information it needs to assign a case number. A case number will be generated by CM/ECF <u>after</u> PART I of these instructions have been completed.

Below is a description of the fields on this screen.

Office

Select the divisional office in which the case is being filed. The Southern District of Indiana is divided into four divisions. The chart below provides a list of counties located in each division.

IMPORTANT: Please select the office carefully, as an error will cause the case to be assigned to the incorrect division, which will require transfer and reassignment of the case.

Indianapolis		Terre Haute	Evansville	New Albany
Bartholomew	Madison	Clay	Daviess	Clark
Boone	Marion	Greene	Dubois	Crawford
Brown	Monroe	Knox	Gibson	Dearborn
Clinton	Montgomery	Owen	Martin	Floyd
Decatur	Morgan	Parke	Perry	Harrison
Delaware	Randolph	Putnam	Pike	Jackson
Fayette	Rush	Sullivan	Posey	Jefferson
Fountain	Shelby	Vermillion	Spencer	Jennings
Franklin	Tipton	Vigo	Vanderburgh	Lawrence
Hamilton	Union		Warrick	Ohio
Hancock	Wayne			Orange
Hendricks				Ripley
Henry				Scott
Howard				Switzerland
Johnson				Washington

Case Type

Select "**cv**" to open a civil case or "**mc**" to open a miscellaneous case.

The following initiating documents are to be opened as a civil "**cv**" case:
- Complaint
- Notice of Removal
- Petition for Writ of Habeas Corpus

The following initiating documents are to be opened as a miscellaneous "**mc**" case:

- Letters Rogatory
- Application for Administrative Subpoena
- Application for Turnover Orders
- Motion for Protective Order
- Motion for Return of Seized Property
- Motion to Enforce Summons
- Motion to Quash Summons
- Motion to Enforce Subpoena
- Motion to Quash Subpoena
- Motion to Perpetuate Testimony
- Motion to Vacate Arbitration Award
- Motion to Confirm Arbitration Award
- Notification of Appointment of Receiver
- Registration of Foreign Judgment

Other Court Name and Other Court Number

When filing a Notice of Removal, enter the name of the court in which the case was originally filed, in the *Other court name* field (i.e., Marion County Civil Court Five).

Enter the county case number that was originally assigned to the matter in the *Other court number* field (i.e., 49D05-1110-CT-012345).

STEP 4 Enter Case Data

The Case Data Screen may be completed using the information provided on the Civil Cover Sheet. A completed civil cover sheet must be attached in .pdf format when filing the case initiating document in PART II of the Electronic Civil Case Opening process.

Selections made on the Case Data Screen are very important. If an error message appears on the screen, double-check the accuracy of the information entered, which must be corrected before case opening may continue.

NOTE: For miscellaneous (mc) cases, STEP 4 is not required.

Jurisdiction

Jurisdiction defaults to *Federal Question*. The drop down list displays additional options for jurisdiction, including *Diversity*, *U.S. Government Plaintiff*, and *U.S. Government Defendant*.

Cause of Action

Available statutes, which are also referred to as Causes of Action, are listed in numerical order. To enter the applicable Cause of Action, click the drop down list and scroll down to find the appropriate selection. Or, use the Filter field by entering a full or partial statute number or text description. CM/EC will narrow the drop down list to only the items that match the statute number or description entered.

Nature of Suit

Nature of suit codes are listed in numerical order. To enter the Nature of Suit, click the drop down list and scroll down to find the appropriate selection. Or, use the Filter field by entering a full or partial number or text description. CM/ECF will narrow the drop down list to only the items that match the number or description entered.

Origin

A Complaint originating in Federal Court is classified under origin code *1 (Original Proceeding)*. A Notice of Removal is classified under origin code *2 (Removal from State Court)*. Use the drop down box to select the appropriate origin code for the case.

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Citizenship
The citizenship of the parties must be provided <u>only</u> for cases in which <u>Diversity</u> has been selected as the basis for Jurisdiction. When filing a diversity case, select the appropriate citizenship statement for the plaintiff and the defendant.

Jury Demand
Jury demand should be selected only if there is a jury demand contained within the case initiating document(s). The jury demand status may be entered by the plaintiff when filing a Complaint or the defendant when filing a Notice of Removal. *N (none)* should be selected if none of the parties have formally demanded a jury trial.

Class Action
If the Complaint alleges a class action, select "y" in the Class Action field. To request class certification, a separate motion must be filed after the case has been opened.

Demand
If a monetary demand is included in the Complaint, enter the amount to the nearest thousand dollars. For example, if the demand is $1,500,000 enter 1500, without a dollar sign, comma or decimal.

County
Click the County drop down list to display a list of all counties in the Southern District of Indiana. From the list, select the county which determined divisional jurisdiction for the case.

Fee Status
Unless filing on behalf of a U.S. governmental agency or in forma pauperis, the fee status should be set to "pd" (paid). If a motion to proceed in forma pauperis (without prepayment of fees) is being filed, "pend" (IFP pending) should be selected. Attorneys for the United States or agencies of the United States government should select "none" (no fee required) as the fee status.

STEP 5 Enter Party Names

Perhaps the most critical component of electronic civil case opening is the entry of party names. It is important that this be done correctly because it impacts not only the case being filed, but the general records of the court. The **Party Name Guide** is available on the court's website to provide assistance in adding party names.

NOTE: ALL Party Names must be in all **CAPITAL** letters and use appropriate punctuation.

NOTE: Party Names must be entered **EXACTLY** how they are identified in the initiating documents.
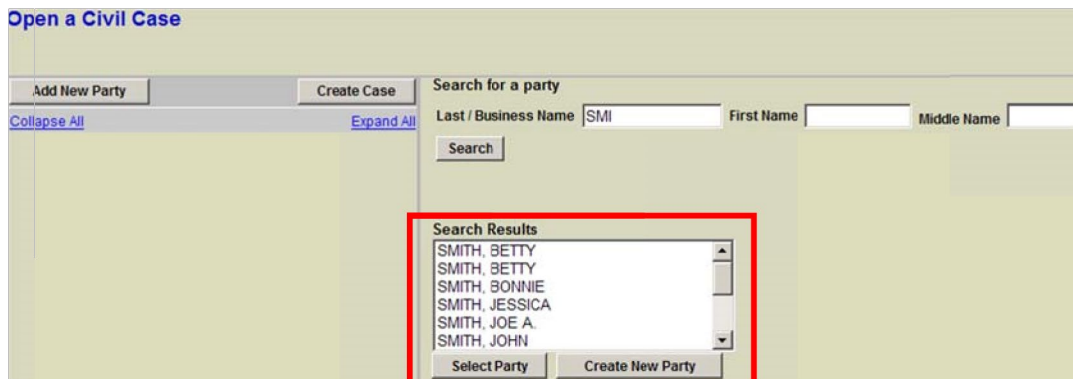

Searching for a Party

The Party Search screen is divided into two panels. The left panel contains controls to Add New Party and Create Case. The search fields in the right panel allow users to search the CM/ECF database for party names.

To enter a party name, <u>first</u> search existing names in the CM/ECF database by entering at least three letters of the party's last name in the last name field. If the party is a business, enter the first three letters of the business name. Click the Search button to view a list of available party names.

As the system searches for a party name match, CM/ECF will display a list of existing party names. Scroll through the list to review the potential party name matches. If the name of the party appears in the list, click on the party name to highlight it, then click the Select Party button. If the name of the party does not appear in the list, consult the Creating a New Party instructions below.

Creating a New Party

If the system does not find a match after performing a party name search, click the Create New Party button to create a new party record in the CM/ECF database.

IMPORTANT: Please consult the Party Name Guide before entering a new party into the court's CM/ECF database.

CM/ECF will display the Party Information screen. Party names are entered entirely in capital letters. Although several data entry boxes appear on the Party Information screen, only the following fields should be completed. These fields are described in more detail on the next page.

> **Example:** JOHN A. SMITH, JR.
>> Last name: SMITH
>> First name: JOHN
>> Middle Initial: A.
>> Generation: JR.
>>
>> **NOTE:** Titles/job descriptions should be entered in the **Party text** field.
>>
>> **NOTE: <u>Do not</u>** enter any additional information (address, phone, email, etc.) unless entering a Pro Se party information in relation to a Notice of Removal.

Party Name
Party names must be entered in CAPITAL LETTERS. For businesses, the entire company name must be entered in the Last name field. For individuals, the Last name, First name, and Middle name fields are used. The Generation field (e.g., Jr. Sr.) may also be completed, if applicable.

Role
The Role type defaults to plaintiff. Select the correct party role from the drop down list.

Party Text
The Party Text field may be used to add a party's title/job description.

Example: KILOLO KIJAKAZI, Acting Commissioner of the Social Security Administration
Last name: KIJAKAZI
First name: KILOLO
Middle initial: (blank)
Party text: Acting Commissioner of the Social Security Administration

Example: DR. JOHN A. SMITH, JR.
Last name: SMITH
First name: JOHN
Middle Initial: A.
Generation: JR.
Party text: DR.

When all required information is entered, click the Add Party button at the bottom of the screen to add the party to the case.

Alias Names

If a party has an alias name, the entire party name and alias name must be entered under the Last/Business Name field exactly how it is identified in the complaint/petition.

Example: ABC COMPANY, INC., doing business as, EFG COMPANY
    Last/Business name: ABC COMPANY, INC., doing business as, EFG COMPANY

Example: JANET S. SMITH, a/k/a JANET S. BROWN
    Last/Business name: JANET S. SMITH, a/k/a JANET S. BROWN

    NOTE: Never enter a corporate parent as an alias. Instead, file a Corporate Disclosure Statement after filing the initiating documents.
See Fed.R.Civ.Proc. Rule 7.1 for more information.

    NOTE: Do NOT add attorneys for a party at this point of the process. Attorneys will be added, and linked to the appropriate party(ies) when the Notice of Attorney Appearance is filed. Likewise, do NOT add Corporate Parents as this point of the process, as they will be added when the Notice of Corporate Disclosure is filed.
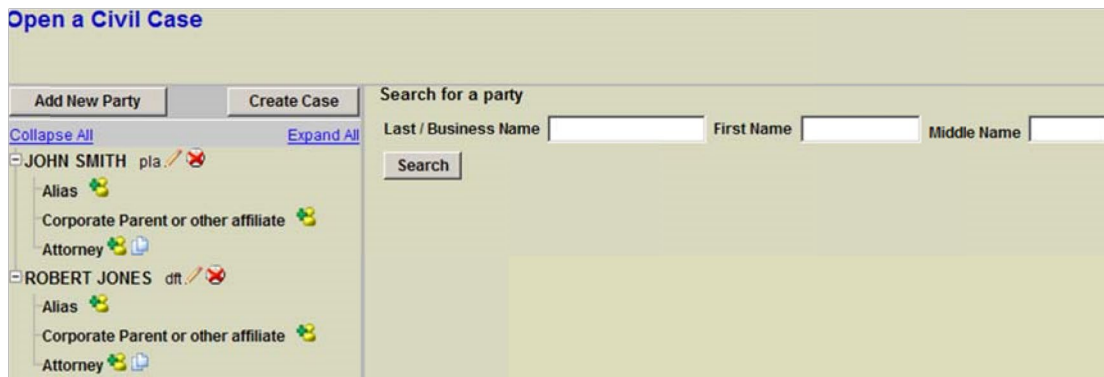
The following chart provides a description of the icons and functions that are available in the left side panel of the Case Participant Tree.

Icon	Description
✖	Delete this party or alias from the case.
✚	Add a new alias in the case.
✏	Edit this party or alias in the case.
+ or -	Expands or collapses the party menu.

The Expand all hyperlink displays all party information in the case, including aliases. The Collapse all hyperlink displays only the names of the parties in the case, with all other information collapsed in the tree.

Each branch of the case participant tree may be expanded or collapsed individually by clicking on the + and – icons.

After entering all parties in the case, expand the Case Participant Tree to review the party names for accuracy. If necessary, click the appropriate icon in the Case Participant Tree to add or correct information.

STEP 6 Create Case

When all parties and attorneys have been added and appear correctly in the Case Participant Tree, click Create Case. CM/ECF provides one last opportunity to make changes to case opening information. Clicking **No** will allow you to add, delete or modify parties. If all of the information is correct, click **Yes** to create the case and obtain a case number.

The case data is now entered in CM/ECF and a case number has been assigned. **Please make a note of the case number and add it to the caption of case documents <u>before</u> converting them to PDF and filing the case initiating documents in CM/ECF.**

> NOTE: A district judge and magistrate judge will be assigned to the case and will appear on the *Notice of Electronic Filing* <u>after</u> the initiating documents (e.g., complaint, notice of removal) have been filed. When opening a miscellaneous case, notice of judge assignments will be distributed to counsel by the Clerk's Office within 1 business day.

All case initiating documents (e.g., complaint, proposed summons, notice of removal, civil cover sheet, notice of appearance, corporate disclosure statement) <u>must</u> be filed immediately after the case has been opened.

IMPORTANT: If a case has been opened incorrectly, **STOP** and contact the Clerk's Office for assistance at (317) 229-3700. **DO NOT** open the case a second time.

PART II - FILE INITIATING DOCUMENTS

STEP 7 Select the Filing Event

To complete PART II of the electronic civil case opening process, click on the File Initiating Documents hyperlink after obtaining the case number, or click on the

Case Opening Documents menu on the Civil Events screen. Make the appropriate selection from the list of available events.

Case Opening Documents (new cases only)
Events in this category require online payment of a filing fee via ACH or credit card transaction, unless filed on behalf of the USA or with a *Motion to Proceed Without Prepayment of Fees* (in forma pauperis).

Complaint or Notice of Removal (required fee=$402)
Miscellaneous Case (required fee=$49)
Petition for Writ of Habeas Corpus (required fee=$5)
Petition for Certificate of Innocence (required fee=$402)

[   ] Start typing to find an event.

Available Events (click to select an event)
- Complaint
- Miscellaneous Case - Initiating Document
- Notice of Removal
- Petition for Certificate of Innocence
- Petition for Writ of Habeas Corpus

Selected Event

[Next] [Clear]

IMPORTANT: Filing a Complaint or Notice of Removal in CM/ECF requires the electronic payment pursuant to the District Court Fee Schedule. Before filing the initiating document(s), it is important to obtain relevant financial account information in the form of either:

> 1) the routing number and account number for a firm savings or checking account; or 2) the account number, expiration date, and 3-digit security code for a firm credit card.

> NOTE: When filing a new case on behalf of the USA or with a *Motion to Proceed Without Prepayment of Fees* (in forma pauperis) it is not necessary to submit a filing fee payment with the initiating document(s).

STEP 8 Enter the Case Number

When prompted, enter the case number generated by CM/ECF following the case opening process and click Next to continue.

Case Opening Documents (new cases only)

Civil Case Number

[1:11-cv-227]

[Next] [Clear]

STEP 9 Select the Parties

First, select the filing party from the list of parties in the case. When filing a Complaint, select the plaintiff(s). When filing a Notice of Removal, select the filing defendant(s). Or, if appropriate, select one of the group options to the right of the party name list. Once a selection has been made, click the Next button to continue.

STEP 10 Create Attorney/Party Association

CM/ECF will prompt the filing attorney to add himself/herself as counsel for the filing party(ies). Place a check in the box(es) to the left of the party name(s) to create an attorney/party association.

NOTE: Entering an attorney as counsel for a party does not satisfy Local Rule 83-7 (a), which requires each attorney to file a Notice of Appearance to establish representation of a party.

STEP 11 Select the Parties

Select the party(ies) against whom the document is being filed. For Removals, select the filer(s) of the state court Complaint. Click the Next button to continue.

STEP 12 Upload PDF Documents

When prompted to attach PDF documents to the filing, attach the initiating document (e.g., Complaint or Notice of Removal) in the Main Document field, using the Browse button to locate the PDF file.

When filing a Complaint:
Upload the Complaint as the Main Document. Any exhibits to the Complaint must be filed as attachments – each exhibit must be attached as a separate PDF file and described as instructed below. Following any exhibits, the Civil Cover Sheet and Proposed Summons must be filed as attachments to the Complaint. For cases with multiple defendants, in which more than one summons is needed, all summons documents should be converted into a single PDF file.

When filing a Notice of Removal:
Please follow the very specific instructions in Local Rule 81-2. To summarize:

Upload the Notice of Removal as the Main Document.

Attachment #1 must be a single PDF document of a copy of the State Court Record which includes a copy of the state court docket sheet, all pleadings, motions, orders, and all other filings, organized in chronological order by the state court filing date. The description entered for the State Court Record should list each document that is included in the record (Example: *State Court Record (Docket Sheet, Complaint, Appearance, Summons)*.

Attachment #2 must be the operative complaint at the time the case is removed.

Attachment #3 is the Civil Cover Sheet.

NOTE: All other documents, including a Notice of Motions that Remain Pending in State Court at the time of removal, may not be attached to the initiating document and must be filed separately.

STEP 13 Pay the Filing Fee

CM/ECF will inquire about the payment of fees. If the case is being filed in combination with an application/motion to proceed without prepayment of fees OR if the case is being filed on behalf of the United States, select the "Yes" option to bypass the fee payment screen. Otherwise, leave the "No" option selected and click Next to continue. CM/ECF will display the filing fee amount. Click Next to proceed to the fee payment screen.

NOTE: CM/ECF will temporarily route the filer to the government's **pay.gov** website for collection of fees. **Do not use the internet browser's back button from this point forward in the transaction.**

The pay.gov fee payment screen provides <u>two</u> options for payment of the filing fee:

1) Bank Account (ACH) payment using the routing number and account number for a firm savings or checking account; or

Please enter checking or savings account information below.
* indicates required fields

Agency Tracking ID: 0756-1503479

Payment Amount: $402.00

* Account Holder Name: Account Holder

* Account Type: Select an Account Type

Routing Number   Account Number   Check Number

⑆0 26 946 783⑆ ⑈9 243 76 7 390⑈ 1 234

* Routing Number:

* Account Number:

* Confirm Account Number:

Previous   Cancel   **Continue**

OR

2) Plastic Card payment using the account number, expiration date, and 3-digit security code for a firm credit card (VISA, Mastercard, American Express, or Discover).

Please provide the Credit or Debit Card Information below
* indicates required fields

Agency Tracking ID: 0756-1503479

Payment Amount: $402.00

* Country: United States

* Billing Address: 123 West Main Street

Billing Address 2:

* City: Indianapolis

* State/Province: Indiana

* ZIP/Postal Code: 46204

* Account Holder Name: Card Holder

VISA MasterCard AMEX DISCOVER JCB UnionPay ◐

* Card Number:

* Expiration Date:

Card Security Code:

Previous   Cancel   **Continue**

After selecting the type of payment and entering the appropriate information, click on the Continue with Payment button to advance to the payment authorization screen. If the financial information provided is incorrect, pay.gov will prompt the filer to resubmit the account number(s). On the authorization screen, put a check in the box at the bottom of the screen to authorize payment of the filing fee, then click the Continue button to complete the transaction.

Review and submit payment
* indicates required fields

Agency Tracking ID:	0756-1503479
Payment Amount:	$402.00
Payment Method:	Plastic Card
Account Holder Name:	Account Holder
Card Type:	VISA
Card Number:	************1111
Billing Address:	123 West Main Street
Billing Address 2:	
City:	Indianapolis
Country:	United States
State/Province:	IN
ZIP/Postal Code:	46204

☑ I authorize a charge to my card account for the above amount in accordance with my card issuer agreement.

Previous   Cancel   **Continue**

STEP 14 Complete the Filing

After accepting the filing fee payment, the pay.gov website will return the filer to CM/ECF for completion of the document filing process. The filing fee receipt information will appear in the docket text for the transaction. Click the Next button to submit the filing.

WARNING: Failure to complete the filing process at this point in the transaction will result in the payment of a filing fee _without_ having properly filed the case initiating documents.

If the filing process is not completed, **STOP** and contact the Clerk's Office for assistance at (317) 229-3700. **DO NOT** open the case a second time, doing so will result in a duplicate payment.

If a duplicate payment occurs, counsel is required to file a Motion for Reimbursement of Filing Fee, along with a proposed order.

Docket Text: Final Text

COMPLAINT against ROBERT JONES, filed by JOHN SMITH. (Filing fee $402, receipt number 0756-1503479) (Attachments: # (1) Civil Cover Sheet, # (2) Proposed Summons)(attyDavison, Jordan)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

Source Document Path (for confirmation only):
H:\Complaint.pdf   pages: 1
H:\Civ Cover Sheet.pdf   pages: 1
H:\Summons.pdf   pages: 2

Next   Clear

STEP 15 Review Judge Assignment

When filing a civil case:

Upon the filing of the initiating documents in a civil case, a random judge assignment is created and will be displayed on the Notice of Electronic Filing. Please make a note of the district and magistrate judge assignments for future reference. Subsequent filings should include the judges' initials in the case number, within the document caption.

IMPORTANT: The filing attorney must print and serve all case opening documents in the traditional paper manner. Within 1 business day of case opening, the Clerk's Office will review each newly filed case. For cases opened with a civil complaint, the summons(es) will be issued electronically via CM/ECF, and must be printed on paper for service on the defendant(s).

U.S. District Court
Southern District of Indiana
Office of the Clerk
(317)229-3700
www.insd.uscourts.gov

Notice of Electronic Filing

The following transaction was entered by attorney, on 8/12/2011 at 4:34 PM EST and filed on 8/12/2011
Case Name: SMITH v. JONES
Case Number: 1:11-cv-00209-SEB-DML
Filer: JOHN SMITH
Document Number: 1
Judges Assigned Sarah Evans Barker (presiding), Debra McVicker Lynch (referral)

Docket Text:
COMPLAINT against ROBERT JONES, filed by JOHN SMITH. (Filing fee $402, receipt number 0756-1503479) (Attachments: # (1) Civil Cover Sheet, # (2) Proposed Summons)(attyDavison, Jordan)

When filing a miscellaneous case:

Upon the filing of the initiating documents in a miscellaneous case, a judge assignment is <u>not</u> created. Within 1 business day of case opening, the Clerk's Office

will issue an entry notifying counsel of the judge assignment for the case. Subsequent filings should include the judges' initials in the case number, within the document caption.

NOTE: After filing the initiating documents, submit additional filings separately, using the appropriate filing events, such as the Notice of Appearance, Notice of First Extension of Time, Corporate Disclosure Statement, Notice of Related Case, Motion to Proceed In Forma Pauperis, etc.

IMPORTANT: If a case has been opened incorrectly, **STOP** and contact the Clerk's Office for assistance at (317) 229-3700. **DO NOT** open the case a second time.