

REMOVAL CASE CHECK LIST

ATTORNEY REQUIREMENTS

- The attorney of record must be a member of the bar for the Eastern District of Missouri or file a motion with the court to appear pro hac vice.(See Local Rule 12.01 for requirements)
- The attorney of record must sign all initiating documents pursuant to FRCP11. If the attorney is opening the new case on ecf, the use of the ecf login and password assigned by the court complies with Rule 11.

FILING A REMOVAL

- A removal case may be opened electronically by an attorney in ecf if the attorney can meet the requirements for filing, has an Eastern District of Missouri ecf login and password and has a valid credit card.
- A removal case may be filed by delivering the case in paper form to the Clerks Office with the filing fee being paid by cash, check or credit card. The removal case may be sent to the clerks office by U.S. Mail with the payment being made by check.

FILING REQUIREMENTS

- The plaintiffs and defendants listed on the front of the Notice of Removal must exactly match the plaintiffs and defendants listed on the original state court Petition. If any of the plaintiffs and defendants were changed in state court, (whether a party was dismissed, changed or added), then a copy of the order or document changing the parties must be filed as an attachment to the Notice of Removal.
- Pursuant to Local Rule 2.04, “Jury Trial Demanded” must be written on the face of the Notice of Removal if a jury trial is being requested.
- Pursuant to Local Rule 2.03, **A copy of the COMPLETE FILE FROM STATE COURT INCLUDING SUMMONS AND RETURN OF SUMMONS (if any) FOR ALL DEFENDANTS** If the attorney is opening this case, the copy of the state court file is to be filed as an attachment to the Notice of Removal.
- The Original Filing Form (Designation Sheet) must be completed. If the case was filed previously, then the prior officiating judge must be listed along with the previous case number. (Local. Rule 2.02B) If the attorney is opening this case, the Original Filing Forms is to be filed as an attachment to the Notice of Removal.
- All information requested must be entered and all sections completed on the Civil Cover Sheet.. If the attorney is opening this case, the Civil Cover Sheet must be filed as an attachment to the Notice of Removal.
- The correct division must be written on all of the pleadings. The Eastern District of Missouri is comprised of the Northern , Southeastern and Eastern Divisions pursuant to 28U.S.C.105 of the FRCP and Local Rule 2.07.
- Pursuant to the E-Government Act of 2002, all civil pleadings filed, including the original state court petition and exhibits, must not contain personal identifiers, (i.e. social security numbers, names of minor children, dates of birth and financial account numbers). Personal information **MUST** be redacted before the case is submitted to the court.

- The Notice To The Plaintiff, which informs the plaintiff of the state court case being removed, should be filed as a separate document.
- The Notice to State Court is filed in the U.S. District Court after the state court acknowledgment (state court file stamp) is received. . After the case is opened on the system, this document is to be filed through ECF.
- If the defendant is a corporation, the Disclosure of Corporate Interests form must be completed and filed with the removal papers. (Rule 7.1 FRCP)
- **The fee for filing a Removal is \$350.00.** The court accepts payment by cash, credit card or check. If payment is being made by check, it should be made payable to “Clerk, U.S. District Court”. If the attorney is opening the case, a valid credit card is required for payment through Pay.Gov.

(Rev. 2/07)