

## **Filing a Civil Complaint or a Notice of Removal**

Civil and miscellaneous case openings may be completed electronically by any attorney in good standing with a CM/ECF login and password. At this time, the Court will also accept attorney-filed case initiating documents sent by U.S. Mail, private delivery services, or through personal delivery to the Clerk's Office.

*Paper cases.* If a new case is to be filed in paper form, the Filer must present the Clerk's Office with a Civil Cover Sheet ([JS-44](#)), the complaint, summonses (if applicable), and a check, money order, or credit card in the amount of \$400.00. Parties proceeding in forma pauperis should submit a Motion to Proceed In Forma Pauperis in lieu of the \$400.00 filing fee.

The case will be opened by the Clerk's Office, and all electronic filing participants attached to the case will receive a Notice of Electronic Filing (NEF) email unless the case is sealed. This email will indicate that the complaint has been filed. Pro se litigants will receive paper notification.

The NEF will contain the case number, a hyperlink to the docket sheet (access requires a PACER login and password), the document number, and a hyperlink to the scanned complaint PDF (Access requires a PACER login and password, however, participants will receive a free look at the document). Case participants may file their public documents electronically once the case has been opened by the clerk.

*Electronic cases.* Directions for electronic case filing can be found in the [Guide to Civil Case Opening By Attorneys](#) located on the Court's Internet Web site. Please review these directions thoroughly before attempting the process.

## **Sealed Documents**

The system will not allow an attorney user to cause a PDF to be sealed in the system. Attorney users who attempt to file a sealed document will receive notification of this fact prior to the final acceptance screen. While the transaction will go through, the document will remain public. Therefore, sealed documents must be submitted to the Clerk's Office for filing during normal business hours.

## **Ex Parte Documents**

CM/ECF will allow three types of documents to be filed *ex parte* including the sealed portion of Attorney Time Records, 5k.1 motions, and Rule 35 motions. Events specific to this purpose are available on the [Other Documents](#) and [Motions](#) menus, respectively.

## E-Filing Documents in Civil Cases - A Step By Step Guide

This section of the User's Manual describes the step-by-step process for e-filing a **Motion**. The process will be similar when filing other types of pleadings. (For information regarding the e-filing of a new civil or miscellaneous case, please consult the [Guide to Civil Case Opening By Attorneys](#) located on the Court's Web site.)

Registered filers will use the **Civil** menu option to electronically file (or "e-file") PDF documents with the Court in all civil (CV) and civil miscellaneous (MC) cases.



### Step 1: Select the Type of Document to be Filed

Using your mouse, select **Civil** from the **blue** menu bar. The Civil Event window opens displaying all of the "events", or menu selections, from which you may choose for your filing.

Under the category "Motions and Related Filings", select the [Motions](#) hyperlink.



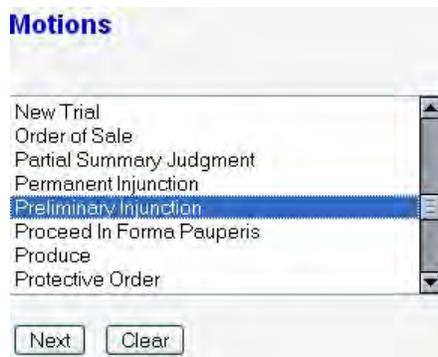
The "Motions" screen appears and displays a motion selection field. This list is in alphabetical order. Selections may be made by scrolling through the menu until you find the type of motion you wish to file. The motion type is selected by clicking on the name.

**Tip:** On your keyboard, you can press the first letter of your motion type, i.e. “P” and the system will take you to the category of motion types beginning with the letter “P”. You can continue to hit the “P” on the keyboard and it will take you through that group of “P” events in the menu. This process will not work if you are selecting more than one motion type for your filing.

*Selecting more than one motion type or “relief” from the list.* If you are filing a motion that contains more than one request, you may select all options that apply by clicking on the first option, holding the control key (Ctrl) down on your keyboard, and clicking on other desired reliefs. This technique should only be used when the selections are related to the motion request as a whole. Do not select multiple reliefs if they involve unrelated requests such as a “Motion to Appear Pro Hac Vice” and a “Motion for Summary Judgment”.

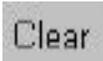
Unrelated motions should be filed using *separate CM/ECF entries* so that each PDF receives a unique docket entry number which may be later referenced by the applicable judge within an order.

Click the [\[Next\]](#) button after selecting the desired motion type(s). For demonstration purposes, “**Preliminary Injunction**” has been selected:



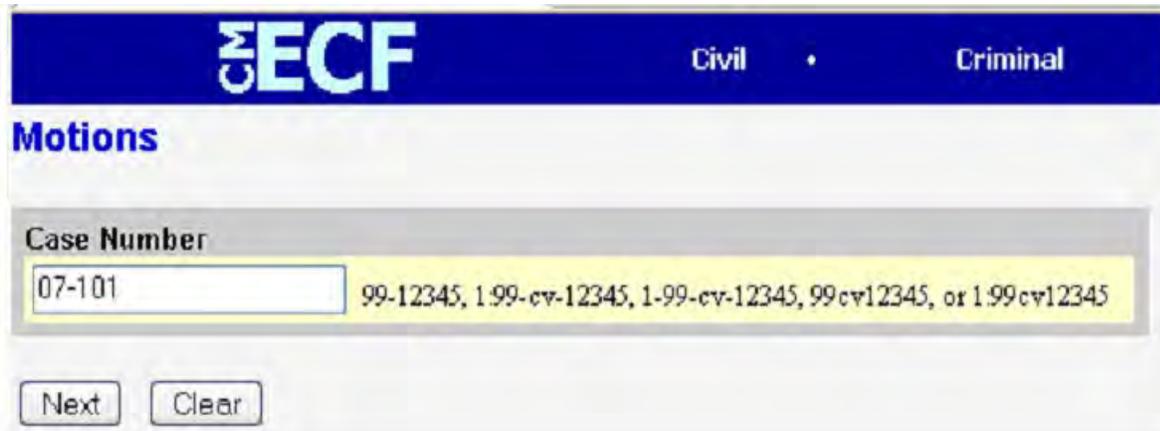
## Step 2: Enter the Case Number in Which the Document is to be Filed

A new “**Motions**” screen opens with a Case Number field. Enter the number of the case in which you are filing the motion and click on [\[Next\]](#). (Examples of acceptable case number formats are displayed on the screen.)

If the number is entered incorrectly, click  to re-enter. In the alternative, highlight the incorrect case number using your mouse, and type in the corrected number.

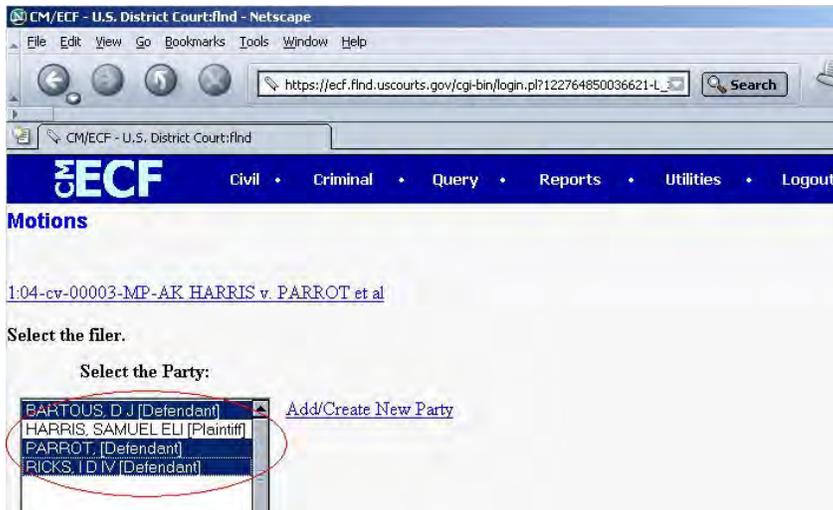
If the computer prompts that you entered an invalid case number, click on the [\[Back\]](#) button and

enter the correct case number. When the case number is correct, click on **Next**.



### Step 3: Designate the Party(ies) Filing the Document

Highlight the name of the party or parties for whom you are filing the motion on the “Select Party” screen. If you represent all defendants or all plaintiffs you may select the entire group by selecting the first party, pressing and holding down the control (Ctrl) key, and selecting the remaining parties as shown below. In some instances (when available), you may also utilize the “group” buttons for this purpose. The shift key performs the same operation **but only if the parties to be selected are adjacent to one another on the list.**



After selecting the party or parties, click on the **[Next]** button.

Note: All parties should have been added to the case when it was opened. If your party does not appear, double check to make sure you are filing in the correct case. See the section of this manual titled “**Add/Create New Party**” for more information. For adding parties to e-filed *new* cases, please consult the [Style Guide for Electronic Case Filing](#) re party formats.

## Step 4: Creating an Attorney/Party Association

If this is the first e-filing made by an attorney for a party in a case, the system will ask the user to make a party/attorney association as shown in the example below:

The screenshot shows the ECF system interface. At the top, there is a navigation bar with 'ECF' and tabs for 'Civil', 'Criminal', and 'Query'. Below this, the 'Motions' section is active, displaying the case number '1:07-cv-00101-MP-AK KORCZYK v. TURNER et al' and the party name 'ProSeNonPrisonerCase'. A message states: 'The following attorney/party associations don't exist for this case. Please check the box on the left of the screen if you intend to become counsel of record for the listed party. If not, then the box should be unchecked.' Below this message, there is a list of associations with a checked box next to 'CHUCK BASTAK (pty.dft) represented by Traci Hitchcock (aty)'. At the bottom of the list, there are 'Next' and 'Clear' buttons.

If you intend to represent the filing party in this case, leave the box located to the left of the party's name checked (the default setting) and then click **[Next]**. Creating an attorney/party association will cause the filing attorney's name to be added to the docket sheet on the behalf of the selected party(ies). The filing attorney will also receive Notice of Electronic Filings (NEFs) in the case.

If you are filing for an attorney who is unavailable (i.e., on vacation, out of the office, etc.), you are using your own ECF password and login, and you do not intend to represent the party in this action, **uncheck** the association box(es) and click **[Next]**. Your name will not be added to the docket sheet header, you will not be an attorney of record in the case, and you will not receive NEFs regarding future filings.

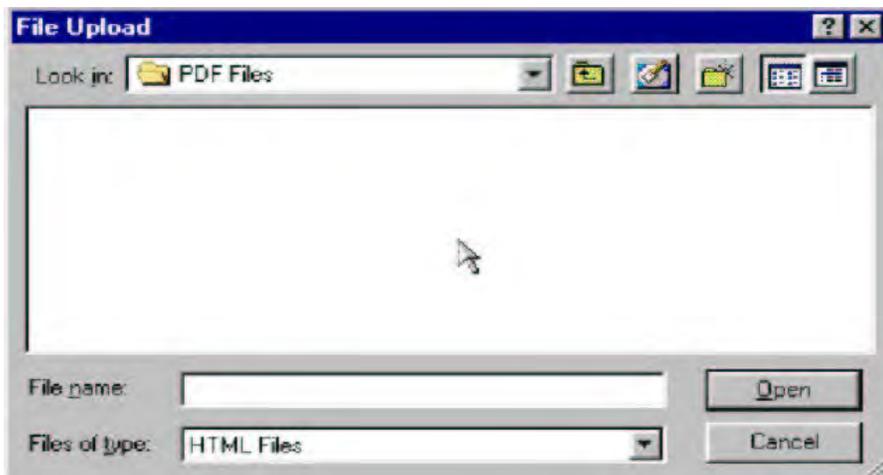
## Step 5: Specify a PDF File for Upload into the Court's Electronic Database

The screen depicted below displays a field for locating and selecting the PDF file for the

document you are filing:

Note: You must attach an electronic copy of the pleading when prompted by the system. ECF will not let you continue with your entry until a PDF file is selected. All documents that you intend to e-file in ECF **MUST** reside in **PDF** format. Documents submitted in formats other than PDF will cause an error message to appear, and the user will have the opportunity to click the [\[back\]](#) button to return to the document selection screen.

Click on the [\[Browse\]](#) button to access the desired PDF file located on your network or local hard drive. The [\[Browse\]](#) button opens the “**file upload**” screen and allows you to move to the applicable drive and folder to find your PDF file. PDF files are designated by the extension **.pdf**.

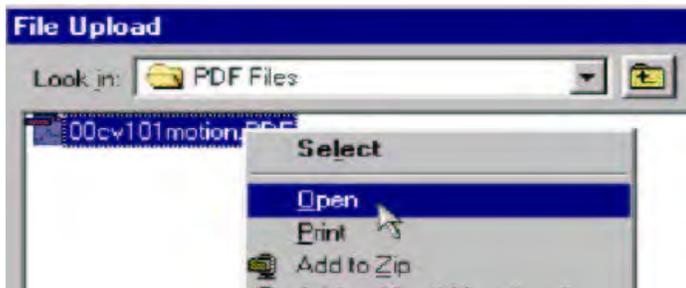


Make sure the "Files of type" field indicates "All Files (\*.\*)" or \*.pdf files as some browser versions will default to files of type HTML as shown above.

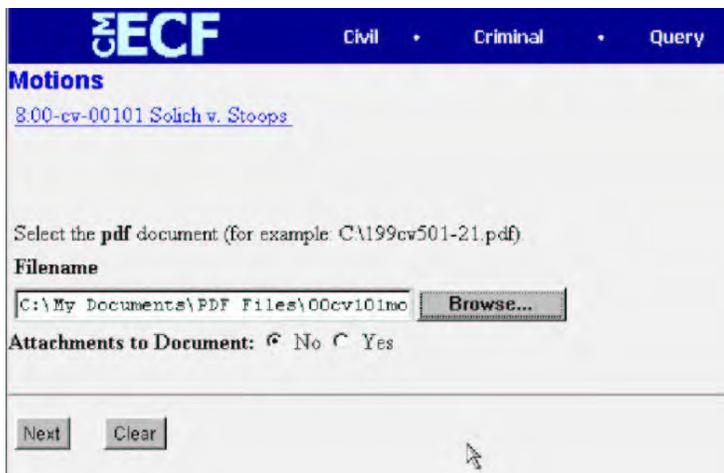
Correct the "Files of Type" selection by clicking on the down-arrow and choosing "All Files (\*.\*)".



Navigate to the appropriate directory and file name to select the PDF document you wish to file. **Right mouse-click** on the appropriate file name to open a **quick menu** and left mouse click on the **open** menu option. Adobe Acrobat, Acrobat Reader (available free from [www.Adobe.com](http://www.Adobe.com)), or your personal PDF software will launch and open the PDF document that you selected. You should always preview files to be uploaded as **incorrectly filed documents will not be removed from the case once filed**. Instead, court staff will utilize docket annotations to indicate errant filings.



Once you have verified that the document is correct, close or minimize Adobe Acrobat (or your personal PDF viewer) and click on the **[Open]** button located at the bottom right corner of the



**"File Upload"** box. ECF closes the **"File Upload"** screen and inserts the PDF file name and location, also known as the file path, in the **"File Name"** field.

If there are no attachments to the motion (attachments may include items filed in support of your pleading if they have been stored in a different file from the main pleading body), click on [\[Next\]](#). A new **Motions** window opens. Go to Step 9, "**Modifying Docket Text**", to proceed with your filing.

Conversely, if you have attachments to your motion, you will select [\[Yes\]](#) on the screen depicted in the graphic above and below this paragraph. Then click [\[Next\]](#) to proceed with Step 6, "**Adding Attachments to Documents Being Filed**".

**Motions**  
1:04-cv-00003-MP-AK HARRIS v. PARROT et al

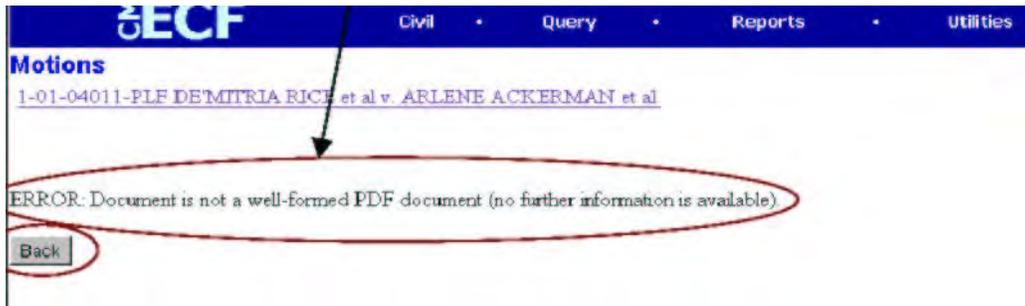
Select the **pdf** document (for example: C:\199cv501-21.pdf).

**Filename**

**Attachments to Document:**  No  Yes

## Error Messages

In the event you selected a file that is *not* in PDF format, ECF will display the following error message after you click on the [\[Next\]](#) button.



Click on the **[Back]** button to return to the previous screen, click the **[Browse]** button, find and right-click the appropriate PDF file, minimize or close Adobe after previewing the file, and click the **[Open]** button (as described above).

### ***Damaged PDF Files***

If you have selected a PDF file and have received an error message, it is possible that the PDF file is damaged. To repair a damaged or “poorly formatted” PDF file, minimize (do not close) your browser and follow the instructions below:

1. Open the original word processing file.
2. Click on ***File and Save as...***
3. Give the word processing document a new name (i.e., different from the original name).
4. Convert the new word processing document into PDF.
5. Maximize your browser.
6. Click the **[Back]** button until you return to the file upload screen:

Select the **pdf** document (for example: C:\199cv501-21.pdf).

**Filename**

**Attachments to Document:**  No  Yes

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7. Click the **[Browse]** button and select the new PDF file that you created. Then click **[Next]**.

### **Failure to Select A Document to File**

If you fail to select a document to file with your pleading, ECF will display the error message depicted below.



Clicking the **[OK]** button will return you to the **Motions** screen and will allow you to find and select a PDF file.

Note: You cannot proceed without attaching a PDF file.

### **Step 6: Adding Attachments**

If you acknowledged the need to attach documents to your motion during the previous step by clicking on the **[Yes]** radio button, a new **Motions** screen appears:

This screen will refresh or “loop” each time an additional file is attached to your pleading until you click the [\[NEXT\]](#) button located at the bottom of the screen. In other words, the screen will repeat itself until you have finished attaching all of your supporting PDFs.

**NOTE:** Each individual file may be 10 megabytes (MB) in size or less. Files over 10MB will not be accepted by the system and must be split into two or more smaller files. The only limitation on the number of total files attached is the user's Internet access bandwidth and upload speed as the system will time out, i.e., end your session, after one (1) hour. Contact your office's IT specialist to learn more about your available bandwidth and connection speed.

Click on [\[Browse\]](#) to search for the PDF file of the attachment. Files are selected in the same manner as noted in **Step 5**.

Click on the arrow next to the field for attachment “**Type**” and highlight the appropriate menu option. You may leave the **Type** field blank if the options in the drop-down menu do not apply to your pleading, however, **the “Description” field must be completed in that instance.**

1) Enter the **pdf** document that contains attachment (for example: C:\

**Filename**

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2) At your option, select a document type and/or enter a description.

**Type** **Description**

3) Add the filename to the list box below. If you have more attachments complete, click on the Next button.

The “**Description**” field must be completed if you have chosen to leave the “**Type**” field blank. “**Description**” may also be used in conjunction with the “**Type**” field if you wish to describe your attachment more fully.

1) Enter the **pdf** document that contains attachment (for example: C:\appendix.pdf).

**Filename**

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2) At your option, select a document type and/or enter a description.

**Type** **Description**

Once you have added a document description for the individual PDF file selected, click [\[Add to List\]](#). This instructs the system to copy and upload the chosen file to the court's server. Files that do not appear in the add to list box (see below) will not be uploaded/filed with the court.

3) Add the filename to the list box below. If you have more attachments, go back to complete, click on the Next button.

ECF will then refresh the screen allowing the user to attach another file to the entry. The sequence outlined above should be completed for each additional attachment. You will note that

file names will continue to appear in the “**Add to List**” field under screen section #3 (see image above).

*Removing files from the list.* If you have selected a PDF file in error, simply click on the file name as it appears in section #3 of the screen and click the “**Remove from List**” button. The screen will refresh revealing the deletion of the selected file from the list box. Use the [\[Browse\]](#) button located in section #1 of the screen to search for, preview, and add the correct file to the list.

After adding all of the desired PDF documents as attachments, click on [\[Next\]](#).

### ***Proposed Orders***

Proposed orders should not be uploaded in PDF format as attachments. Instead, proposed orders should be saved in word processing format and emailed to the applicable judge's email address. A [list](#) of email addresses may be found on the Court's Internet site.

**NOTE:**        **Chief Judge Hinkle does not require attorneys to submit proposed orders to him via email. The only proposed order required by Chief Judge Hinkle is the Order for Default Judgment provided by the U.S. Attorney's Office.**

### ***Attachments that Must be Scanned***

Scanned attachments larger than 10MB in size must be divided into two or more smaller files and attached individually using the method above ([1 megabyte \(MB\) 1024 kilobytes \(KB\)](#)).

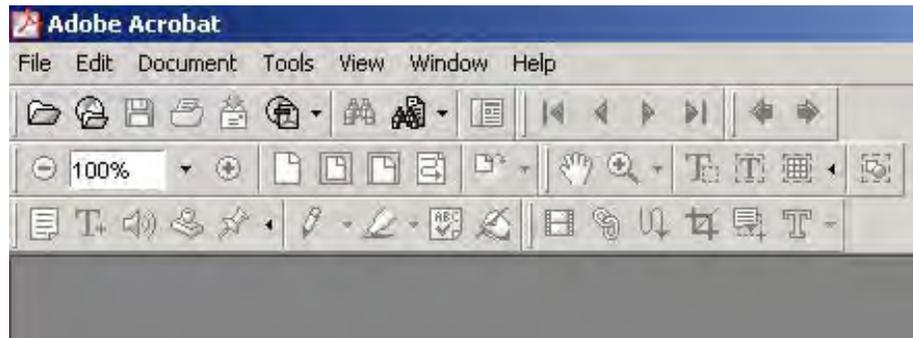
Note that the court prefers electronically produced PDF documents, i.e., those produced through a word processor than converted to PDF, as opposed to those produced via a scanner. However, scanned exhibits and other attachments are accepted.

### ***Determining File Sizes***

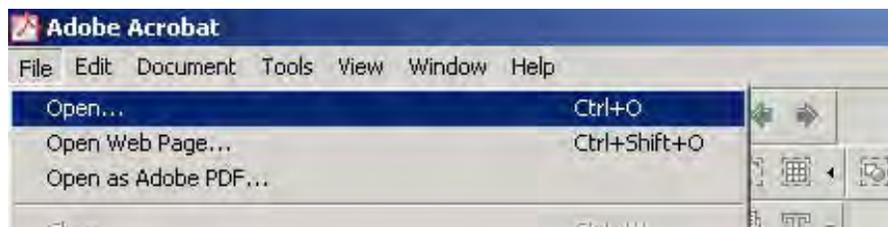
There are two methods for determining the size of a file:

1.        Open an application that gives you access to your stored PDF files; this could be Adobe Acrobat Full Package, Adobe Reader, or the Window's "Explore" option.

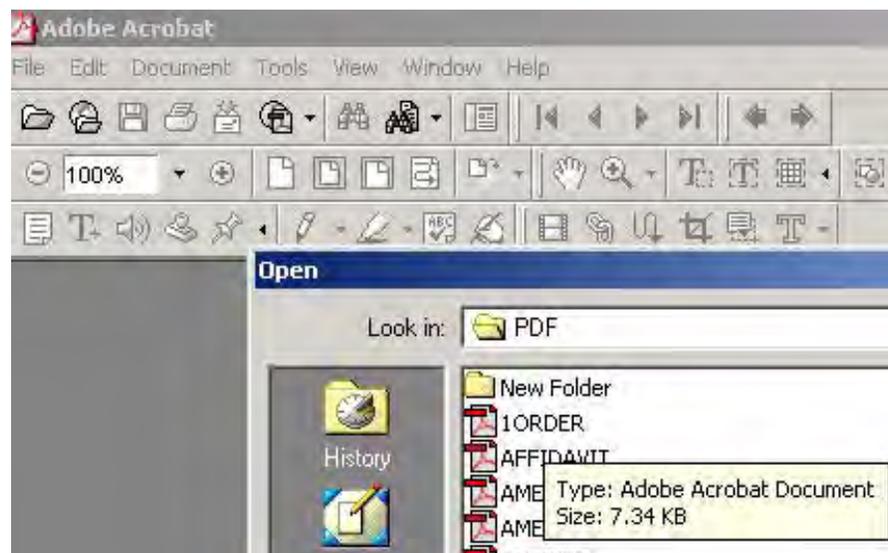
(The "Explore" option may be accessed by right-clicking on the [\[Start\]](#) button and choosing *Explore*.) The following graphics were obtained using Adobe Acrobat's Full Package.



2. Click on *File* and choose *open*.

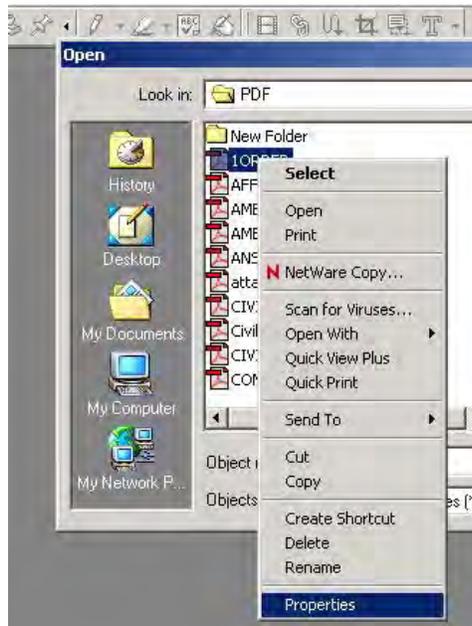


3. Navigate to the folder containing your PDF file(s), open the folder, and hold the mouse over the file name.

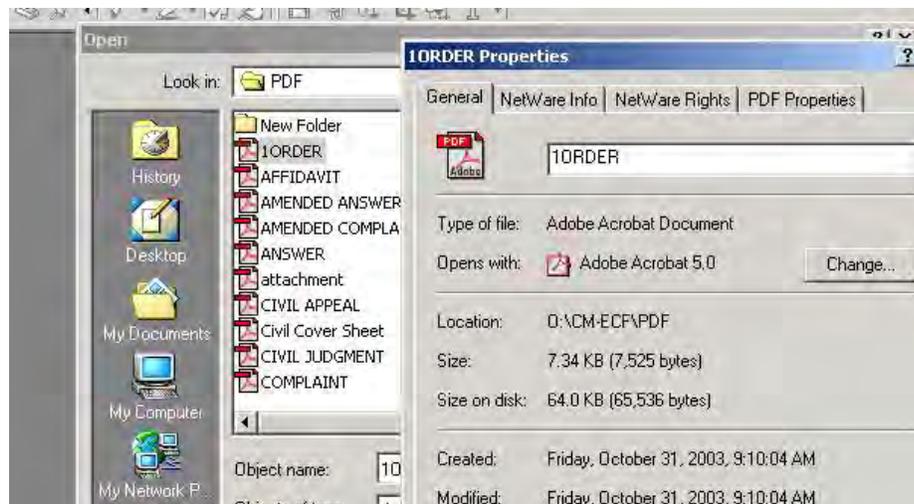


You will notice that Windows provides both "Type" and "Size" information about your file in a pop-up graphic. In this example, the PDF file is approximately 7.34 KB in size; well under the 10 MB limit.

4. The second method includes two additional steps. Once you have navigated to the screen shown in step 3, right-click on the file name and left-click on *properties*.



A pop-up window will appear giving you access to descriptive information about the selected file including its size.



## Step 7: When Attachments/Exhibits are in Paper or Non-Electronic Format

All attachments or exhibits in paper form should be scanned using a scanner and appropriate software for the creation of files in PDF format when possible. Exhibits may be scanned into one or more files (each less than 10 MB in size) and attached for e-filing using the procedure outlined above.

**Tip:** Be sure your scanner is set to black and white for text (unless it is a document that must be filed in color) and is set at a low image resolution, before scanning documents. (The Clerk's Office is using a scanner resolution of 200 x 200 in black and white mode.) Otherwise, your file size may exceed the 10 MB size limitation for CM/ECF in this district.

Attachments or exhibits that cannot be scanned for e-filing may be submitted to the Clerk's Office in paper format. Attorneys may present paper filings using the following method:

- E-file a pleading indicating that certain attachments have not been scanned and will be, instead, filed with the clerk. Print the resulting Notice of Electronic Filing (NEF), attach it to the paper exhibits, and submit it to the clerk. Paper attachments submitted in this manner will be considered filed as part of the e-filed pleading.

NOTE that attorneys should attempt to scan to PDF all attachments or exhibits when possible.

## Step 8: When Filings Contain Both Sealed and Public Parts

Some filings contain both sealed and unsealed portions (e.g., attorney time records). The ECF system will not allow attorneys to file a sealed document and will not allow any user to file a combination of PDF documents that are both sealed and public within the same entry.

*Attorney Time Records.* In regard to Attorney Time Records, an event was created called "Attorney Time Records - Sealed Portion (Ex Parte)" that will allow attorneys to file the sealed portion of their time records without making the information available via PACER. Note that the public portion should be e-filed first using the event "Attorney Time Records (Public Notice)" so that the sealed portion may then be linked to the public entry.

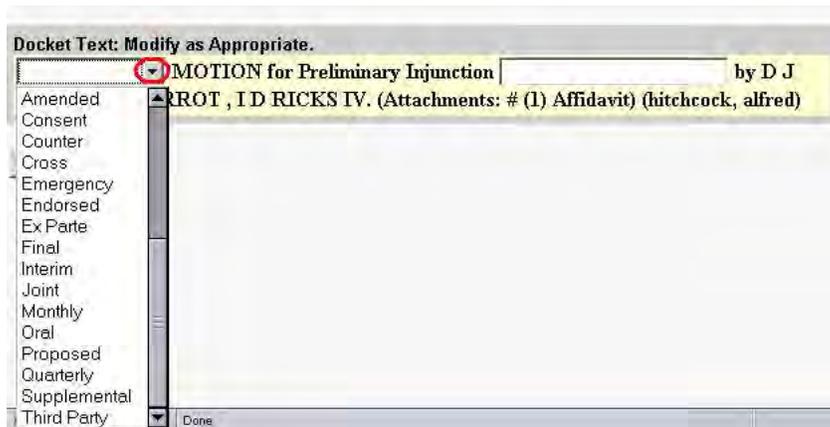
*Other types of mixed filings.* In all other cases, attorneys are instructed to file the unsealed portion of a pleading electronically, print the resulting NEF, attach the NEF to the sealed portion of the filing, and submit both the NEF and the sealed documents to the Clerk's Office.

Note: Sealed motions and documents must be filed with the Clerk in their entirety during normal business hours.

## Step 9: Modifying Docket Text

Now that you have selected the appropriate PDF files for upload, you will be presented with proposed docket text. This is the summary text that appears on the docket sheet.

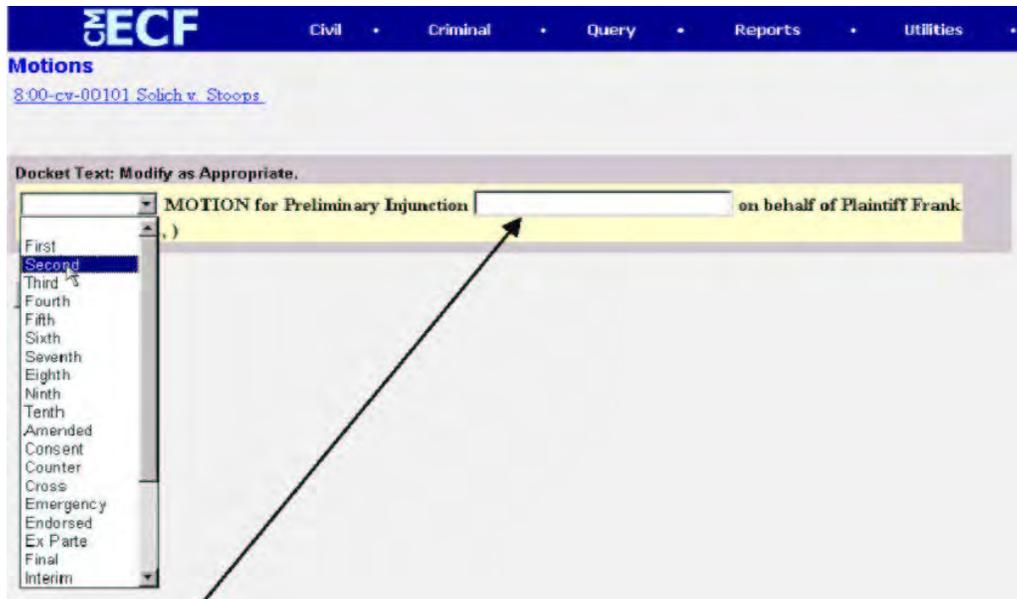
Click on the down arrow (shown below) to open a modifier drop-down list. Select a modifier if appropriate. **This field may remain blank if none of the options apply to your pleading.**



For example, you may have previously filed a motion and now wish to file an amended motion. In that case, you would file the motion just as you had previously with the exception of adding the text “Amended” to the entry by choosing it from the drop-down list shown above. Taking this step alerts the clerk to the filing of an amended motion and allows the clerk to remove the original motion from the judge’s pending motions report.

You would also want to select an option from this list if you plan to file an “Emergency” motion so that the nature of your pleading stands out to the case manager. (It is also recommended that you alert the applicable Clerk’s Office staff by phone regarding any emergency pleadings to be filed so that they may be referred to the judge as soon as possible.)

*Adding additional text.* Click in the open text area (shown below) to type additional text for the description of the pleading. This field will support approximately 256 characters.

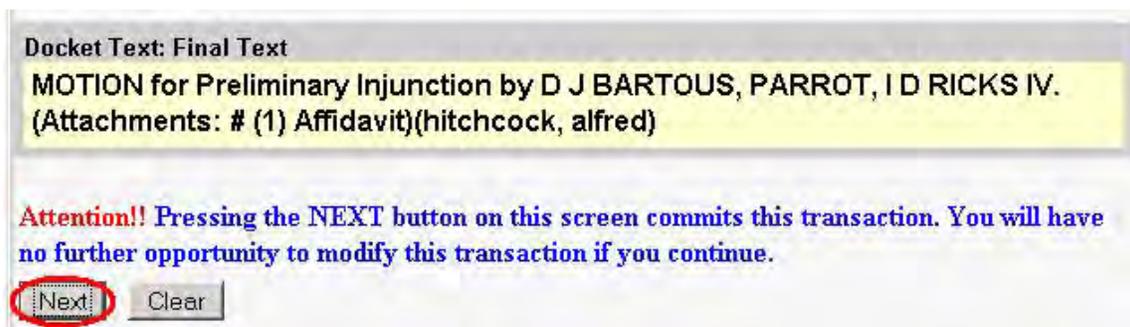


This area may also be used to describe the situation surrounding your filing. For instance, if you filed a motion and attached the wrong PDF file, you should file the motion *again*, choose *Amended* from the dropdown list, and then add text to indicate that the amended motion is being filed to correct an attachment error on a previous filing.

Note: Documents other than motions may be amended using the event “**Amended Document (NOT motion)**”. However, motions must be amended by using a specific motion event.

### Step 10: Submit the Pleading

Click on the [\[Next\]](#) button. A new **Motions** window appears with the complete text for the docket report:



All text supplied by the user will appear in italics. Text selected from drop-down boxes will appear in upper and lower case letters.

Review the text for typos or spelling errors and be sure that the text reflects the correct number of additional attachments. (NOTE: You will not see a reference to your main PDF pleading, i.e., the file you browsed for first before any additional attachments were contemplated, within the docket text.)

If you need to modify your entry, click the **[Back]** button on the browser's toolbar to find the screen you wish to alter. Once you have corrected the error, continue with the entry using the navigational buttons located on the ECF screen. **DO NOT use the FORWARD button**, located on the browser's tool bar as ECF will not recognize the changes that were made.

<<<STOPPED HERE>>>>

***Changes regarding pleading attachments:*** Typos found in the name of a pleading attachment must be corrected by clicking the **[Back]** button until you reach the attachment screen (See Step 6). Remove the file associated with the incorrectly typed label and re-add it as noted in section 6. The filer must then proceed with the entry using then navigational buttons located below the **blue** menu bar.

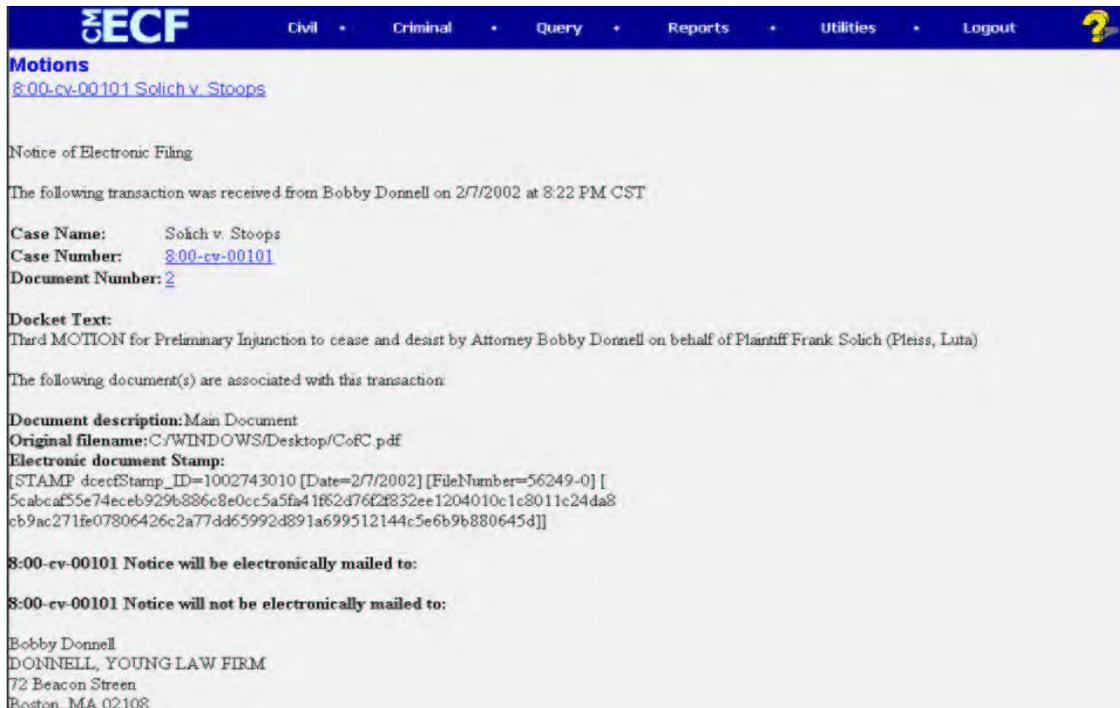
Please note the **Attention!!** warning message shown in the example above in red and blue. Clicking the **[Next]** button at this time will commit the transaction to the docket. If you wish to abort the entry or return to a previous screen, you must do so *before* clicking the **[Next]** button. Entries may be aborted by clicking on any menu option located in the blue menu bar.

## Step 11: Notice of Electronic Filing (NEF)

Clicking **[Next]** in the screen shown above opens a new **Motions** window displaying an ECF



filing receipt henceforth referred to as an "NEF".



The NEF provides confirmation that ECF has registered your transaction and that the pleading is now an official court document. It also displays the date and time of your transaction, the attorney or court user who filed the document, the docket entry number that was assigned, the docket text, the names and e-mail addresses of attorneys who were served electronically, and the names and addresses of those who require service by U.S. mail.

For future reference, it is suggested that you note the docket entry number assigned by CM/ECF on your copy of the PDF file residing on your hard drive; this can be accomplished by renaming the file. This action will save you time and money should you require additional review of the filed document since you will be able to locate the document easily on your personal or network drive rather than accessing it through PACER.

Note: The **NEF** represents your Certificate of Service. The NEF may be saved to your hard drive, printed, or accessed through the CM/ECF Docket Report. [PACER](#) charges will apply if retrieved through CM/ECF.

ECF will electronically transmit the NEF to the attorneys of record in the case who have registered for e-filing. The NEF also displays the names and addresses of individuals who will **not** be electronically notified of the filing.

**It is the filer's responsibility to serve hard copies of the pleading and the Notice of Electronic Filing to attorneys and parties (including newly admitted attorneys and attorneys who have had their NEFs temporarily turned off due to reported technical difficulties) who are not set up for**

electronic notification.

Pro se parties will not have access to e-file and must be served with a hard copy of all filed pleadings unless that party is also an attorney admitted to practice within the Northern District of Florida who has previously registered for e-filing.

**Note:** All filings by attorneys will result in an NEF email that is sent to both the filer and the recipients. If you have e-filed a pleading and have not received a confirmation NEF, then you should take steps to be sure that all parties were in fact served with your e-filing.

***Saving or Printing an NEF:***

- Select **[Print]** on the Netscape Toolbar to print the document receipt.
- Select **[File]** on the Netscape menu bar, and choose **Save Frame As...** from the drop-down window to save the receipt to a file on the hard drive of your computer.

**Note: Only the attorneys of record in a social security case may remotely view PDF documents as social security cases are protected from general public access over the Internet. Sealed documents cannot be viewed except by the court.**