

CIVIL CASE OPENING: FAQs

Who can open their own civil case electronically in CM/ECF?

- Attorneys or their staff who have been trained by the Clerk's Office and given permission to file documents electronically.
- Pro se filers (including prisoners) are not permitted to file new cases electronically

I am not a member of the bar of this Court. Can I file a case electronically?

- Only active members of the bar of this court and government attorneys can file cases electronically.

Can I open a case 24 hours a day?

- Yes. An electronic document is considered filed when it is received by the court's CM/ECF system. The filing deadline is 11:59 PM Eastern Standard Time for the current date of filing.

What happens if I open a case in error?

- Contact the Help Desk at (202) 354-3190 for assistance.
- The Help Desk is available from 9:00 AM until 4:00 PM, Monday through Friday.

How do I file a sealed complaint?

- Sealed complaints can only be filed in person over the counter.

If I am seeking permission to file the complaint anonymously for the client, can I file it electronically?

- No. Filers that seek to file a John Doe case must bring them in person to the Clerk's Office during normal business hours.

Can attorneys open their own criminal cases?

- No. At this time, attorneys may not open their own criminal cases.

How do I pay my filing fee?

- The filing fee can be paid by credit card, debit card or Automated Clearing House (ACH) payment, also known as Bank Account Debit or Direct Debit. ACH payments are like online checks and the funds are withdrawn from your bank account.
- While posting your complaint, the first of two Pay.gov screens will appear where you will enter your credit card, debit card, or account information for ACH.

What do I do if Pay.gov is not working? Can I submit my filing fee a different way?

- You will have to file the complaint and accompanying documents in person during normal business hours or place your documents in the after-hours drop box accompanied by a check for \$400.00.

How do I get a judge assigned to the case?

- The judge is assigned to your case by Clerk's Office staff after the case is opened.
- You will receive a Notice of Electronic Filing of the judge assignment when the judge has been assigned to your case.

How do I get my summons issued?

- Download and save the summons form. Use this fillable form each time you post a summons to the court docket.
- Post your summons(es) as attachments to the complaint.
- Summon(es) will be issued by the court electronically the following day.
- You will receive a Notice of Electronic Filing (NEF) of the issued summons when the Clerk's Office enters it on the court's docket.
- Use the NEF (Notice of Electronic Filing) hyperlink to retrieve the issued summons form to effect service of process.
- If you forget to attach your summons during the initial filing, you may file the summons using the ***Request for Summons to Issue*** event, located under **Complaints and Other Initiating Documents**.

What types of information do I need to redact?

In compliance with Fed. R. Civ. P. 5.2, Fed. R. Crim. P. 49.1, and WAWD Local Rule CR 5.2, all filers must redact:

- Dates of Birth: redact to the year of birth.
- Names of Minor Children: redact to the initials.
- Social Security Numbers or Taxpayer Identification Numbers: redact in their entirety.
- Financial Accounting Information: redact to the last four digits.
- Passport Numbers and Driver License Numbers: redact in their entirety.
- Home addresses in criminal cases: redact to the city and state.

What is the maximum allowable file size for PDF documents?

- PDF documents should be no more than 20 megabytes (MB).
- This will allow for faster processing of filing and downloading documents.

I forgot to enter a party! How do I get my additional parties added?

- Call the Clerk's Office Help Desk at (202) 354-3190.

Can I open the case and file the complaint the next day?

- This is not permissible and it could affect the statute of limitations for the filing of the complaint. Complaints must be filed the same day as the case opening. File the complaint even though there may be errors. The Clerk's Office will make corrections. DO NOT attempt to open another case.

What should I do if I am filing an emergency pleading with my complaint such as a temporary restraining order?

- At this time, complaints accompanied by a temporary restraining order must be filed with the Clerk's Office in person during business hours.

If the complaint has a lot of parties listed for both the plaintiff and defendant, do I have to enter them all into the system?

- Yes and no. You can enter just the first 50 plaintiffs listed on the complaint; however you must add ALL defendants, regardless of the number.

If I forgot to attach the summons or civil cover sheet to the complaint, what remedy is there?

- If you forget to attach your summons or civil cover sheet during the initial filing, you may file them using the *Request for Summons to Issue* or *Civil Cover Sheet* events, located under **Complaints and Other Initiating Documents**.

I am bringing a civil action under Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996. Do I file this as I would a complaint?

- Yes. You would file the same way that complaints are filed; however, you must also pay \$6,548 in addition to the fee for filing a complaint. This can be accomplished by selecting the *Payment of Fee-LIBERTAD Act of 1996* event, located under **Other Documents**, after you have docketed the complaint.