

LAST UPDATE: FEBRUARY 9, 2024

#### **NOTICE!**

# TO SUCCESSFULLY OPEN A NEW CASE, A VALID CREDIT CARD IS REQUIRED

PER LOCAL RULE 2.02 FORMS TO BE FILED IN CIVIL CASES, THE FOLLOWING FORMS ARE REQUIRED WHEN FILING A NEW CIVIL CASE IN THIS COURT:

- 1. Complaint
- 2. Civil Cover Sheet
- 3. Original Filing Form
- **4.** Disclosure of Organizational Interests (non-governmental organizational party)
- **5.** Summons for each defendant or Waiver of Service for each defendant
- **6.** Notice of Process Server if serving defendant(s) via summons (non-federal government agency defendants only)
  - a. FRCP Rule 4 requires summonses to the U.S. Attorney General and U.S. Attorney for the Eastern District of Missouri if defendant is a federal agency or department

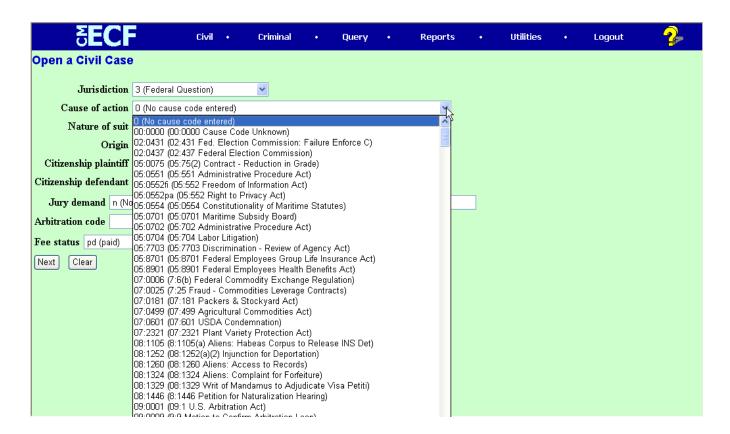
# PER LOCAL RULE 2.03 <u>CASES</u> REMOVED TO THE DISTRICT COURT, THE FOLLOWING FORMS ARE REQUIRED WHEN REMOVING A CASE FROM STATE COURT TO THE DISTRICT COURT:

- 1. Notice of Removal (all parties must be listed in caption)
- 2. Civil Cover Sheet
- 3. Original Filing Form
- **4.** Disclosure of Organizational Interests (non-governmental organizational party)
- 5. A current State Court Docket Sheet with complete state court file
- **6.** A Notice of Filing the Notice of Removal to the Plaintiff(s) and/or plaintiff's counsel

#### CIVIL CASE OPENING

- 1. Log into the live ECF Program for the Eastern District of Missouri at <a href="https://ecf.moed.uscourts.gov/cgi-bin/login.pl">https://ecf.moed.uscourts.gov/cgi-bin/login.pl</a>
- 2. Select "CIVIL"
- 3. Select "OPEN A CIVIL CASE"
- 4. Next to "OFFICE", select Jurisdiction: St. Louis; Cape Girardeau; or Hannibal (see attached county lists for venue and refer to U.S.C. 28:1331 and U.S.C. 28:1332 F.R.C.P. concerning jurisdiction)
- 5. Next to "CASE TYPE", select either cv for a civil case or mc for miscellaneous
- 6. If this case is being removed from state court, or is a miscellaneous case challenging a subpoena from another district court, enter the name of the court and the other court case number. Click on "NEXT"
- 7. At the drop-down box select the proper Jurisdiction (i.e. U.S. Government Plaintiff; U.S. Government Defendant; Federal Question; or Diversity)

8. "CAUSE OF ACTION" statute that makes this case properly filed in the U.S. District Court (the statute listed must match the jurisdiction) - select from drop down box



9. "NATURE OF SUIT" - Select from the drop down box (See figure 11.1 below)

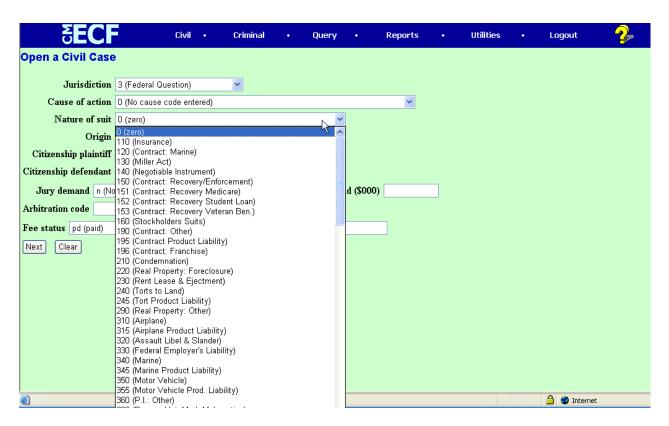
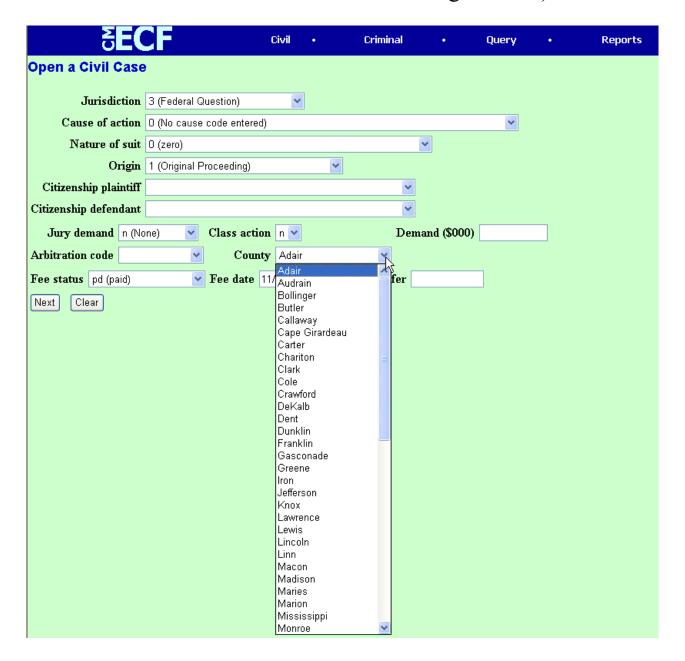


Figure 11.1: Select the nature of suit from the list.

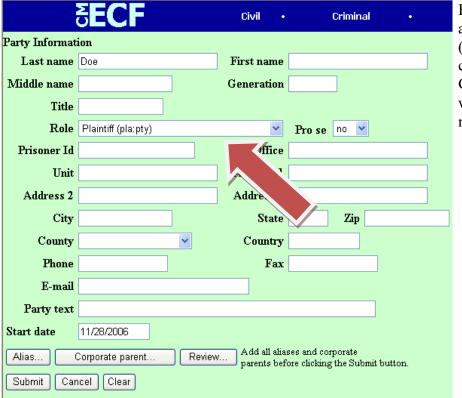
- 10. "ORIGIN" Select either "ORIGINAL PROCEEDING" or "REMOVAL FROM STATE COURT"
- 11. "CITIZENSHIP OF PLAINTIFF" (Enter this FOR DIVERSITY CASES ONLY)
- 12. "CITIZENSHIP OF DEFENDANT" (Enter this <u>FOR</u> <u>DIVERSITY CASES ONLY)</u>
- 13. "JURY DEMAND "- Select from the drop down box.
- 14. (SKIP "ARBITRATION CODE" NOT NEEDED)

15. "COUNTY" - Select the county of jurisdiction from the drop down box - (See attached list and 28 USC 1331; 28USC1332 and 28USC105 FRCP for guidance.)



- 16. "FEE STATUS" Select from drop down box: "ifp" for cases filed with a Motion To Proceed In Forma Pauperis; pd (paid) for credit card payment; "none (no fee required)" for cases that do not require a filing fee
- 17. "SEARCH FOR A PARTY" Enter Last or Business name and click on "SEARCH "- Names will appear if a match is found. Highlight a name and click on "SELECT NAME FROM LIST" or click on "CREATE NEW PARTY" if no match is found. Please see CM/ECF Procedures Manual Section L. concerning entering names, etc., in compliance with the E-Government Act of 2002 and NAMING PARTIES. Examples include:
  - Aliases (a/k/a, d/b/a etc.) should not be part of the last name. Aliases are added separately as the party is being created.
  - Minor's names must be initials **only** per Local Rule 2.17. This rule applies to both CM/ECF and the caption on the pleadings. Any documents containing a minor's full name must be filed under seal pursuant to Local Rule 13.05.

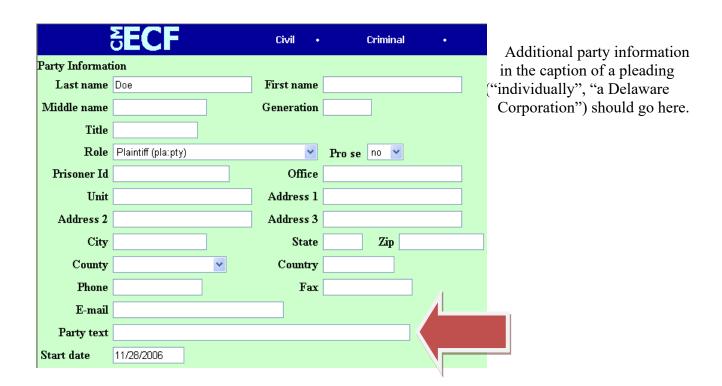
<b>₹ECF</b>	Civil •	Crimina	Type the last name or business name you wish to search for and click search.
Open a Civil Case			
Search for a party			
Last/Business name Doe ]			
Search Clear			
			Please select the appropriate name from
<b>EECF</b>	Civil •	Criminal	the list. If the name you are looking for is not listed, you will have to create a new
Search for a party			party
Last/Business name			
Search Clear			



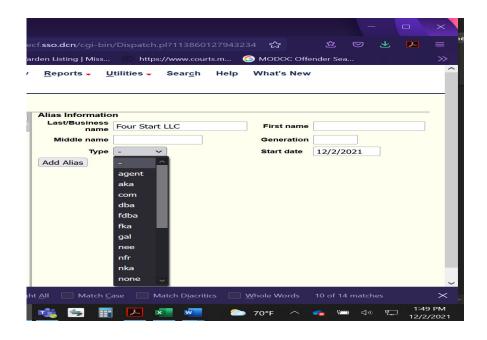
Enter the party information and click the submit button (make sure you are in compliance with the E-Government Act of 2002 when entering party names.)

- 18. "**ROLE**" Select from the drop down box
  - "PLAINTIFF" if new Civil case filed on behalf of a plaintiff
  - "DEFENDANT" for Removal case
  - "PETITIONER" should be used only for Habeas Corpus cases or 2255 Motions to Vacate Sentence
  - "MOVANT" may be appropriate in mc cases such as Motions to Quash or Enforce Subpoenas

19. If the party has additional information in the caption of the pleading ie. "individually and on behalf of others similarly situated," or "a Missouri corporation," this information should be added to the Party Text box.



- 20. CHECK TO MAKE SURE ALL PARTY INFORMATION IS CORRECT **if correct**, click on "**SUBMIT**" **if not correct**, click on "**BACK**" and begin again.
- 21. If the party has an alias (aka, dba), click on **Alias** and search for an Alias by last name in the same manner as searching for a party, or creating a new party if the Alias cannot be found. Select the proper type (dba, aka) from the drop down menu and click "Add Alias."



22. REPEAT STEPS 17 - 20 AND ENTER ALL PARTIES - when all parties are entered, click on "END PARTY SELECTION" WARNING! THIS CASE HAS BEEN OPENED AND THE CASE NUMBER HAS BEEN ASSIGNED, PLEASE MAKE NOTE OF THE CASE NUMBER. DO NOT BEGIN TO OPEN THIS CASE AGAIN! IF A MISTAKE IS MADE, PLEASE CONTACT THE ECF HELP DESK FOR INSTRUCTIONS

- 23. Click on "**DOCKET LEAD EVENT?**" Complaints and Other Initiating Documents will appear
- 24. Choose from drop down events
  - The most commonly used events are:
    - For civil (cv) cases:
      - Complaint
      - Notice of Removal Petition
      - Complaint (Social Security)
    - For miscellaneous (mc) cases:
      - Complaint for Receivership (misc case)
      - Enforce (Misc case) used to motion the Court enforce or compel compliance with a subpoena or summons
      - Quash (Misc case) used to motion the Court to quash a subpoena or summons
      - Registration of Judgment (Misc case) registering a foreign judgment with this Court



Select the appropriate event from the drop down list.

- 25. Click on "NEXT"
- 26. Highlight the filing party and click "**NEXT**" (to highlight more than one party, hold down on "CTRL")
- 27. Verify the party and representation by clicking on the box next to the party's name and by clicking on "LEAD" and "NOTICE"
- 28. Click on "NEXT"
- 29. Highlight who the case is being filed against. (If you represent the Defendant in a Removal action for filing purposes the case is being filed against the Plaintiff- to highlight more than one name, hold down on "CTRL")
- 30. Click on "BROWSE" and upload the originating document (i.e. Complaint, Notice of Removal, etc.)
- 31. "ATTACHMENTS TO DOCUMENT:" Click on "YES"
- 32. Click on "NEXT" and "BROWSE" (to upload attachments such as "EXHIBITS", "CIVIL COVER SHEET" and "ORIGINAL FILING FORM" SERVICE DOCUMENTS SHOULD BE ATTACHED TO THE COMPLAINT (i.e. Summons and or Waiver of Service of Summons) The copy of the State Court File will be an attachment to the Notice of Removal.
- 33. NOTE: The DISCLOSURE OF ORGANIZATIONAL INTERESTS, NOTICE OF PROCESS SERVER, AND NOTICE OF FILING NOTICE OF REMOVAL TO PLAINTIFF (if applicable) are separate docket entries and should not be filed as attachments to your Complaint or Notice of Removal.

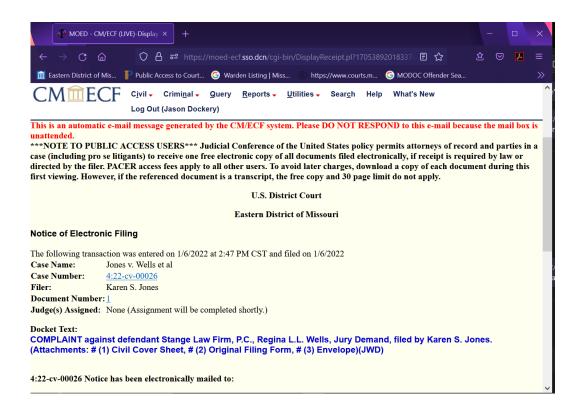
- 34. "CATEGORY" select name of document from drop down box, or type name of document by using the box under 'DESCRIPTION" "ADD TO LIST" AFTER EACH DOCUMENT when finished entering all attachments proceed Click on "NEXT"
- 35. "JURY OR NON-JURY DEMAND" select either Jury or Non-Jury
- 36. "IS THIS FILED WITH AN APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES Y/N?" Click on the radio button next to Yes or No
- 37. Click on "NEXT"
- 38. If a fee is to be paid, "FEE \$405" will appear (civil cases) (\$52.00 miscellaneous cases; \$5.00 Petition for Writ of Habeas Corpus)
- 39. Click on "NEXT"
- 40. If a filing fee is to be paid, <u>The Pay.Gov screen will appear for your payment</u>. Read the Pay.Gov screen carefully. (See figure on the next page)

						Return to	your originating	g applica	ation
Step 1: Enter Paymer	nt Information							1	1   2
Pay Via Plastic Card (P	C) (ex: America	n Express,	Diners Club	, Discov	er, Master	ard, VI	SA)		
Required fields are ind	icated with a re	d asterisk	*						
Account Holder Names		*							
Payment Amount:	\$405.00								
Billing Address:		*							
Billing Address 2:									
City:									
State / Province:			~	,					
Zip / Postal Code:									
Country:	United States								
Card Type:		* 1	ISA Kustov Carro	AMEX	DUSTYEE				
Card Number:		*	(Card number val	ue should	not contain sp	aces or da	oshes)		
	(O	n the back of y	rour Card, find the	last 3 digits	) Help finding v	our security	code		
Security Code:		w *							
Security Code: Expiration Date:	* */								

Fill out all necessary information, and click on the Continue with Plastic Card Payment button.

IF YOU FAIL TO ENTER PARTY OR OTHER INFORMATION DURING THE CASE OPENING PROCESS AND YOU HAVE ALREADY ENTERED YOUR CREDIT CARD INFORMATION, DO NOT CLICK ON THE BACK ARROW! A CHARGE HAS ALREADY BEEN PROCESSED TOWARDS YOUR CREDIT CARD AND FURTHER FILINGS COULD RESULT IN ADDITIONAL CHARGES. PLEASE CONTACT THE CM/ECF HELP DESK FOR ASSISTANCE.

41. Continue through to the final SUBMIT screen. Your entry is only complete when you are on the Notice of Electronic Filing Screen.



42. You will receive a Notice of Electronic Filing of a Case Opening Notification after the Clerk's Office has quality controlled the case and assigned it to a judge.

## **EDMO COUNTY LIST**

### **NORTHERN DIVISION:**

**ADAIR** 

**AUDRAIN** 

**CHARITON** 

**CLARK** 

**KNOX** 

**LEWIS** 

LINN

**MACON** 

**MARION** 

**MONROE** 

**MONTGOMERY** 

**PIKE** 

**RALLS** 

**RANDOLPH** 

**SCHUYLER** 

**SCOTLAND** 

**SHELBY** 

### **SOUTHEASTERN DIVISION:**

**BOLLINGER** 

**BUTLER** 

**CAPE GIRARDEAU** 

**CARTER** 

**DUNKLIN** 

**IRON** 

**MADISON** 

**MISSISSIPPI** 

**NEW MADRID** 

PEMISCOT
PERRY
REYNOLDS
RIPLEY
SCOTT
SHANNON
STE. GENEVIEVE
STODDARD
WAYNE

# **EASTERN DIVISION**

**CRAWFORD** 

**DENT** 

**FRANKLIN** 

**GASCONADE** 

**JEFFERSON** 

LINCOLN

**MARIES** 

**PHELPS** 

ST. CHARLES

ST. FRANCOIS

ST. LOUIS CITY

ST. LOUIS COUNTY

WARREN

**WASHINGTON** 

#### **NAMING PARTIES**

- 1. DO NOT BEGIN A PARTY NAME WITH "THE"
- 2. PARTIES WITH FOUR NAMES SHOULD BE ENTERED WITH THE LAST NAME, THE FIRST NAME AND THE TWO REMAINING NAMES AS THE MIDDLE NAME
- 3. DESCRIPTIONS OF PARTIES SHOULD BE ENTERED IN PARTY TEXT (i.e. individually and on behalf of all others similarly situated) and (i.e. Executor of the Estate of)
- 4. CITY NAMES SHOULD BE ENTERED AS FOLLOWS: ST. LOUIS, MISSOURI, CITY OF
- 5. WHEN ONLY A LAST NAME IS KNOW, LIST THE FIRST NAME AS "UNKNOWN"
- 6. WHEN PARTY IS U.S. GOVERNMENT AGENCY, ENTER OFFICER OR HEAD OF AGENCY AS MAIN PARTY AND AGENCY IN PARTY TEXT (i.e. Andrew M. Saul should be entered in Last Name and First Name sites and "Commissioner of Social Security Administration" entered in Party Text site
- 7. MONEY AS A PARTY SHOULD BE ENTERED IN LAST NAME SITE (i.e. \$15,000.00 in U.S. Currency) Enter in Party Text: Fifteen Thousand dollars and no cents in U.S. Currency
- 8. VEHICLE AS A PARTIES SHOULD BE ENTERED IN LAST NAME SITE (i.e. Chrysler 2006 VIN#12345678) Enter in Party Text: 2006 Chrysler 300 VIN#12345678 with all appurtenances and attachments thereon .
- 9. REAL ESTATE AS PARTIES SHOULD BE ENTERED IN LAST NAME SITE (i.e. 111 South Tenth Street St. Louis) Enter in Party Text: One parcel of Real Estate located at 111 South Tenth Street, St. Louis, Missouri
- 10. UNIONS AS PARTIES SHOULD BE LISTED IN LAST NAME SITE (i.e. Carpenters District Council of Greater St. Louis or Local 36 Sheet Metal Workers International Association, AFL-CIO) NAMES OF TRUSTEES SHOULD BE ENTERED USING LAST NAME, FIRST AND MIDDLE IF APPLICABLE. ENTER IN PARTY TEXT ANY IDENTIFYING INFORMATION (i.e. as

Trustee of the Pension Fund)

11. MINORS' NAMES SHOULD NOT BE ENTERED ON ECF. SUBSTITUTE MINORS' INITIALS FOR THEIR PROPER NAMES.