

## Filing Procedures – Civil Documents

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**Overview** This section outlines the process and procedures to use when filing civil documents.

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**Filing a Civil Complaint, Petition, or Notice of Removal** Attorneys must electronically submit complaints, petitions, and notices of removal electronically and pay the fee electronically via Pay.Gov. Pro se litigants must send these documents through the U.S. mail or deliver them in person to the clerk’s office, along with the filing fee, which may be paid by check, money order, or credit card. The complaints, petitions, and notices of removal that are filed as paper documents will then be scanned, electronically filed, and docketed by clerk’s office staff.

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**Civil Documents That May Be Filed Electronically** Following is a list of categories of civil documents that may be filed electronically:

- Answers to Complaints,
  - Other Answers,
  - Motions,
  - Responses and Replies,
  - Discovery Documents,
  - Notices,
  - Trial Documents,
  - Appeal Documents,
  - Other Documents, and
  - Sealed Documents in public cases.
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## Filing Procedures – Civil Documents, Continued

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### Filing a Civil Document Electronically: Overview

Below is an overview of the process for filing a civil document electronically:

| Stage | Description   |
|-------|---|
| 1     | Login to ECF. Select <i>Civil</i> from the blue menu bar at the top of the screen.            |
| 2     | Click on the name of the type of document you are filing (e.g., motion, answer, etc.).        |
| 3     | Select the specific document you are filing (e.g., motion to dismiss).                        |
| 4     | Enter the case number in which the document is to be filed.                                   |
| 5     | Select the party or parties for whom the document is being filed.                             |
| 6     | Select the PDF document to be filed.  |
| 7     | Add attachments, if any, to the document being filed.   |
| 8     | Modify docket text as necessary.  |
| 9     | Submit the document to ECF.   |
| 10    | Retain Notification of Electronic Filing (NEF).   |
| 11    | Mail a paper copy of the document to any non-filing user, along with a paper copy of the NEF. |

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### Filing a Motion in a Civil Case: Introduction

To give you a sense of how the ECF process and its screens work, the material below describes the steps for filing a civil motion. These steps are similar to those for filing other documents in ECF.

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## Filing Procedures – Civil Documents, Continued

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### Filing a Motion in a Civil Case: Selecting *Civil* from the Menu

Step 1 – Login to the system. Then, select *Civil* from the blue menu bar at the top of the screen.



### Filing a Motion in a Civil Case: Selecting *Motions* from the Menu

Step 2 – Select *Motions* as the type of document to file.



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## Filing Procedures – Civil Documents, Continued

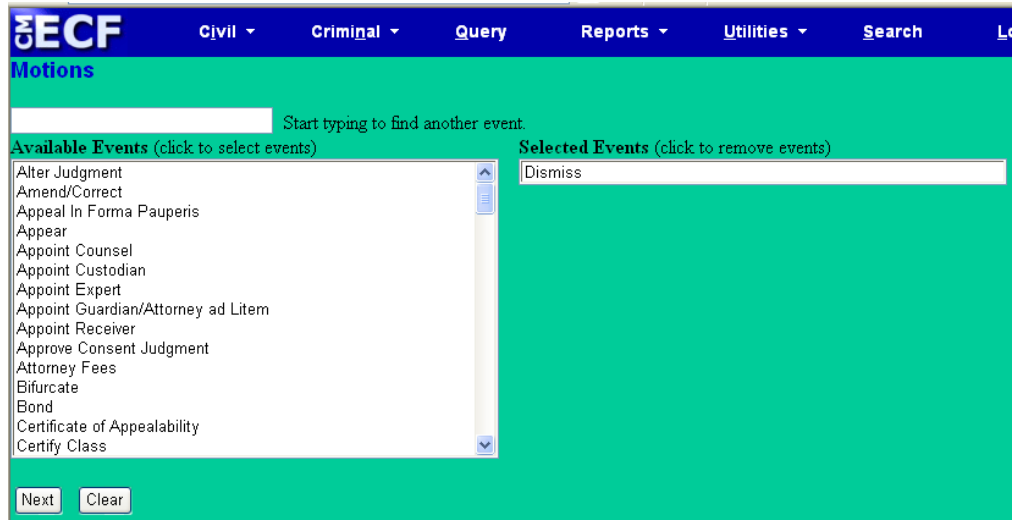
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### Filing a Motion in a Civil Case: Selecting the Type of Motion

Step 3 – Select the type of motion that you are filing by either beginning to type the name of the motion in the white box at the top of the screen and then clicking on its name in the dropdown list or by scrolling in the dropdown list and then clicking on its name in the dropdown list and then click on *Next*.

The name of the motion will appear in the *Selected Events* white box to the right of the dropdown list.

In the screen shot below, a *Motion to Dismiss* has been selected.



The screenshot shows the ECF (Electronic Case Filing) interface for selecting a motion. The top navigation bar includes 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', and 'Search'. The main heading is 'Motions'. Below this is a search box with the placeholder text 'Start typing to find another event.' The interface is divided into two columns: 'Available Events (click to select events)' and 'Selected Events (click to remove events)'. The 'Available Events' list includes: Alter Judgment, Amend/Correct, Appeal In Forma Pauperis, Appear, Appoint Counsel, Appoint Custodian, Appoint Expert, Appoint Guardian/Attorney ad Litem, Appoint Receiver, Approve Consent Judgment, Attorney Fees, Bifurcate, Bond, Certificate of Appealability, and Certify Class. The 'Selected Events' box contains 'Dismiss'. At the bottom of the interface are 'Next' and 'Clear' buttons.

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## Filing Procedures – Civil Documents, Continued

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### Filing a Motion in a Civil Case: Entering the Case Number

Step 4a – Enter the case number in which the document is to be filed.

The case number format is as follows: *division: year-type-number* (e.g., *1:06-cv-690*), although you must type only a year and number when first prompted for a case number.

The division number denotes the division in which the case is pending, as follows:

- Alexandria is 1,
- Norfolk is 2,
- Richmond is 3, and
- Newport News is 4.

The codes for the two civil case types are *cv* for civil cases and *mc* for miscellaneous civil cases.

**Note:** ECF defaults to the number for the last case in which you worked. Ensure that the proper case number is entered to avoid filing your document in the wrong case.

If the case number was:

- Entered incorrectly, click on the *Clear* button to re-enter.
- Rejected by the computer as an invalid case number, click on the *Back* button on your browser menu bar to re-enter the number.

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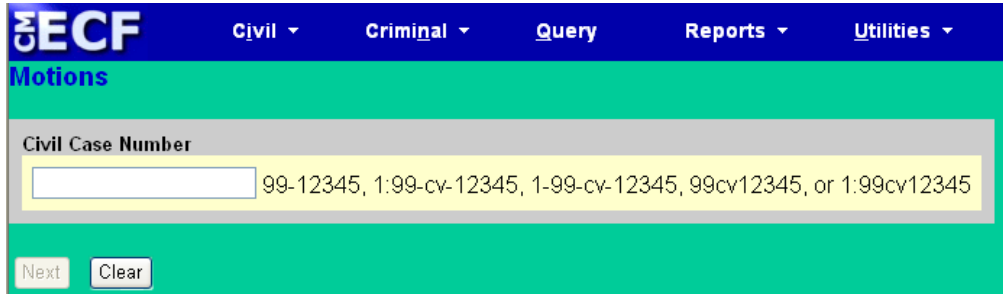
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## Filing Procedures – Civil Documents, Continued

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### Filing a Motion in a Civil Case: Entering the Case Number – Screen Shot

Screen shot of the case number entry screen.

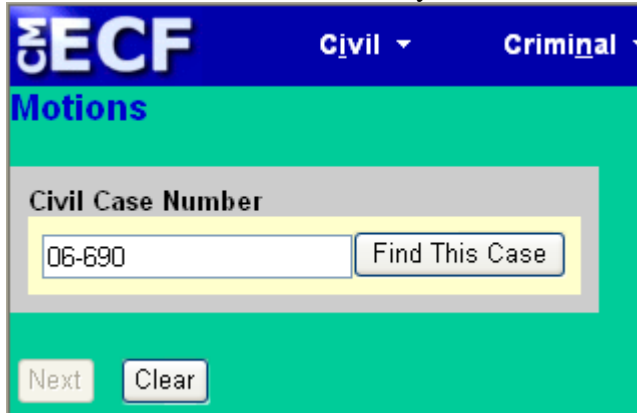


The screenshot shows the ECF Motions interface. At the top, there is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, and Utilities. Below this is a green header with the word "Motions". The main content area has a grey background and contains a "Civil Case Number" label above a text input field. The input field contains the text "99-12345, 1:99-cv-12345, 1-99-cv-12345, 99cv12345, or 1:99cv12345". Below the input field are two buttons: "Next" and "Clear".

**Note:** If you submit a case number that is formatted incorrectly, ECF will give an error message advising you of the correct format for entering the case number. Take the following steps:

- Click *OK* to acknowledge and close the error message.
- Click the *Clear* button on the screen and re-enter the case number in the correct format.
- Click on the *Next* button.

Screen shot of case number entry screen once a number has been entered.



The screenshot shows the ECF Motions interface. At the top, there is a blue navigation bar with the ECF logo and menu items: Civil and Criminal. Below this is a green header with the word "Motions". The main content area has a grey background and contains a "Civil Case Number" label above a text input field. The input field contains the text "06-690". To the right of the input field is a button labeled "Find This Case". Below the input field are two buttons: "Next" and "Clear".

Click on the *Find This Case* button to search for your case.

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## Filing Procedures – Civil Documents, Continued

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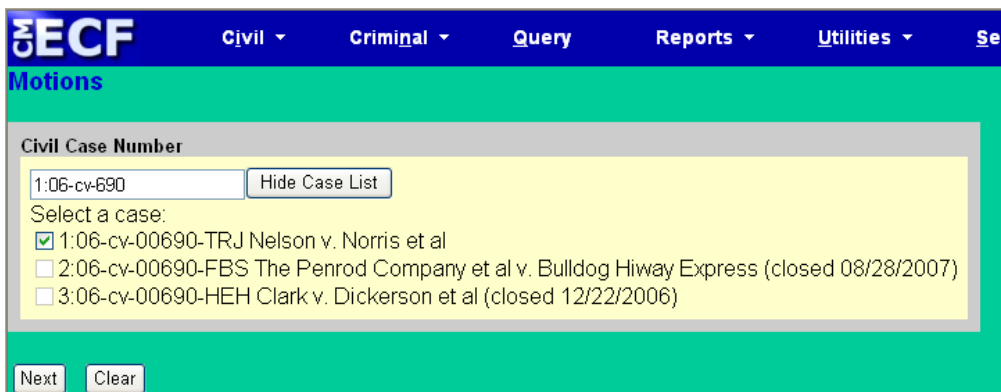
### Filing a Motion in a Civil Case: Selecting the Case

Step 4b – Select the correct case, if a list is provided.

If ECF finds more than one civil or miscellaneous case with the same number, it will list the cases, including the case number and short title of the case, which will allow you to select the correct case.

The screen shot below shows that three civil cases numbered 06-690 exist in the system: one is in Alexandria, one in Norfolk, and the other is in Richmond. The correct case has been selected by clicking in the box next to that case.

Once you have selected the correct case, click on the *Next* button.



The screenshot shows the ECF Motions interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', and 'Search' options. Below this, the 'Motions' section is highlighted in green. A form titled 'Civil Case Number' contains a text input field with '1:06-cv-690' and a 'Hide Case List' button. Below the input field, the text 'Select a case:' is followed by three radio button options:   
1:06-cv-00690-TRJ Nelson v. Norris et al (checked)   
2:06-cv-00690-FBS The Penrod Company et al v. Bulldog Hiway Express (closed 08/28/2007)   
3:06-cv-00690-HEH Clark v. Dickerson et al (closed 12/22/2006)   
At the bottom of the form, there are 'Next' and 'Clear' buttons.

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## Filing Procedures – Civil Documents, Continued

### Filing a Motion in a Civil Case: Selecting the Parties

Step 5a – Select the party or parties filing the motion by clicking on the party name(s). The list of party names is presented on the screen in alphabetical order.

- If you represent more than one defendant or plaintiff, you may select all the parties you represent by holding down the *CTRL* key while clicking on the name of each party.
- When filing a joint document, select the party(ies) you represent as the filer of the document. When presented with a text box during filing, you may enter the name(s) of the opposing party in the text box.

**Note:** To deselect a party, hold down the *CTRL* key while clicking on the party(ies) you wish to deselect.

After selecting all the parties filing the motion, click on the *Next* button.

The screenshot displays the ECF Motions interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', and 'Report' options. Below this, the case title '1:06-cv-00690-CMH-TRJ Nelson v. Norris et al' is shown. A 'Pick Filer' button is present. The main area is divided into two sections: a list of parties on the left and a 'Select the filer.' window on the right. The party list includes 'Major Barr dft', 'Joseph Higgs, Jr. dft', 'Corey Bryant Nelson pla', 'Houston Norris dft', and 'Lieutenant Norris dft'. The 'Select the filer.' window shows a list of parties with 'Norris, Houston [dft]' selected. At the bottom of the window are 'Next', 'Clear', and 'New Filer' buttons.

**Note:** If your party does not appear on the list, see page 88 titled *Adding/Creating a New Party*.

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## Filing Procedures – Civil Documents, Continued

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### Filing a Motion in a Civil Case: First Appearance of an Attorney

Step 5b – Create an association between you and the party, if necessary.

If this document is your first appearance in the case on behalf of the party, you will see the screen depicted in the screen shot below. Then, take the following steps:

- Click the box next to the party name to select the party or parties you represent AND deselect *Select all* if you do not represent all the parties listed.
- Click the box next to the word *Lead* if you are lead counsel for the party, and click the box next to the word *Notice*, if it is not already checked, to receive notices from the Court and other attorneys.
- If you want to deselect a checked box, click in the box you want deselected.

**ECF** Civil Criminal Query Reports

**Motions**  
[1:06-cv-00690-CMH-TRJ Nelson v. Norris et al](#)

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*.

Major Barr (pty:dft) represented by Theodore Tunney (aty)     Lead     Notice  
 Houston Norris (pty:dft) represented by Theodore Tunney (aty)     Lead     Notice

*Select all*

Next Clear

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## Filing Procedures – Civil Documents, Continued

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**Filing a Motion  
in a Civil Case:  
Selecting the  
PDF File Name  
and Location**

Step 6 – Select the PDF file name and location for the document you are filing by doing the following:

- Click on the *Browse* button to navigate to the appropriate directory and file.
- Select the document. The document name should appear in the *Filename* box.
- Verify that you have attached the correct document by viewing it.
- Click on *Next*.

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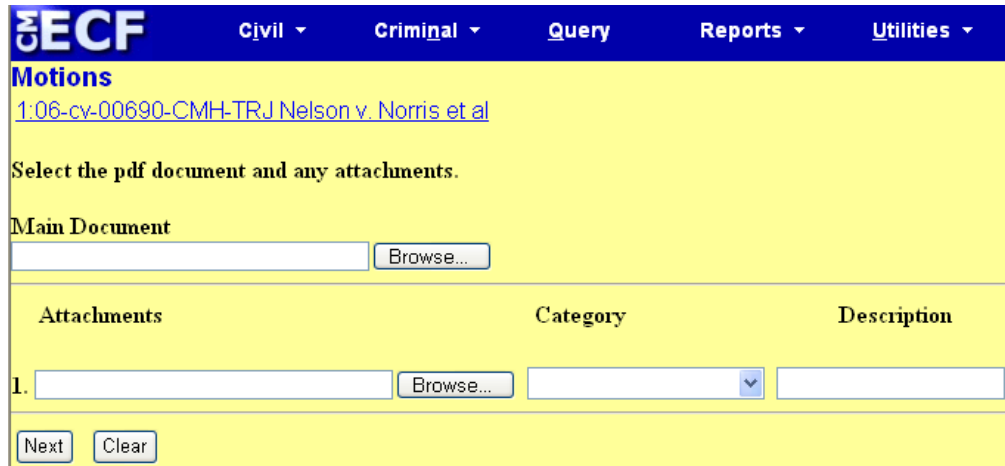
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## Filing Procedures – Civil Documents, Continued

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### Filing a Motion in a Civil Case: Selecting the PDF File Name and Location -- Screen Shot and Notes

Below is a shot of the screen that asks you to select the PDF file name and location, with accompanying notes:



The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a navigation bar with 'Civil', 'Criminal', 'Query', 'Reports', and 'Utilities' dropdown menus. Below this, the page is titled 'Motions' and shows a case link: '1:06-cv-00690-CMH-TRJ Nelson v. Norris et al'. The main instruction is 'Select the pdf document and any attachments.' There are two sections: 'Main Document' and 'Attachments'. The 'Main Document' section has a text input field and a 'Browse...' button. The 'Attachments' section has a table with columns for 'Attachments', 'Category', and 'Description'. The first row in the table has an input field, a 'Browse...' button, a dropdown menu, and another input field. At the bottom of the form, there are 'Next' and 'Clear' buttons.

#### Notes:

- The file selected **MUST** be in PDF format with a .pdf suffix. If the file is not in PDF format, the system will not be able to read the file.
- If you do not attach a document, the following prompt will occur:



- Click on the *OK* button and then click on the *Browse* button.

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## Filing Procedures – Civil Documents, Continued

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### Filing a Motion in a Civil Case: Verifying That You Have Attached the Correct Document

Step 7 – Verify that you have attached the correct document by taking the following steps:

- Right click on the highlighted file name to open a quick menu.
  - Left click on *open*. The PDF document will be opened by Adobe Acrobat or Acrobat Reader so that you can view the document and verify that it is the correct one.
  - Close Adobe Acrobat or Acrobat Reader.
  - Click the *open* button on the file upload screen.
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### Filing a Motion in Civil Case: Modifying the Docket Entry

Step 8 – Modify the docket entry, if appropriate.

You can modify the docket entry in two ways:

- By selecting a modifier to go before the word *motion* from the dropdown list by clicking on the arrow and
- By typing more information about the motion in the white box following the *Motion* title as well as entering names of opposing party(ies) when filing a joint document. In general, white boxes in docket entries allow you to add additional text to the entries.

After you have made your modifications, if any, click on the *Next* button.

The screenshot shows the ECF interface for modifying a docket entry. The navigation bar at the top includes 'Civil', 'Criminal', 'Query', 'Reports', and 'Utilities'. The page title is 'Motions' and the case number is '1:06-cv-00690-CMH-LO Nelson v. Norris et al'. The 'Docket Text: Modify as Appropriate.' section shows a dropdown menu set to 'Amended', followed by the text 'MOTION to Dismiss Counts 2 & 3 of the Complaint by Houston Norris, Joseph Higgs, Jr. (testaty, )'. At the bottom of the form are 'Next' and 'Clear' buttons.

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## Filing Procedures – Civil Documents, Continued

### Filing a Motion in a Civil Case: Reviewing the Docket Entry for Accuracy

Step 9 – Review your docket entry for accuracy.

| If the docket entry is... | Then...  |
|---------------------------|--|
| Correct                   | Click on the <i>Next</i> button to commit the transaction.<br><br><i>Note:</i> Once you click on the <i>Next</i> button, only clerk’s office staff will be able to make any changes to the submission. |
| Incorrect                 | Click on <i>Civil</i> on the main blue menu bar to abort the entry and start over.   |

*Note:* Once you have committed the transaction, the next screen that appears is the Notice of Electronic Filing (NEF), your official filing receipt. To ensure that your transaction is complete, wait for the NEF before clicking on any other function.

The screen shot below shows that “Amended” was selected from the dropdown list and “Counts 2 and 3 of the Complaint” was typed into the white box, so that the final docket text now reads, “Amended Motion to Dismiss Counts 2 and 3 of the Complaint.”

This docket text is correct, so the next step would be to click on the *Next* button to commit the transaction.

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## Filing Procedures – Civil Documents, Continued

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**Filing a Motion  
in a Civil Case:  
Notice of  
Electronic  
Filing (NEF)**

ECF electronically transmits the NEF to the attorneys in the case who have supplied their e-mail addresses to the Court. Your transaction is complete once you have received the NEF, and the NEF is your proof of filing with the Court. Therefore, you should save either an electronic or a paper copy of the NEF.

To save a copy of the NEF either as an electronic record or as a paper document, see the chart below:

| <b>If you want to...</b>           | <b>Then...</b>  |
|------------------------------------|---|
| Save an electronic copy of the NEF | <ul style="list-style-type: none"><li>• Select <i>File</i> on your browser's menu bar.</li><li>• Select <i>Save Frame As...</i> from the drop-down window and complete the rest of the steps.</li></ul> |
| Print a copy of the NEF            | Select <i>Print</i> on your browser's toolbar.  |

**Note:** The NEF also displays the names and addresses of individuals who will not be electronically notified of the filing. It is the filing user's responsibility to serve paper copies of the document and of the NEF to attorneys and parties who are not receiving electronic notification.

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