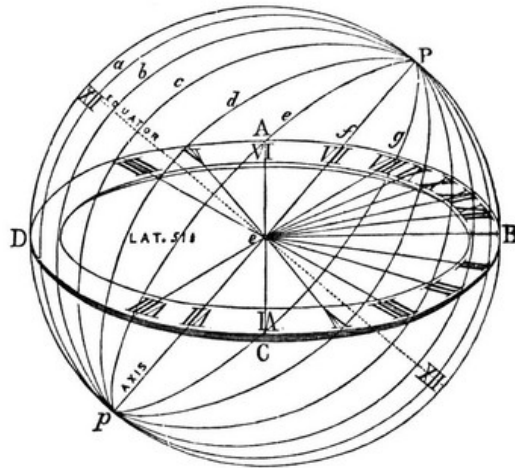


The Attorney's
“How To”
Guide for

– Civil Case Opening –



Texas Eastern District Court
January 11, 2008

INTRODUCTION

Effective January 14, 2008, attorneys can open their own civil cases and file the initial document/pleading via CM/ECF if *one* of the following conditions are met:

- (1) The required filing fee is paid on-line with a credit card.
- (2) The case is being filed *in forma pauperis*; or
- (3) The filing fee is waived.

You must complete the **entire** process. You will open the new civil case **and** file your initial document/pleading. Do not attempt to open the same case twice. As this process uses your browser's cookies to store filing information, **never** click the back button once you begin the filing process or your information may be lost and your credit card may be billed twice.*

Never click the back button once you begin the filing process

FILING SUMMARY:

1. Open the case and then file your Complaint or Notice of Removal with your civil cover sheet. If you are going to file a motion to *Proceed Informa Pauperis*, **do not** file the motion/application as an attachment to the complaint. You must file the motion/application to proceed in forma pauperis as a separate document using the appropriate motion event.
2. Email the summons to the appropriate clerk's office as a PDF document. The case number must be clearly noted on the summons. The email addresses are listed below:

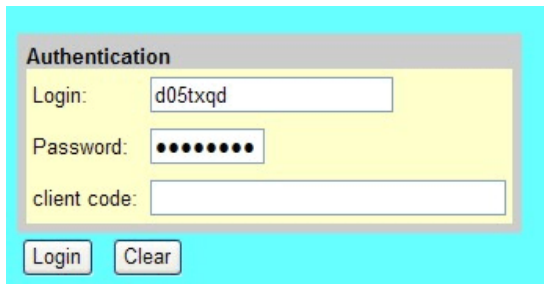
Tyler	newcasetyl@txed.uscourts.gov
Beaumont	newcasebmt@txed.uscourts.gov
Marshall	newcasemsh@txed.uscourts.gov
Lufkin	newcaseluf@txed.uscourts.gov
Sherman	newcaseshm@txed.uscourts.gov
Texarkana	newcasetxk@txed.uscourts.gov

3. Issued summons will be returned to you via email.

*This is due to the current software limitations of the internet interface. If double-billing occurs, please call the clerk's finance office at 903-590-1000.

STEP BY STEP INSTRUCTIONS:

1. Log into CM/ECF using your court assigned login. Please note that your CM/ECF login and password is *different* from your PACER account. The direct link to CM/ECF is: <https://ecf.txed.uscourts.gov> If you receive a security warning, click the **Yes** button to continue.

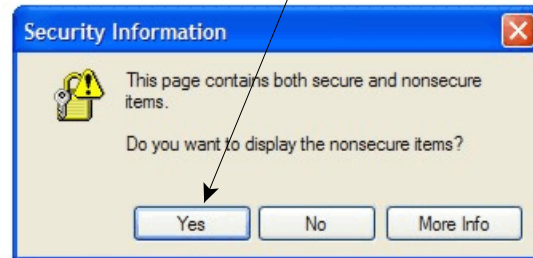


Authentication

Login:

Password:

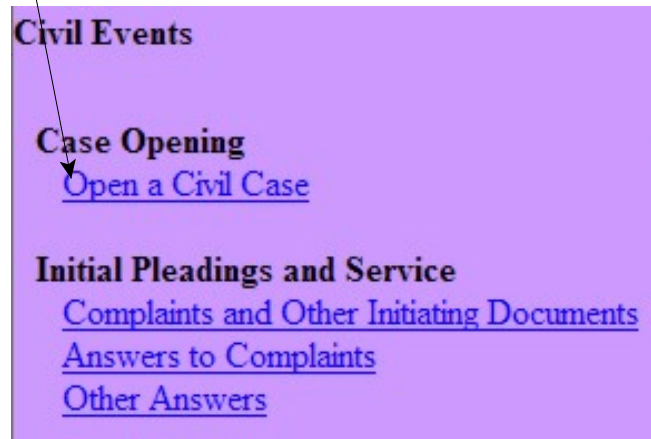
client code:



2. Click the Civil link located at the top left corner of your screen.



3. Click on the [Open a Civil Case](#) hyperlink, this is under the section, **Case Opening**, in the **Civil Events** category.



4. Simply fill in the relevant blanks. Choose the **Office** from the pull down menu. *The Case type will always be cv.* Ignore the **Lead case number** and **Association type**. If the case is a removal from state court, fill in the **Other court name** and **Other court number**. Click the **Related cases** box if you wish to add related case numbers. Click the **Next** button.

A screenshot of a web form titled "Open a Civil Case". The form has a light purple background. It contains several fields: "Office" (a dropdown menu with "Beaumont" selected and a list of other offices: Beaumont, Marshall, Paris, Sherman, Texarkana, Tyler, Lufkin), "Case type" (a dropdown menu with "cv" selected), "Case number" (a text input field), "Date filed" (a text input field), "Lead case" (a text input field), "Association type" (a dropdown menu with "consolidated" selected), "Other court name" (a text input field), and "Other court number" (a text input field). There is a checkbox labeled "Related cases" which is currently unchecked. At the bottom left, there are two buttons: "Next" and "Clear".

5. Using your civil cover sheet as a guide, fill in the blanks. Enter **Jurisdiction, Nature of Suit, Cause of Action, Origin, Jury Demand, Dollar Demand*** in thousands of US dollars and **County** of the filing party as you would on the Civil Cover Sheet. **Citizenship plaintiff** and **Citizenship defendant** are only necessary for cases with jurisdiction based on diversity of citizenship. **Fee status** and **Fee date** should be left unchanged. **Date transfer** should always be left blank, as should **Arbitration Code**. Click the Next button when you are ready to continue. Don't panic if you choose an invalid combination of entries and receive an error. Simply correct the fields and continue.

*Please Note that the Dollar Demand is in Thousands of Dollars.
Enter 75 for \$75,000, 1000 for One Million dollars etc.
(This field is optional)

6. -Adding Parties-

It is **critical** that you first search the database for existing parties. If you add a party that already exists, the database will soon be cluttered with duplicate names and it will become very difficult to query by name. **DO NOT** add party names in **all caps**. Please see Appendix A for Standard Party Name Guidelines

Begin by searching to see if the party already exists. Type the last name or company name or the first few letters of the last name and click the **Search** button.

You are presented with the party search results screen. If the party exists, select it and click the [Select name from list](#) button. If the party does not exist, click the [Create new party](#) button.

The screenshot shows a web interface for searching parties. At the top, there is a dark blue header with the 'ECF' logo and two tabs: 'Civil' and 'Criminal'. Below the header, the main area is light purple. It contains a search section with the text 'Search for a party' and a text input field labeled 'Last/Business name'. To the right of the input field are 'Search' and 'Clear' buttons. Below this is a section titled 'Party search results' which contains a scrollable list of names: 'Johnson, Gary', 'Johnson, Jimmy', 'Johnson, Johnny', 'Johnson, Michael', 'Johnson, Robert', and 'Johnson, Sam'. At the bottom of the results section are two buttons: 'Select name from list' and 'Create new party'.

The following screens assume that you are adding a new party and clicked [Create new party](#). If you are selecting an existing party, skip to section 6a. Note the Role of the party *always* defaults to defendant (dft), please make sure to use the drop down box to choose the correct party role.

Change **Role** to Plaintiff or Defendant as appropriate. If the party is represented by counsel, only enter the party's name (do not add address). If the party is anyone **other** than an individual, (i.e. a company, a university, a municipality, etc.), the *entire name* of the party goes in the Last name field. This field will hold up to 200 characters. Complete address information for *pro se* parties. Complete the Party Text field as stated on the complaint, i.e. individually, successor to, etc.

Ignore the *Corporate Parent* button. You will add the corporate parent when you file the corporate parent disclosure statement.

If the party has an alias, (i.e., “formerly known as”, “also known as”, “doing business as”, “on behalf of” etc.), you may add it now by clicking the [Alias](#) button ; otherwise, click Submit to continue. To add an alias,

- (a) Enter Last/Business name of alias to search for a match.
 - (b) Click Search.
 - (c) If a matching name appears, click on the name to review information for an identical match.
 - (d) If there is a match click on Select name from list.
 - (e) If there is not a match, click on Create new alias.
- (f) For individuals enter the complete name; for businesses enter the entire business name in the

Last name field.

(g) Select **Role** (aka, dba) from the drop down box

(h) Click on Add alias

Click Submit if you are finished adding the new party.

The screenshot shows a web form titled "Party Information" on a purple background. At the top, there is a navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, and Log Out. The form fields are as follows:

- Last name: Johnson
- First name: [empty]
- Middle name: [empty]
- Generation: [empty]
- Title: [empty]
- Role: Defendant (dft:pty) [dropdown]
- Pro se: no [dropdown]
- Prisoner Id: [empty]
- Unit: [empty]
- Office: [empty]
- Address 1: [empty]
- Address 2: [empty]
- Address 3: [empty]
- City: [empty]
- State: [empty]
- Zip: [empty]
- County: [dropdown]
- Country: [empty]
- Prison: [dropdown menu open showing "Not Associated with Prison" and "ALDERSON"]
- Populate Prison Address Lines: [button]
- Phone: [empty]
- Fax: [empty]
- E-mail: [empty]
- Party text: [empty]
- Start date: 12/19/2007

At the bottom, there are buttons for Alias..., Corporate parent..., Review..., Submit, Cancel, and Clear. A note states: "Add all aliases and corporate parents before clicking the Submit button."

You now have the opportunity to continue adding parties or ending the party selection process. Click the [End party selection](#) button if you are finished selecting parties or search for another name.



The screenshot shows the 'Open a Civil Case' interface. At the top, there is a dark blue header with the 'ECF' logo and the word 'Civil'. Below the header, the title 'Open a Civil Case' is displayed. Underneath, there is a section titled 'Search for a party' with a text input field labeled 'Last/Business name'. Below the input field are two buttons: 'Search' and 'Clear'. At the bottom of the search section is a button labeled 'End party selection'.

6a. Selecting an existing party. If you find that the name already exists, highlight that name then click the [Select name from list](#) button. Note the Role of the party *always* defaults to defendant, please make sure to use the drop down box to choose the correct party role.



The screenshot shows the search results interface. At the top, there is a dark blue header with the 'ECF' logo and two tabs: 'Civil' and 'Criminal'. Below the header, there is a section titled 'Search for a party' with a text input field labeled 'Last/Business name' and two buttons: 'Search' and 'Clear'. Below this is a section titled 'Party search results' with a dropdown menu. The dropdown menu is open and shows three options: 'Provines, David', 'Provines, David Dr Pepper Man', and 'Provost and Umphrey'. Below the dropdown menu are two buttons: 'Select name from list' and 'Create new party'. An arrow points to the 'Select name from list' button.

Change the Role if necessary but **do not modify or add** any other information.

If an address appears for the selected party that does not correspond to your party, you may break the back button rule and click your browsers' back button. Click the **Create new party** button and add your party. Follow the instructions beginning at step 6.

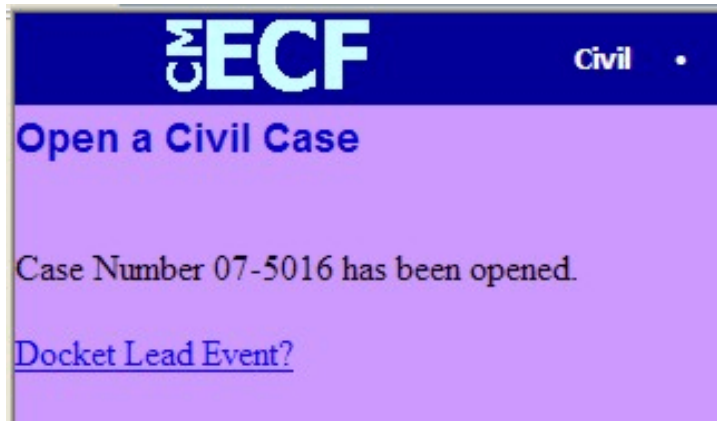
Click the **Submit** button to continue.

The screenshot shows the 'Party Information' form for 'David Provines'. The form includes fields for Title, Role (set to 'Defendant (dft:pty)'), Pro se (set to 'no'), Prisoner Id, Unit, Office, Address 1, Address 2, Address 3, City, State, Zip, County, and Country. There is a 'Prison' dropdown menu with options 'Not Associated with Prison' and 'ALDERSON', and a 'Populate Prison Address Lines' button. Other fields include Phone, Fax, E-mail, Party text, and Start date (12/19/2007). At the bottom, there are buttons for 'Alias...', 'Corporate parent...', 'Review...', 'Submit', 'Cancel', and 'Clear'. A note states: 'Add all aliases and corporate parents before clicking the Submit button.' An arrow points to the 'Submit' button.

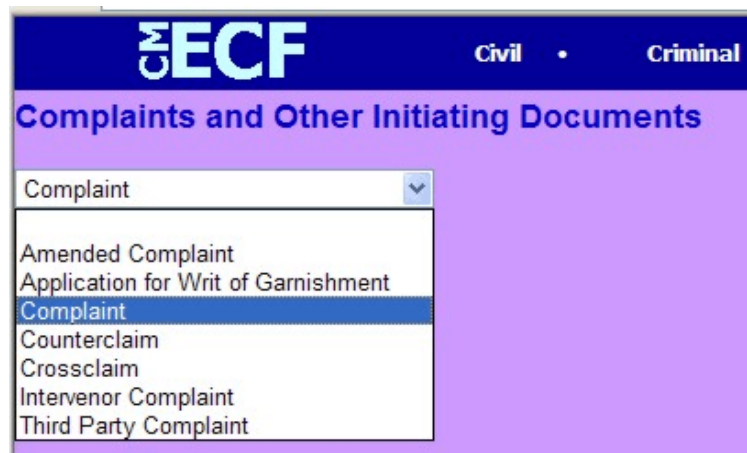
Repeat the process of adding parties as necessary and click the **End party selection** when you are ready to continue opening the case.

The screenshot shows the 'Open a Civil Case' search interface. It features a search box for 'Last/Business name' with 'Search' and 'Clear' buttons. Below the search box is an 'End party selection' button.

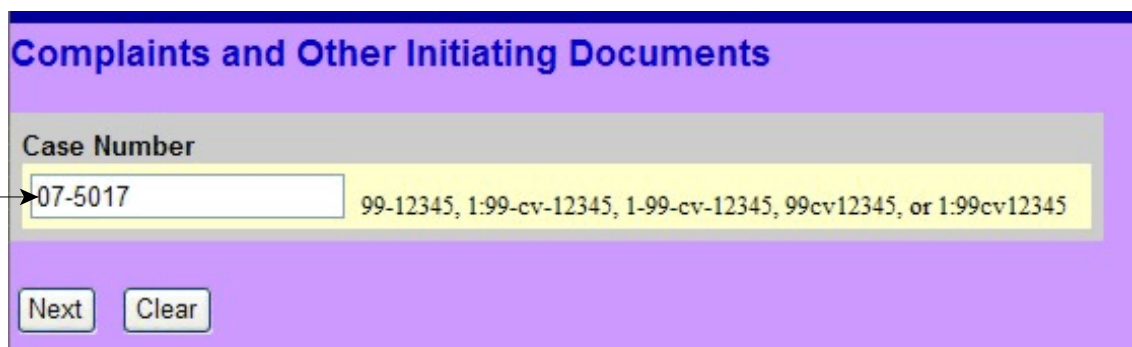
7. You are now ready to docket the lead event. Click the [Docket Lead Event?](#) hyperlink. You **must** docket the lead event.



Choose the event from the drop down box and click **Next**.....



8. The case number will be displayed. Do **not** change this number. Click **Next**.



You may be presented with a screen that asks you to select the corresponding division number with the case number. The division numbers are: 1- Beaumont, 2-Marshall, 4-Sherman, 5-Texarkana, 6-Tyler, 9-Lufkin. Simply check the correct number and click [Next](#).

Complaints and Other Initiating Documents

There is more than one case that matches the number entered; select the appropriate case below.

1:07-mc-00001-HC - Smith v. Brown

6:07-mc-00001 - TestPlal v. testdf1

Next Clear

You are presented with a confirmation screen. Click the [Next](#) button.

ECF Civil • Criminal

Complaints and Other Initiating Documents

[6:07-cv-05017 v. Johnson et al](#)

Next Clear

9. Choose the filer. Click [Next](#).

ECF Civil • Criminal

Complaints and Other Initiating Documents

[6:07-cv-05016 Johnson v. Provines](#)

Select the filer.

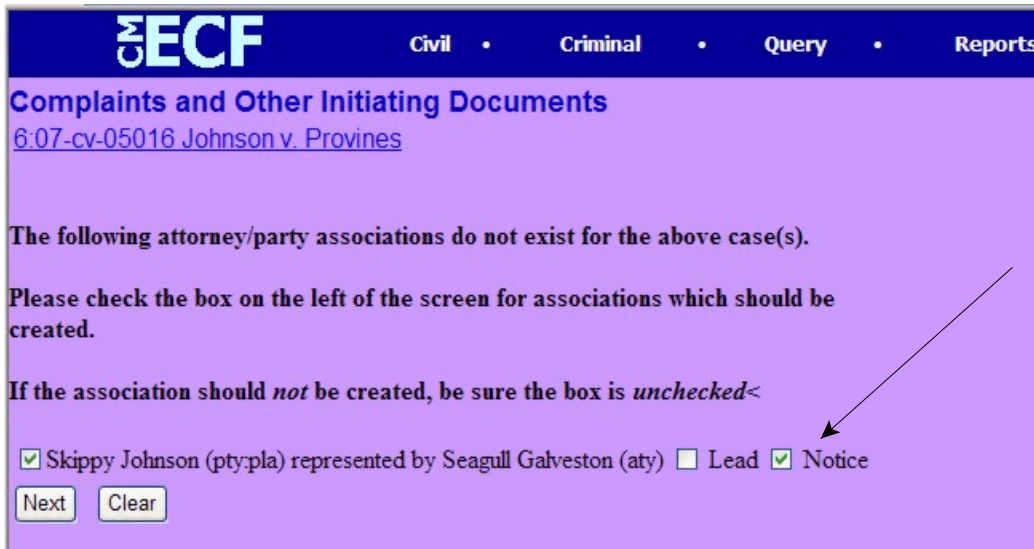
Select the Party:

Johnson, Skippy [Plaintiff]
Provines, David [Defendant]

[Add/Create New Party](#)

Next Clear

10. You may see this screen concerning attorney/party associations. Follow the instructions on the screen. **Never uncheck** the **Notice** box or you will not receive notice in this case. Check the **Lead** box if you are the lead attorney in the case. Click **Next**.



ECF Civil • Criminal • Query • Reports

Complaints and Other Initiating Documents

[6:07-cv-05016 Johnson v. Provines](#)

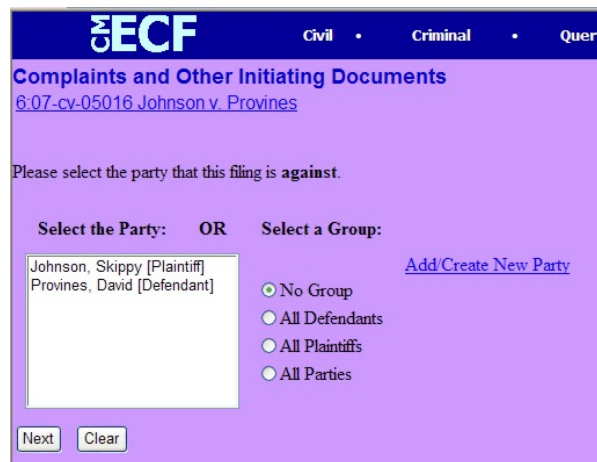
The following attorney/party associations do not exist for the above case(s).

Please check the box on the left of the screen for associations which should be created.

If the association should *not* be created, be sure the box is *unchecked*<

Skippy Johnson (pty:pla) represented by Seagull Galveston (aty) Lead Notice

11. Select the party that this filing is **against**. Click **Next**. It may take a little time to process.



ECF Civil • Criminal • Query

Complaints and Other Initiating Documents

[6:07-cv-05016 Johnson v. Provines](#)

Please select the party that this filing is **against**.

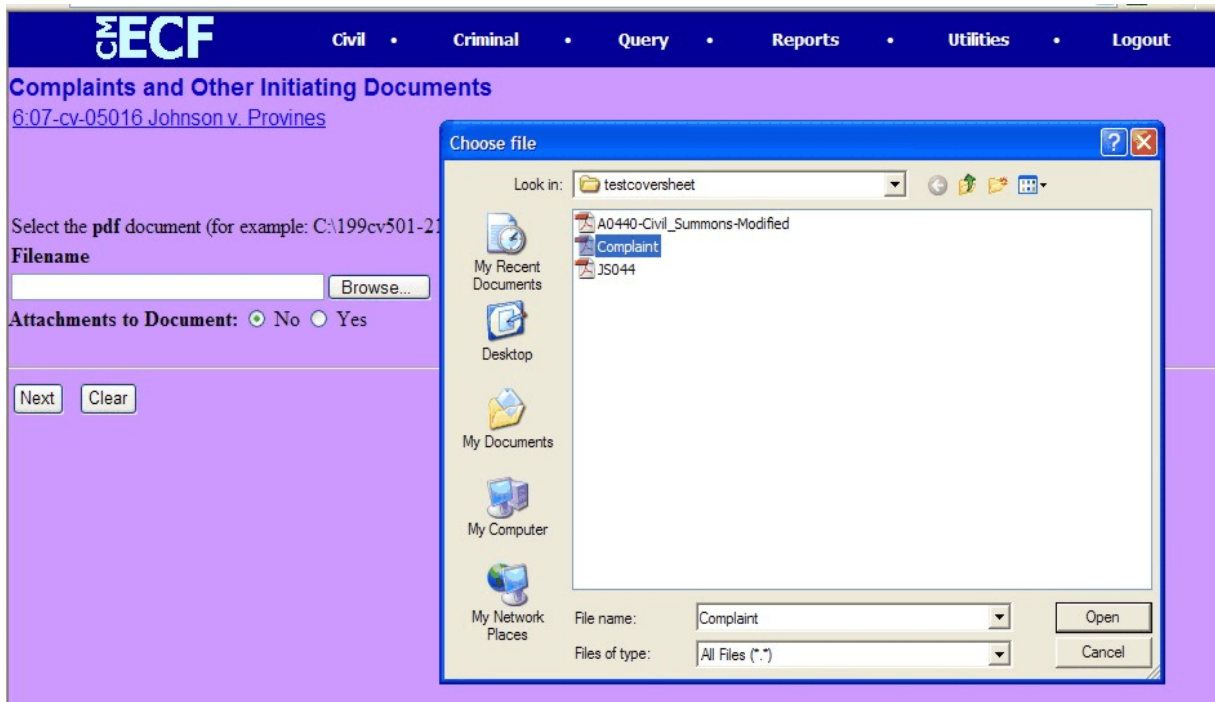
Select the Party: OR Select a Group:

Johnson, Skippy [Plaintiff]
Provines, David [Defendant]

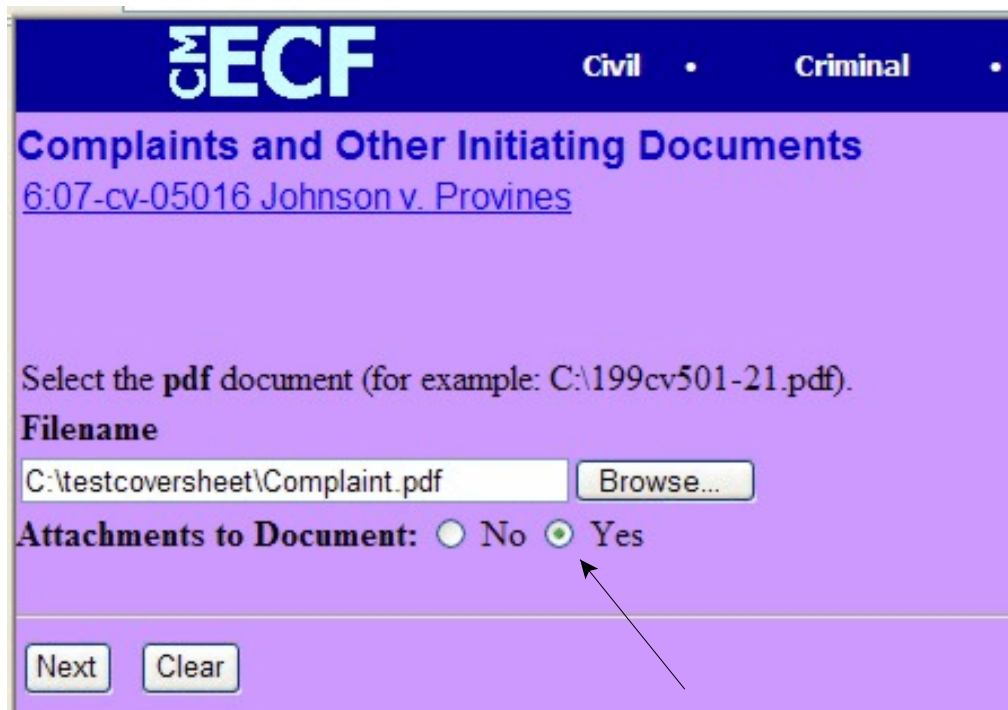
[Add/Create New Party](#)

No Group
 All Defendants
 All Plaintiffs
 All Parties

12. Add the complaint or removal by clicking [Browse](#) and navigating to the directory where your pdf document is stored. Choose the appropriate pdf file.



Make sure the **Yes** button is clicked in add attachments. This will allow you to attach the civil cover sheet to the complaint or the appropriate attachments to your Notice of Removal as instructed in Local Rule CV 81. Click the **Next** button to continue.



13. There are three steps to add attachments:

1. Click the [Browse](#) button and navigate to the directory containing your pdf document.
2. Describe the document using the drop down category box, adding free text to the description box or a combination of both.
3. Click the [Add to List](#) box. This will attach your document to the current docket entry. *If you do not add your document to the list, it **will not** be filed. After clicking the [Add to List](#) button, please wait for your document to upload to the CM/ECF server. This may take a few minutes. You will know it has been uploaded and you are ready to proceed when you see your document listed in the white box below step 3 on the screen. See the screenshot below.*

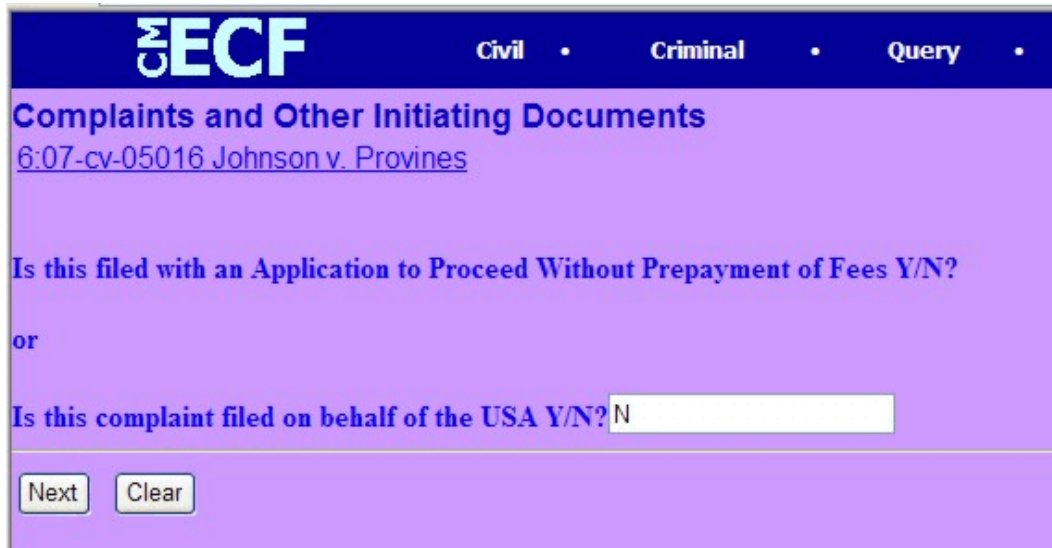
Repeat steps 1-3 for additional attachments. Click [Next](#) to continue.

The screenshot shows the CM/ECF web interface. At the top, there is a dark blue header with the CM/ECF logo and navigation links for Civil, Criminal, and Query. Below the header, the page title is "Complaints and Other Initiating Documents" and the docket entry is "6:07-cv-05016 Johnson v. Provines".

The main content area is light purple and contains the following instructions and form elements:

- Select one or more attachments.**
- 1) Enter the pdf document that contains attachment (for example: C:\appendix.pdf).
- Filename**: A text input field with a "Browse..." button next to it.
- 2) Before proceeding to step 3, describe the document using the Category list, the Description box.
- Category**: A dropdown menu.
- Description**: A text input field.
- 3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When
- List box**: A text area containing the filename "C:\testcoversheet\JS044.pdf".
- Buttons**: "Add to List" and "Remove from List" buttons are positioned to the right of the list box.
- Next**: A "Next" button is located at the bottom left of the form.

14. You are presented with an Application to Proceed Without Prepayment of Fees. Answer Y/N
Click [Next](#) to continue.



ECF Civil • Criminal • Query •

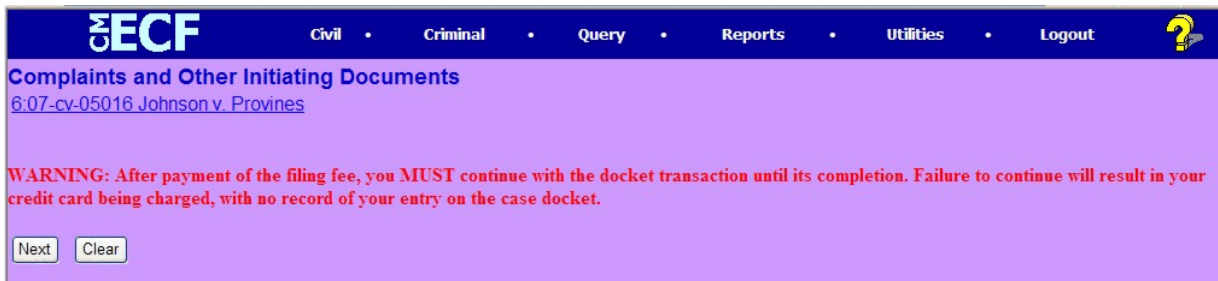
Complaints and Other Initiating Documents
[6:07-cv-05016 Johnson v. Provines](#)

Is this filed with an Application to Proceed Without Prepayment of Fees Y/N?

or

Is this complaint filed on behalf of the USA Y/N?

15. A warning screen is displayed. Click the [Next](#) button.



ECF Civil • Criminal • Query • Reports • Utilities • Logout ?

Complaints and Other Initiating Documents
[6:07-cv-05016 Johnson v. Provines](#)

WARNING: After payment of the filing fee, you MUST continue with the docket transaction until its completion. Failure to continue will result in your credit card being charged, with no record of your entry on the case docket.

16. The fee is displayed. Click the [Next](#) button to continue.



ECF Civil • Criminal

Complaints and Other Initiating Documents
[6:07-cv-05017 v. Johnson et al](#)

Fee: \$1

17. The Pay.gov payment screen is shown. Enter your appropriate information.

ECF Civil • Criminal • Query • Reports • Utilities

Online Payment [Return to your originating application](#)

Step 1: Enter Payment Information 1 | 2

Pay Via Plastic Card (PC) (ex: American Express, Diners Club, Discover, Mastercard, VISA)

Required fields are indicated with a red asterisk *

Account Holder Name: *

Payment Amount: \$1.00

Billing Address: *

Billing Address 2:

City:

State / Province:

Zip / Postal Code:

Country: *

Card Type: *

Card Number: * (Card number value should not contain spaces or dashes)

Security Code: * [Help finding your security code](#)

Expiration Date: * / *

Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.

ECF Civil • Criminal • Query • Reports • Utilities

Online Payment [Return to your originating application](#)

Step 2: Authorize Payment 1 | 2

Payment Summary [Edit this information](#)

Address Information	Account Information	Payment Information
Account Holder Name: Seagull Galveston 211 W. Ferguson Billing Address: Room 106 Billing Address 2: City: State / Province: Zip / Postal Code: 75702 Country: USA	Card Type: Master Card Card Number: *****5100 Expiration Date: 9 / 2012	Payment Amount: \$1.00 Transaction Date 12/07/2007 16:45 and Time: EST

Email Confirmation Receipt

To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.

Email Address:

Confirm Email Address:

CC: Separate multiple email addresses with a comma

Authorization and Disclosure

Required fields are indicated with a red asterisk *

Authorization and Disclosure

Required fields are indicated with a red asterisk *

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

Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.

Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

After you have verified that all the information is correct, check the authorization box and then click the [Submit Payment](#) button.

****** Only Click the Submit Payment button ONCE - Your card may be charged multiple times if you click more than once. ******

Your payment will be confirmed and you will be returned to CM/ECF.

18. Edit the Complaint screen if necessary. Example: Complaint 28:1331 etc.

Click the [Next](#) button to continue.

ECF Civil • Criminal • Query • Reports • Utilities •

Complaints and Other Initiating Documents
[6:07-cv-05016 Johnson v. Provines](#)

Docket Text: Modify as Appropriate.

COMPLAINT against David Provines (Filing fee \$ 1 receipt number 154437.) , filed by Skippy Johnson. (Attachments: # (1) Civil Cover Sheet) (Galveston, Seagull)

19. Review the final text and click the [Next](#) button to continue.

The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a navigation bar with links for Civil, Criminal, Query, Reports, and Utilities. Below this, the page title is "Complaints and Other Initiating Documents" and the case number is "6:07-cv-05016 Johnson v. Provines". The main content area displays the docket text: "COMPLAINT against David Provines (Filing fee \$ 1 receipt number 154437.), filed by Skippy Johnson. (Attachments: # (1) Civil Cover Sheet)(Galveston, Seagull)". A red warning message states: "Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue." At the bottom, there are two buttons: "Next" and "Clear".

20. Congratulations! The case is now filed. The notice of electronic filing screen is displayed.

The screenshot shows the ECF notice of electronic filing screen. At the top, there is a navigation bar with links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below this, the page title is "Complaints and Other Initiating Documents" and the case number is "6:07-cv-05016 Johnson v. Provines". The main content area displays the following information: "U.S. District Court [TRAIN]", "Eastern District of TEXAS TRAIN", "Notice of Electronic Filing", "The following transaction was entered by Galveston, Seagull on 12/7/2007 at 3:49 PM CST and filed on 12/7/2007", "Case Name: Johnson v. Provines", "Case Number: 6:07-cv-5016", "Filer: Skippy Johnson", "Document Number: 1", "Docket Text: COMPLAINT against David Provines (Filing fee \$ 1 receipt number 154437.), filed by Skippy Johnson. (Attachments: # (1) Civil Cover Sheet)(Galveston, Seagull)", "6:07-cv-5016 Notice has been electronically mailed to:", "Seagull Galveston cindy_paar@txed.uscourts.gov", "6:07-cv-5016 Notice will not be electronically mailed to:", "The following document(s) are associated with this transaction:".



21. E-mail the prepared summons to the appropriate e-mail account (See email table in the filing summary at the beginning of this document for the appropriate office.) You will receive issued summons via e-mail....

22. You may now continue to docket other motions or pleadings etc.

Appendix A

If unsure on how to enter a party name, please contact the clerk's office for guidance.

1. **Omit the word "The."**

Examples:

The Enrich Company, Inc.

Last Name: Enrich Company, Inc.

The City of Toledo

Last Name: City of Toledo

2. **Social Security Cases.** Always enter party name as Commissioner of Social Security.

Examples:

Department of Health and Human Services

Jo Ann B. Barnhart, Commissioner of Social Security

Social Security Commissioner

Secretary of Health and Human Services

Last Name Field: Commissioner of Social Security

3. **John Does.** If the complaint includes numerous John Does, add as one party name. Never add the numbers, letters or roman numerals to the party name. Always add in the Party Text field.

Examples:

John Doe I-X

Last Name Field: Doe

First Name Field: John

Party Text: I-X

John Doe Police Officers 1-10

Last Name Field: Doe

First Name Field: John

Party Text: Police Officers 1-10

4. **Estates**

Example: The Estate of James P. Sentinel by Joseph Smith

Last Name Field: Smith

First Name Field: Joseph

Party Text: Executor of the Estate of

Create Alias:

Last Name Field: Sentinel

First Name Field: James

Middle Name Field: P.

Alias Code: dec

5. **Individuals with Titles**

Example:

James S. Haviland, Warden of Allen Correctional Institution

Last Name Field: Haviland

First Name Field: James

Middle Name Field: S.

Party Text Field: Warden of Allen Correctional Institution

6. **Unknown Names**

Example:

Unknown Spouse of Kenneth M. Keller, If any

Last Name Field: Unknown Spouse, if any, of Kenneth M. Keller

7. **Union Names**

Example:

Building Laborers Local 310 Pension Fund

Last Name Field: Local 310 Building Laborers Pension Fund