UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

CASE OPENING INSTRUCTIONS

CIVIL CASE OPENING BY ATTORNEYS

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Effective March,2014 attorneys may open their own civil cases and file their case initiating document in CM/ECF. During the case opening event, you will be prompted to enter information from the Civil Cover Sheet and enter parties in the case.

A civil case may be opened and the initial document/pleading filed in CM/ECF if:

1. The filing fee, if applicable, is paid using a credit card;
2. A motion to proceed in forma pauperis is filed; or
3. No filing fee is required.

Once you have started opening the new case, you **must** complete the **entire** process.

- Do **not** attempt to open the same case twice.
- **Never** hit the back button to go back to the previous screens where you entered your parties or case information once you receive an assigned case number.

> **READ ALL SCREEN MESSAGES CAREFULLY. MESSAGES CONTAIN IMPORTANT INFORMATION ABOUT WHAT SHOULD BE ATTACHED TO YOUR FILING AND HOW TO PROCEED DURING FILING.**

The following instructions will guide you through opening a civil case.

OPENING A CIVIL CASE

You have the option of using the cascading menus or the static menus when selecting an event.

Click on the civil option in CM/ECF. **(See Figure 1)**
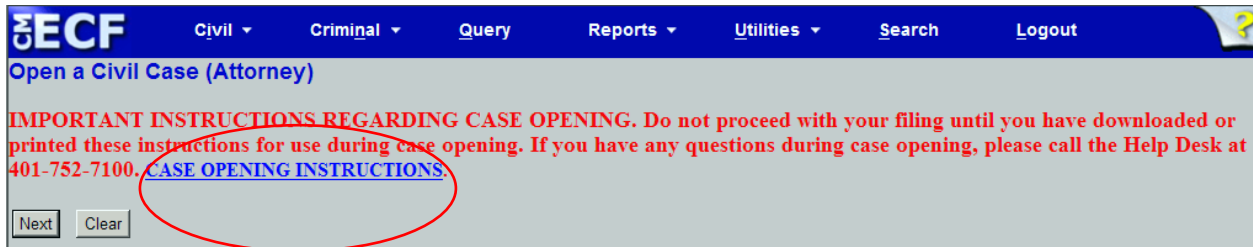
Figure 1

After selecting **Civil**, the Civil Events window opens displaying all of the events from which you may choose to electronically file a pleading or document. (**See Figure 2**) Click on **New Case (Attorney Filing)** under the **Open a Case** event group.
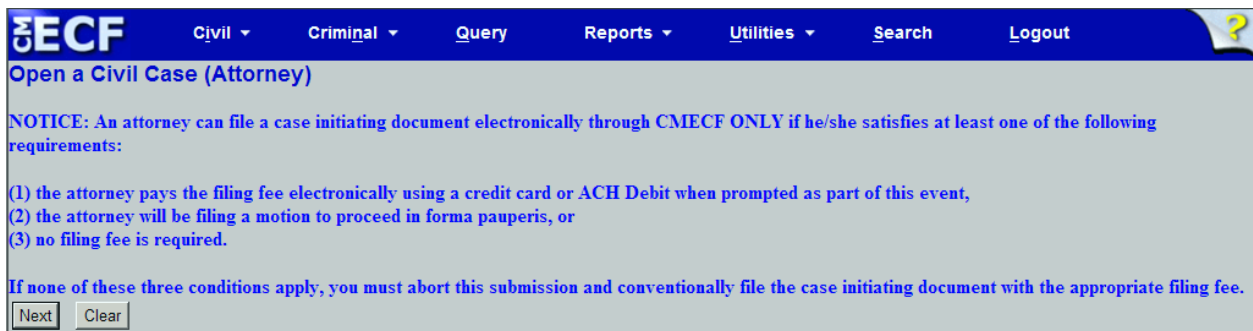
Figure 2

The next few screens display important case opening information. **(See Figure 3)**

Figure 3

If you meet the criteria for electronically filing a civil case as outlined on the next screen **(Figure 4)**, click the **[Next]** button. If you do not meet this, criteria, you may click on any of the items on the Blue Menu Bar to cancel this event, and contact the Clerk's Office.
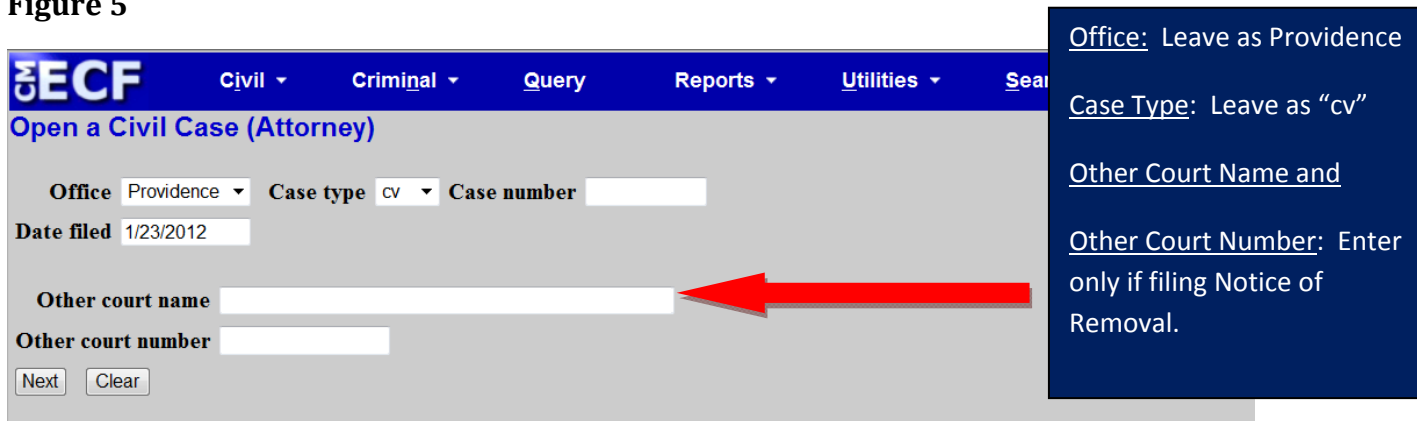
Figure 4

NEW CASE INFORMATION

Enter Case Information on the initial case filing screen as shown on the next screen **(Figure 5),** click the **[Next]** button.

Figure 5

Office: Leave as Providence

Case Type: Leave as "cv"

Other Court Name and

Other Court Number: Enter only if filing Notice of Removal.

The information entered on this screen can be obtained from the Civil Cover Sheet. After filling in the appropriate fields and verifying the information is correct, click **[Next]**. (See **Figure 6)**

Figure 6

Jurisdiction, Cause of Action, Nature of Suit, and Origin: Enter information from the Civil Cover Sheet into the **Filter** text box.

Citizenship of Plaintiff: Enter only if case is a diversity case and you selected "4"(Diversity) under Jurisdiction.

Citizenship of Defendant: Enter only if Diversity case.

Jury Demand: Enter information if requested in complaint in accordance with LR Cv 5(a)(4).

Class Action: Leave Blank.

Demand: Enter amount of demand in thousands.

Arbitration Code: Leave Blank

County: Enter information from the Civil Cover Sheet.

Fee Status:

due(Due): Do not Use

fp(in forma pauperis): Do not use

none(no fee required) Used if filing fee is not required by statute.

pd(paid) – Payment made at time of filing.

pend(IFP pending)- if filing a motion to proceed in forma pauperis.

wv (Waived): if filing on behalf of the United States Government.

Fee Date: Do not change.
Date transfer: Leave blank.

Please Note: The system will verify the accuracy of combinations entered on this screen. For example, if an invalid Nature of Suit and Jurisdiction combination is selected, a screen will appear stating:
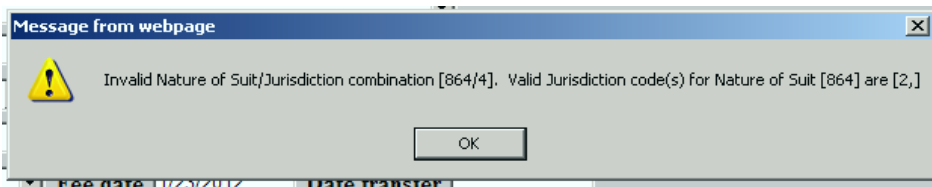
If you receive this error, click **[OK]** and select valid combinations as indicated.

ADD/CREATE NEW PARTY

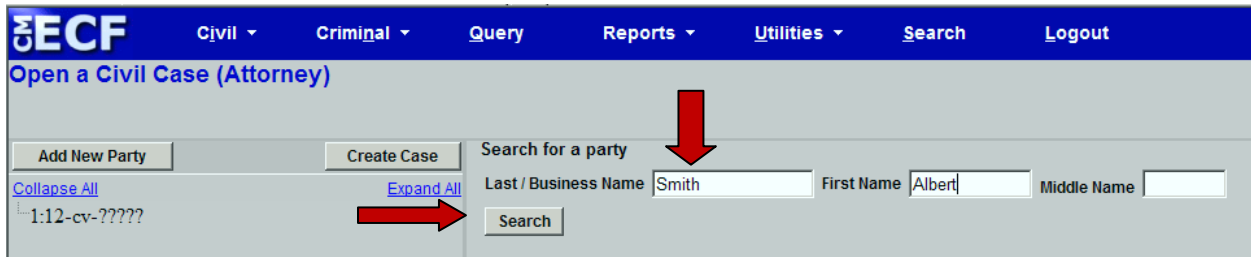For guidance in adding parties, please see Attachment A.

> **If you have any questions or concerns when adding a party, call the CM/ECF Helpdesk at 401-752-7100 before adding parties.**

The party information screen will allow you to enter all of the parties to the case.

> **NOTE:** It is very important that you add the party names exactly as they appear on the complaint.

Search the database for the party name. In the **Last/Business name field**, type the first few letters of the last name of the individual, or the first few letters of the company name, and click **[Search].** You must enter at least two letters in this field to search for a party name. **(See Figure 7) Note: If a business, enter business name in the Last/Business Name text box.**

Figure 7

After clicking on the search button, the system will search the database for any matches to your party name entry.

If a match is found, the results will display in a new window. **(See Figure 8)**

> Scroll down the list of names to search for the party to your case. If you find a name that matches the party in your case, select the name and click **[Add Party].**

If a match is not found, or the party does not appear in the list, click **[Create New Party].** **(See Figure 8)**

Figure 8
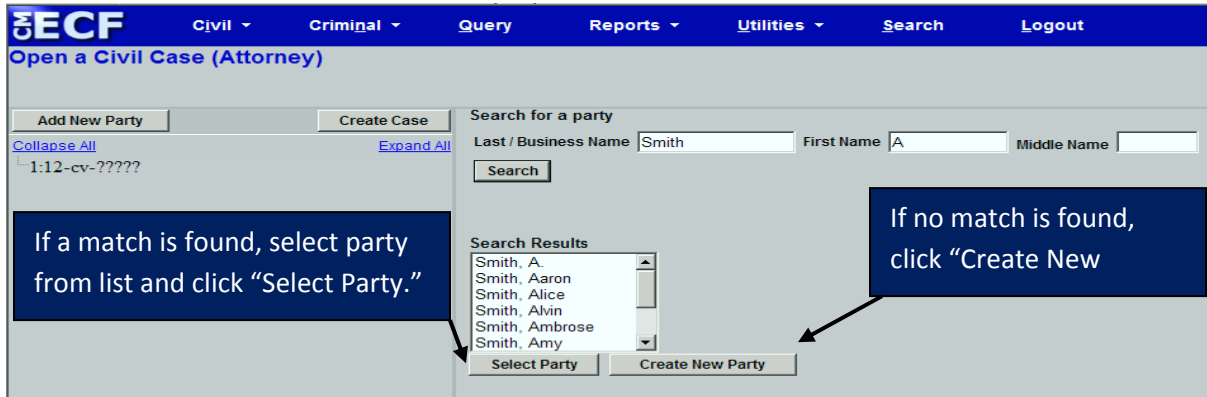
Party Information Screen: Enter data on the party information screen as shown in below. **Note: If a business, enter business name in the Last Name text box. (See Figure 9)**

Figure 9

Party Information

Last name	Smith	First name	Albert
Middle name		Generation	
Title			
Role	Plaintiff (pla:pty)		
Pro se	No		
Prisoner Id		Unit	
Office			
Address1			
Address 2		☐ Show this address o[n]	
Address 3		City	
State	Zip	Country	
Prison			
Phone		Fax	
E-mail			
Party text			
Start date	2/28/2012	End date	
Corporation	no	Notice	yes

Add Party

Callout (center): Leave the following blank:

Prisoner ID, Office, Address 1, Address 2, Address 3, City, State, Country, Zip, Prison, Phone and E-mail.

Callout (right): Last or Business Name, First, Middle Name: Enter, if applicable to create new party. (If you selected a party from search screen, the name will appear at the top of the screen.)

Title: Leave blank.

Role: Select appropriate party role.

Pro-Se: Do not change. Leave as "no".

Prisoner ID, Unit, Office, Address, Phone, Email, Fax: LEAVE ALL FIELDS BLANK.

Party Text: is for descriptive information (i.e., "in his official capacity," "individually", etc.). Enter Party Text as outlined in Attachment B.

Corporation: Leave at "no".

Notice: Leave at "yes".

After verifying that all the information is correct, click **[Add Party]**. A new party screen will display to allow you to add another party to the case. Click on the **[Add New Party]** button on the left side of the split screen as indicated below. **(See Figure 10)** (refer to the instructions above to add/create a new party).

Figure 10
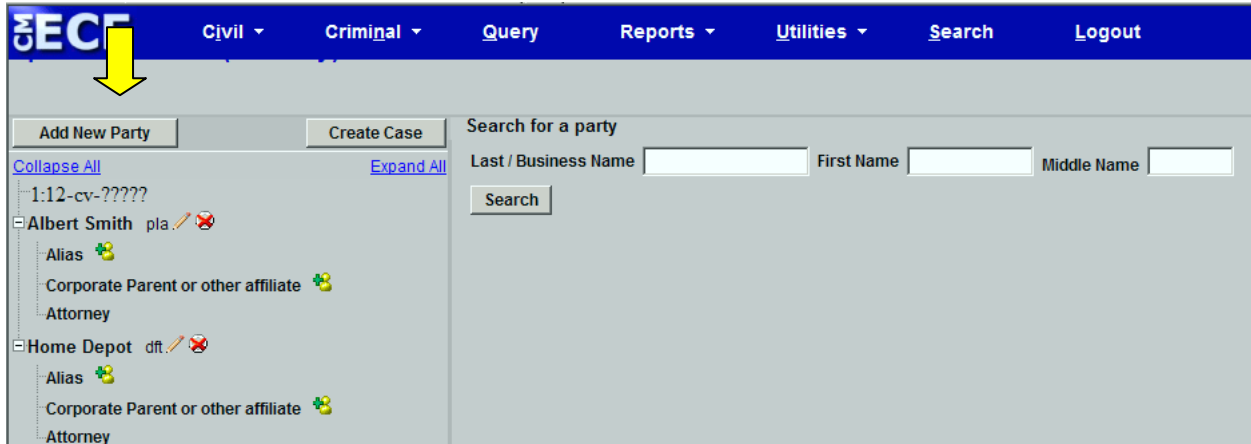
The following table provides a description for each of the icons that may appear in the participant tree. **(See Figure 11)**

ICON	DESCRIPTION
	Delete a Party. You will receive a warning asking you to confirm deletion. If you confirm, the party will be deleted from the case.
	Add Alias. Used to add an alias to a party name. Add Corporate Parent or other Affiliate – DO NOT ADD using this icon. The information will be added when a Disclosure Statement is filed.
	Edit a party. The following message is displayed when editing a party. "The changes you made have been temporarily stored for processing. If you need to make more changes, use the case participant tree to navigate. You must click **Update Case** or **Create Case** to save the changes to the case.

Figure 11
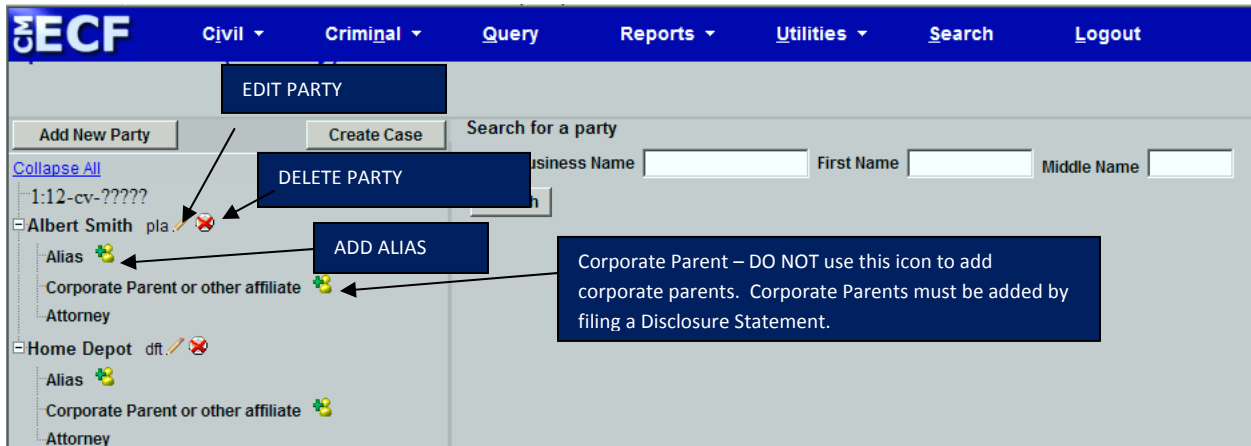
ADD an ALIAS

Add an alias (i.e., "formerly known as," "doing business as," etc.) by clicking the **[Alias]** icon button on the left side of the party screen. **(See Figure 12)**

Figure 12
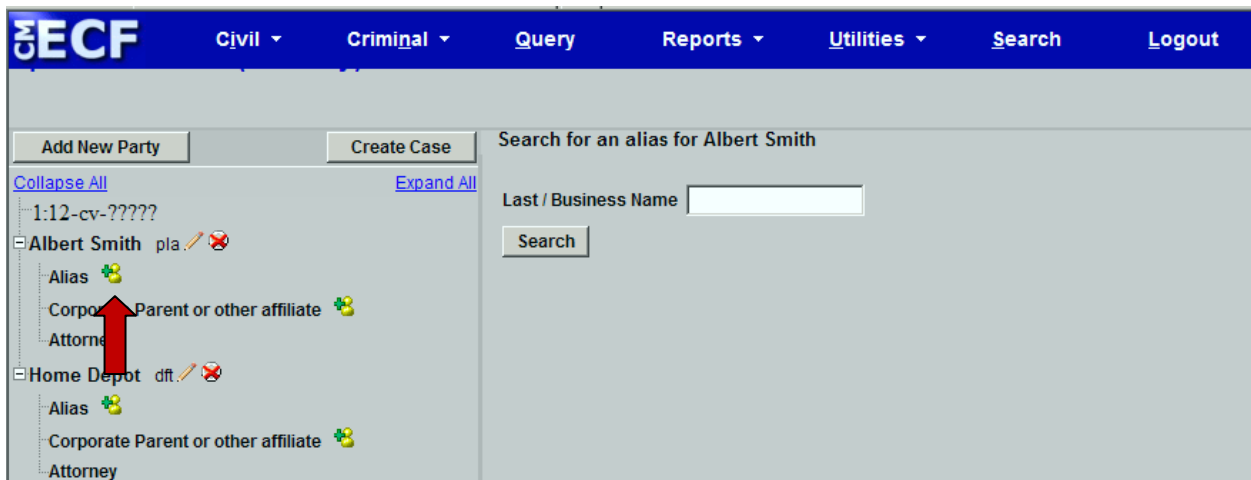
Search the database for the alias name. In the **Last/Business name field**, type the first few letters of the last name of the individual, or the first few letters of the company name and click **[Search]**. You must enter at least two letters in this field to search for a party name.

If a match is found, the results will display in a new window. **(See Figure 13)**

Scroll down the list of names to search for the alias for the party. If you find a name that matches the alias, select the name and click **[Select Alias].**

If a match is not found, or the alias does not appear in the list, click **[Create New Alias].**
(See Figure 13)

Figure 13
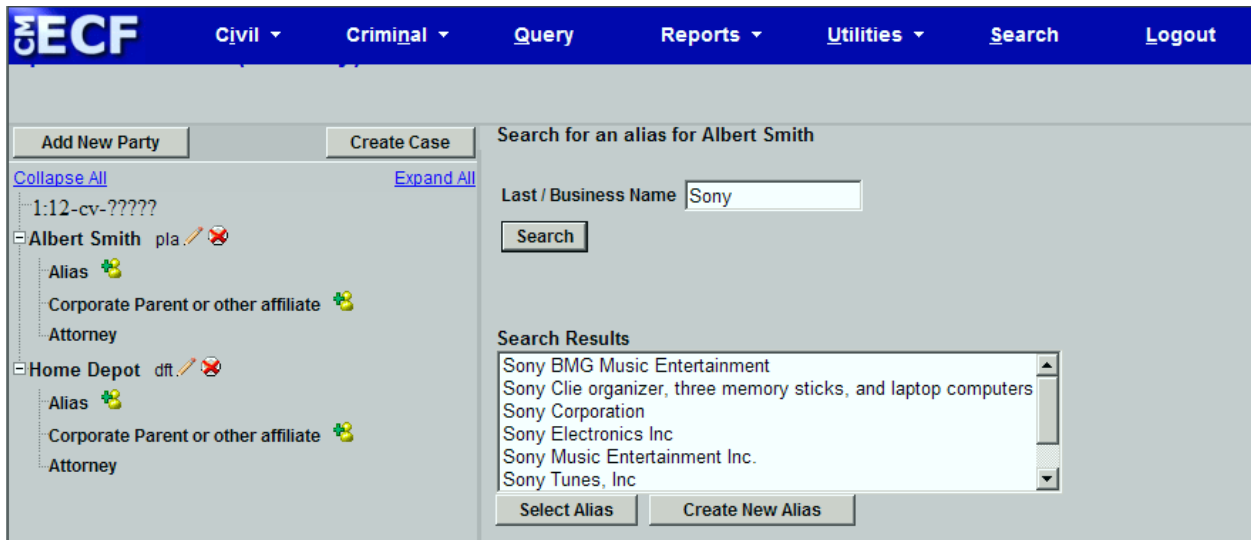
Select the alias type from the drop down box and click **[Add Alias]. (See Figure 14)**

Figure 14
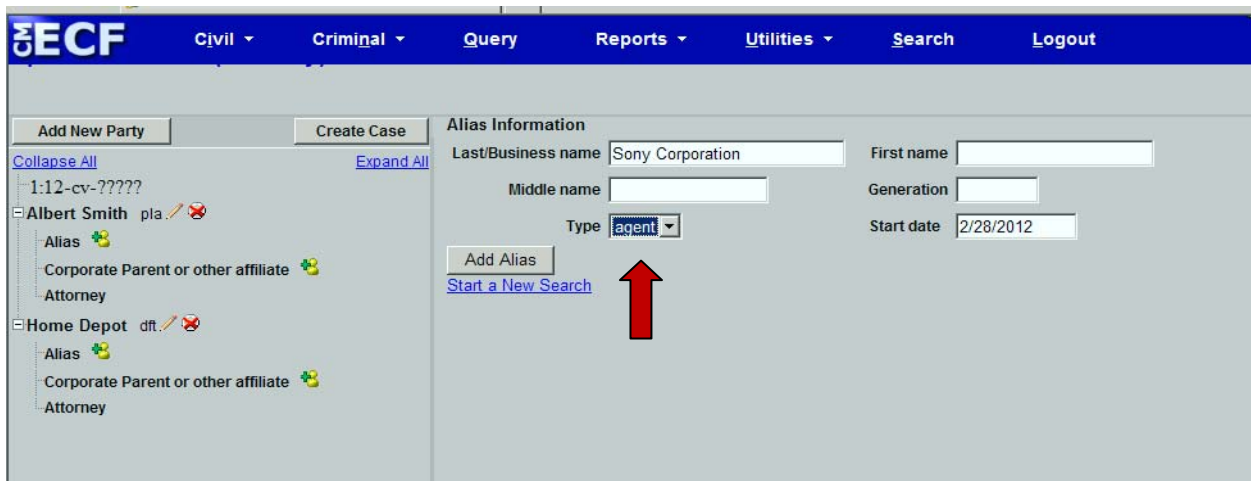
COMPLETE ADDING PARTIES. Once you have entered all of the parties to your case, click **[Create Case]. (See Figure 15)**

Figure 15
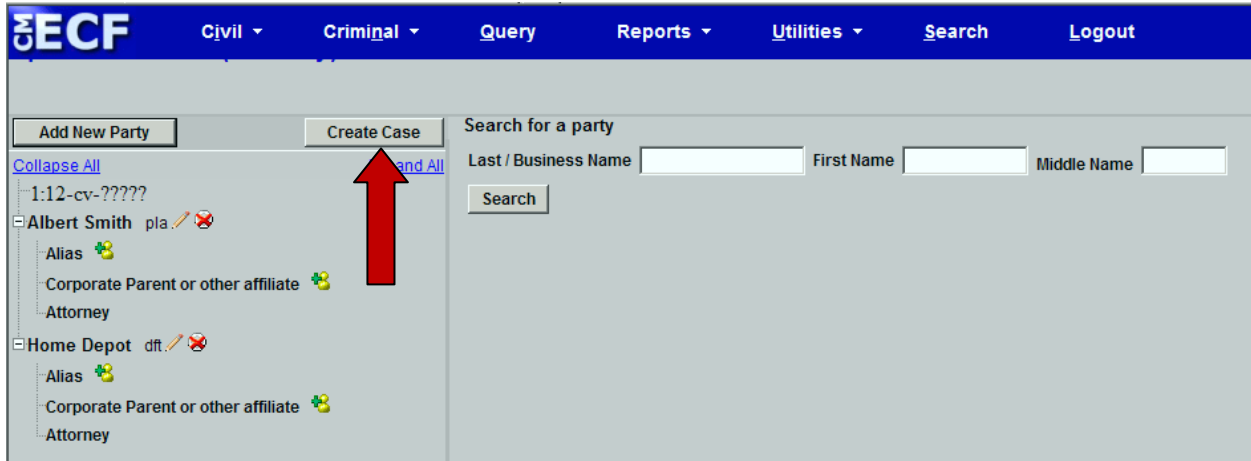
The system will confirm a new case opening and ask if you want to proceed. **(See Figure 16)** Click **[Yes]** to continue.

Figure 16
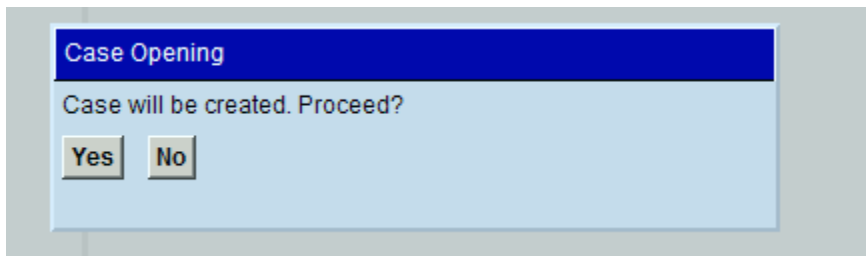
Your new case number and **Docket Lead Event** will appear as shown in **Figure 17.** You MUST select **Docket Lead Event** to file your complaint or other case initiating document at this time. **PLEASE NOTE THE CASE NUMBER ASSIGNED TO YOUR CASE**

Figure 17

IMPORTANT: Once you have added the parties and received a case number, <u>DO NOT</u> hit the back button to go back to any previous screen or you will receive an error as shown below. **(See Figure 18)** If you receive this message or you have made an error entering the parties or any civil case opening information, call the Help Desk at 401-752-7100.

Figure 18

Below is the redaction notice reminding you of your redaction responsibility. Click **Next.**

FILING A NEW COMPLAINT

Once you click the Docket Lead Event link, the system gives you a dropdown box of potential lead events as show in **Figure 19.** Select the appropriate event and click **[Next].** All case opening events are entitled with "New Case" in their title. If you do not see "New Case" in your selected event, DO NOT use that event for case opening.
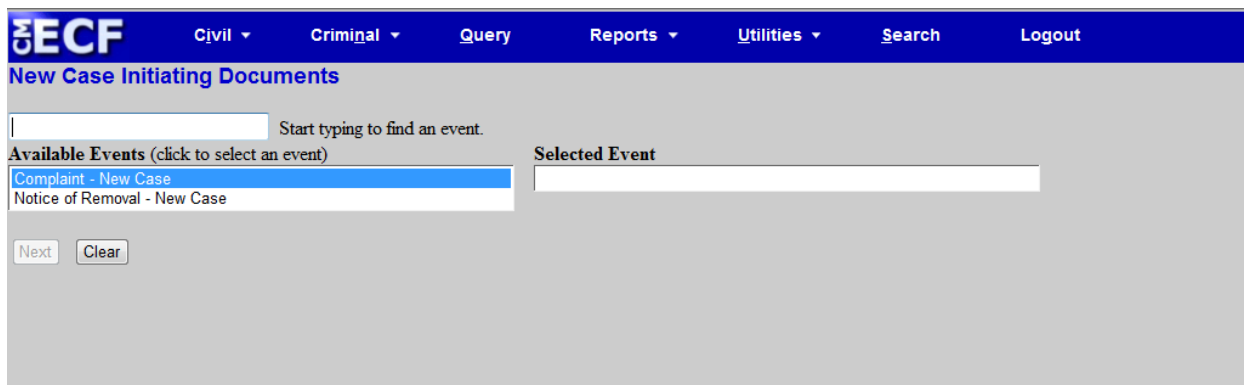
Read All Screen Messages Carefully. Messages contain important information about what should be attached to your filing and how to proceed during filing.

The following events are used for case opening:

Complaint –New Case
Notice of Removal- New Case

For a listing of all documents that must be filed with each of these events, please see **Attachment A**.

Figure 19

Complaint – New Case. The following documents are the ONLY documents that are to be filed during case opening when selecting the Complaint – New Case event:

1. Complaint
2. Exhibits in Support
3. Civil Cover Sheet
4. Summons or waiver form

Motions must be filed after the case is opened using the appropriate motion event. If you are filing a corporate disclosure statement, you must file it after you have filed the complaint using *Other Documents/Corporate Disclosure Statement.*   This event will prompt you to add the corporate parent.

After selecting your event, the case number screen will appear as shown in **Figure 20**. Your new case number will appear in the civil case number text box. If your new case number does not appear in the box, enter the number that was assigned to your case. Click **[Next]**.

Figure 20

Select the party filing the complaint. (**See Figure 21**). If there is more than one filer, select the names while pressing the Control key and click **[Next]**.

Figure 21

You will then need to associate yourself with the party filing the complaint. (**See Figure 22**) If you are lead counsel, you may check the box next to Lead. Do not uncheck the Notice box or you will not receive any electronic notices in this case.

Figure 22

These boxes must be checked in order to receive electronic notification through ECF.
DO NOT uncheck these boxes.

Click **[Next]**.

Select the party or parties that the complaint is being filed against. (**See Figure 23**) Select more than one party by holding the Control key while selecting the party or select the group entitled **All Defendants.** Click **[Next]**.

Figure 23

The next screen will list the documents that must be attached to your complaint or notice of removal (**Complaints:** Complaint, Exhibits to Complaint, Civil Cover Sheet, Summons, or

Waiver) (**See Figure 24**). (**Notice of Removal:** Notice of Removal, a copy of the complaint filed in the case being removed, and a copy of the notice in the Court from which the case is being removed, copies of the notice served on all other parties, any exhibits to the Notice of Removal, Civil Cover Sheet) **(See Figure 25).** It also states that you are not to file other motions, disclosure statements or other pleadings until after you have filed your complaint with the court. After filing your complaint, documents may be filed using the appropriate event in ECF.

Figure 24

Figure 25

ATTACH YOUR PDF DOCUMENTS

Figure 26

Select the **[Browse]** button to attach your main document (Complaint or Notice of Removal). Browse your file manager where you saved your PDF document (**See Figure 26**), view the document to be sure you are attaching the correct document, and click **[Open]** to attach the complaint or notice of removal.

NOTE: Always be sure to open and view the PDF document before connecting to your entry to be sure you are connecting the correct document. Whether you are attaching the complaint or an attachment, this procedure should always be followed to be sure the correct document is attached to your filing.

Figure 27

To add your attachments to the entry select **[Browse]** to bring up your file manager, browse your file manager where you saved your PDF document (**See Figure 27**), view the document to be sure you are attaching the correct document, and click **[Open]** to attach the document to your complaint or notice of removal in CM/ECF.

Select the appropriate category from the **Category** dropdown list and/or type a description for your attachment. You must either select a category or describe the attachment to proceed any further.

Each document must be connected as a separate attachment. Add your next document and follow the procedure above for viewing the document and adding it to the filing. As attachments are added, a new box appears for you to add your next attachment.

After adding all of the the documents, click **[Next]**.

Figure 28

When filing a Notice of Remove select the name of the court from which you are removing the case from the drop-down and enter the case number in the other court. (**See Figure 28 & 28-A**)

Figure 28-A

Figure 29

Select the appropriate bullet (Yes or No) regarding whether your Complaint contains a jury demand and click **[Next]**. (**See Figure 29**)

Figure 30

Select the appropriate bullet (Yes or No) regarding whether you are filing an in forma paupers motion, on behalf of the United States, or are exempt from paying a filing fee. (**See Figure 30**)

Figure 31

If you selected No to the above inquiry the next screen will show the filing fee. (**See Figure 30**) Clicking **[Next]** on this screen will load the Pay.gov screen to enter your information. (**See Figure 31**)

Figure 32

You can enter payment by entering your credit card information and click **[Continue with Plastic Card Payment].** (**See Figure 32**)

You will then receive a payment authorization screen. You must select the box next to the statement that you authorize payment, click **[Submit Payment]**. (**See Figure 33**)

Figure 33

You must continue processing your electronic filing. If you stop here, your account will be charged but your document will not be filed with the court. Click **[Next]**. (**See Figure 34**)
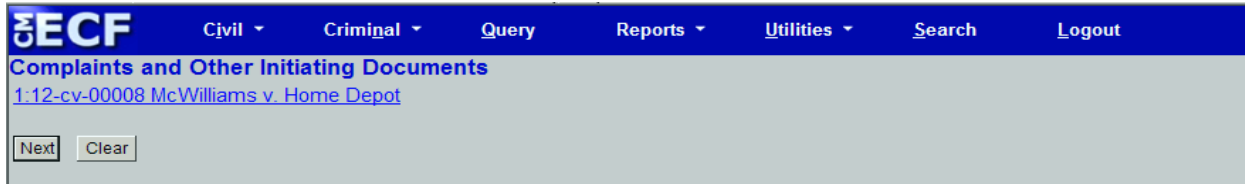
Figure 34

Figure 35

Click **[Next]**.

Figure 36
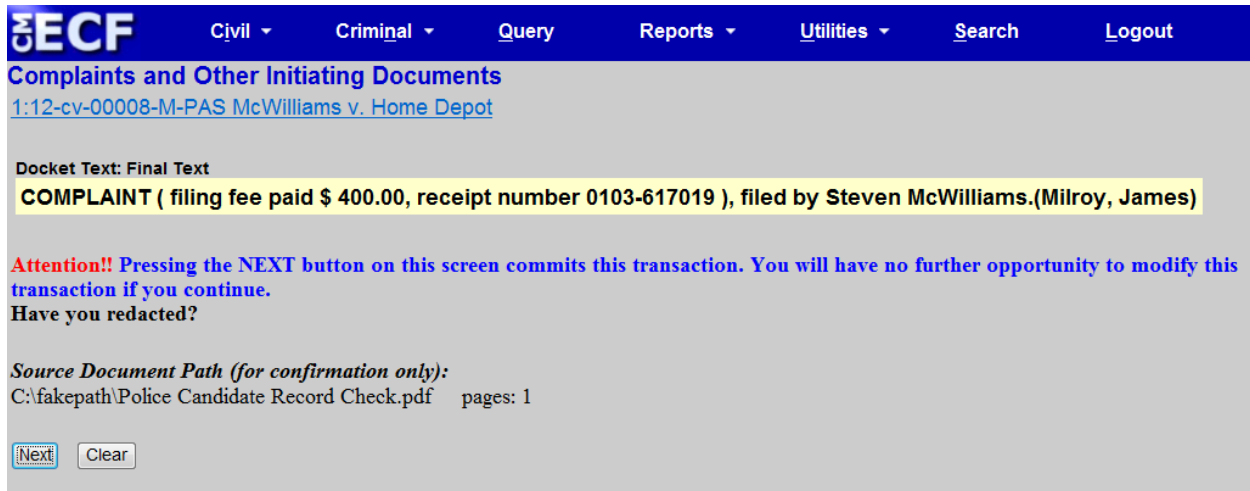
After reviewing the final preview page and confirming all the attachments are attached to the entry, click **[Next]**. (**See Figure 36**)

Figure 37
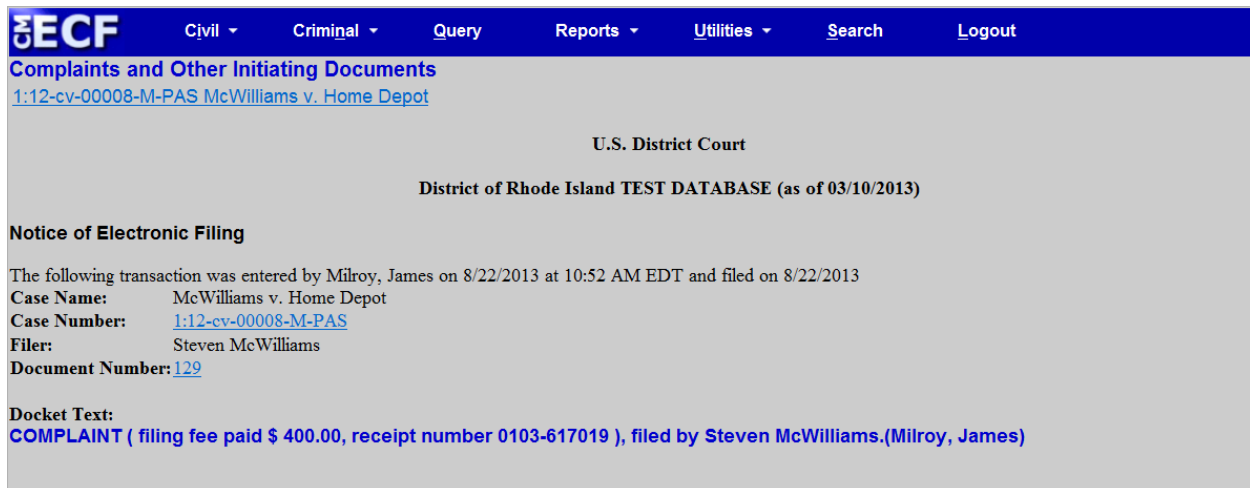
The Notice of Electronic Filing will display verifying your filing was complete. The notice shows your case number, case name, and document number. You will receive a copy of this notice in your email box. (**See Figure 37**)

CONGRATULATIONS! YOU HAVE OPENED A CIVIL CASE AND FILED THE CASE INITIATING DOCUMENTS. YOU MAY NOW FILE ANY MOTIONS AT THIS TIME.

**The Clerk's Office will notify you via a Notice of Electronic Filing of the random judge assignment. All requested summons will be issued electronically after the judge has been assigned.

If you have an emergency motion requiring expedited treatment, please contact our Intake clerk at 401-752-7200.

ATTACHMENT -A
<u>Instructions for Searching and Adding Parties</u>

Search for a Party

Please be sure to conduct a thorough search before creating a new party.

<u>Individual</u>

Type the party's full last name and first name in the corresponding fields and search. If you find your party's name already in the database, select the party. If you have descriptive information for a party as reflected in the case caption, enter the description in the party text field. Proceed to the party information screen on page 8 of the filing instructions.

Search the parties as follows:

Example:	Last Name:	Smith
	First Name:	Albert
	Party Text:	All other information describing the party, i.e. In His Official Capacity, Individually, etc.

If the actual identity of a party is unknown, you may include a "Doe" party in your complaint, but do <u>not</u> add a "Doe" party to the case in CM/ECF.
<u>Business</u>

Type at least the first <u>full</u> word of the company name in the Last name field and search. Omit articles such as A, An, and The. You may abbreviate common words such as Company (Co) Corporation (Corp) Incorporated (Inc).

     Example: **The** Wall Street Journal
     Search Last Name Field: Wall Street Journal

     Example: First United Insurance Company
     Search Last Name Field: First United*

Instructions for Searching and Adding Parties

If you find your party's name already in the database, even in an abbreviated form, select that party. If you have descriptive information for a party as reflected in the case caption, enter the description in the party text field. Proceed to the party information screen on page 8 of the filing instructions.

Cities/Towns/States

Enter the name of the City, town or state, in the Last Name field and search. If "State of Rhode Island" is listed following the city or town, do not include it in your search criteria.

     Example: City of Providence, Rhode Island
     Search Last Name field: City of Providence

If a particular department in a city is listed following the city or town, do not include the department in your search, but check the search results for the department and select that party if it is listed. If it is not listed, click the "Create New Party" button under the search results and complete the Last Name field. Proceed to the party information screen on page 8 of the filing instructions.

     Example: City of Providence City Clerk's Office
     Search Last Name field: City of Providence

United States of America

Enter "USA" in the Last Name field and search. Always select the party "USA" from the database. Proceed to the party information screen on page 8.

U.S. Agencies

      Example: Department of Agriculture
      Search Last Name field: US Department

If you cannot find your party already in the database, you must create a new party.

Instructions for Searching and Adding Parties

Create A New Party

Parties must be entered in the manner in which they are captioned on the initiating document. Parties captioned in more than one role must be entered separately. The second time you add the party you will get a message that this is a duplicate party. You may disregard the message indicating "duplicate party." Many parties are already in the court's database. In the instance where you may have to add a party, please conform to the following guidelines. If you are not sure how to correctly enter a party, please contact the ECF Help Desk for guidance. Please do <u>not</u> enter parties in ALL CAPS unless it is an acronym, or complete any address/phone or email information on the party screen.

Individual

Enter Last name; First name; Middle name; Generation; Title; and Party text fields as appropriate. **Leave all other fields blank**. Do not enter party text for descriptive information, if it is available as an alias. You will be given an opportunity to select alias code on page 11. Pursuant to Fed. R. Civ. P. 5.2, for cases involving minor children, use only their initials. Please refer to the following examples:

      Example: Last Name: Smith
                             First Name: Albert
                             Middle Name: S.
                             Generation: Jr.
                             Title: Dr.
                             Party Text: In his official capacity as Director of Health

Example:	Last Name:	Rogers
	First Name:	Robert
	Title:	Correctional Officer
	Party Text:	Personally and in his official capacity as Correctional Officer, A.C.I.

Example:	Last Name:	Turner
	First Name:	Clarise
	Party Text:	Ppa A.S., a minor

Instructions for Searching and Adding Parties

Business

Enter the entire company name as it appears in the caption of the initiating document in the Last name field. Omit articles such as "A, An, The" that precede business names. Additional descriptive information about a company must be entered in the Party text field. Leave all other fields blank. Do not enter party text for descriptive information, if it is available as an alias. You will be given an opportunity to select alias codes on page 11. Please refer to the following examples:

Example:	Last Name:	ABC Company, Inc.
	Party Text:	A Delaware Limited Liability Company

Cities/Towns/States

Enter name of the city, town or state as it appears in the caption of the initiating document in the Last name field. Enter "City of," "Town of," "State of" before the city, town, or state that is captioned in the initiating. Please refer to the following examples:

Example:	Providence
Last Name	City of Providence

Example:	Rhode Island
Last Name:	State of Rhode Island

Miller Act Cases

The United States is not a party to these actions and has no role in the lawsuit, other than being noted in the caption as required by statute; they should NOT be added as a party of any kind.

      Example: USA for the use and benefit of Salvage the Sound
      Last Name: Savage the Sound
      Party Text: USA For the use and benefit of Salvage the Sound

Instructions for Searching and Adding Parties

Vessels

In some cases, parties may be real or personal property. Enter the property description as it appears in the caption of the initiating document in the Last name field. For vessels, add any descriptive information in the Party text field, but omit anything concerning tackle, engines, apparel, etc.

      Example: Golden Sails, M/V Hull #NJ1234, a 24' Boston Waler
      Last Name: Golden Sails, M/V Hull #NJ1234
      Party Text: A 24' Boston Waler

Real & Personal Property

      Example: 2005 Blue Nissan Maxima V IN# 123456789
      Last Name: 2005 Blue Nissan Maxima V IN# 123456789

      Example: 5 Sun Street, Providence, RI
      Last Name: 5 Sun Street, Providence, RI

      Example: $10,000.00 In US Currency held in safe deposit box #123 at Citizens Bank
      Last Name: $10,000.00 In US Currency
      Party Text: held in safe deposit box #123 at Citizens Bank

Instructions for Searching and Adding Parties

Party Information Screen

Select the appropriate role. Enter descriptive information as reflected in the case caption in the party text field. Do not enter address information.


This must be changed to the appropriate role.

Party Roles

Amicus	Counter Defendant	Intervenor Plaintiff
Appellant	Creditor	Material Witness
Appellee	Cross Claimant	Mediator
Arbitrator	Cross Defendant	Movant
Claimant	Custodian	Notice
Consol Claimant	Debtor-In-Prossess	Objector
Consol Counter Claimant	Defendant	Petitioner
Consol Counter Defendant	Fourth Party Defendant	Plaintiff
Consol Cross Claimaint	Fourth Party Plaintiff	Receiver
Consol Cross Defendant	Garnishee	Respondent
Consol Defendant	In Re	Special Master
Consol Plaintiff	Interested Party	Taxpayer
Consol Third Party Defendant	Interpleader	Third Party Defendant
Consol Third Party Plaintiff	Intervenor	Third Party Plaintiff
Counter Claimant	Intervenor Defendant	Trustee

Instructions for Searching and Adding Parties

Alias Type

Alias information may be added by selecting the alias icon located under the party on the left-hand side of the split screen. Select Add Alias.
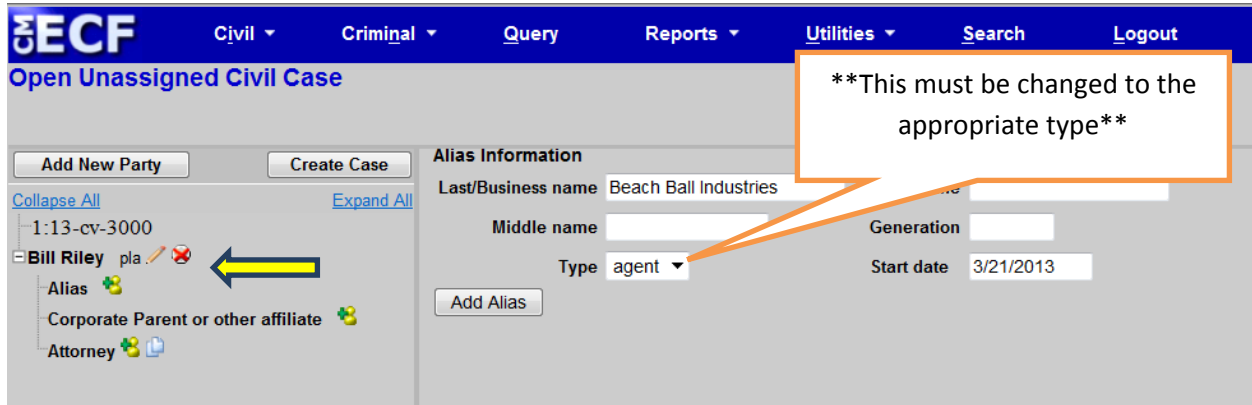
Alias Types	Description
Agent	Agent of
Aka	Also known as
dba	Doing business as
fdba	Formerly doing business as
fka	Formerly known as
nee	Born
nka	Now known as
obo	On behalf of
other	Other
rpi	Real Party in interest
ta	Trading as

If you do not find the applicable alias type, edit your party by selecting the edit party icon as described on page 11. Add the descriptive information in the Party text field.

Repeat search steps until all parties have been added.