

# Civil Initiating Documents – Electronic Submission

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**Effective Date**     October 3, 2016

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## Contents

<b>Topic</b>	<b>See Page</b>
Introduction	1
Shell Case Number	1
Filed Date	2
Exemptions	2
Filing Events	2
Attachments to Initiating Document	3
Issuance of Summons	3
Reduced Size PDF	3
Steps for Submitting Initiating Documents	3

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## Introduction

Filing users are required to electronically submit civil and civil miscellaneous case initiating documents (complaints, petitions, or notices of removal, etc. together with proposed summons and civil cover sheets) electronically in .pdf format. Payment of the appropriate filing fees must be submitted through the U.S. Treasury Internet credit card program ([www.pay.gov](http://www.pay.gov)) within the court’s CM/ECF system or an *Application to Proceed without Prepayment of Fees and Affidavit* must be submitted with the initiating documents for those cases not filed by the federal government.

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## Shell Case Number

The documents will be submitted to a “Shell” case in the divisional office where jurisdiction lies. The shell case numbers for each division are:

<b>Divisional Office</b>	<b>Master Case Number</b>
Alexandria	1:YYat99999
Norfolk	2:YYat99999
Richmond	3:YYat99999
Newport News	4:YYat99999

**Note:** The “YY” represents the last two digits of the current calendar year.

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## Civil Initiating Documents – Electronic Submission, Continued

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**Filed Date** New cases are generally deemed filed the date the Clerk’s Office receives the initiating documents and the proper filing fee has been paid, or when an *Application to Proceed without Prepayment of Fees and Affidavit* has been filed.

The Clerk’s Office will assign a unique case number and file the initiating documents in the CM/ECF system. The submitting party will receive a *Notice of Electronic Filing (NEF)* with the new case number confirming that the case has been accepted and filed.

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**Exemptions** Civil initiating documents exempted from electronic submission and to be filed traditionally on paper are:

- Cases filed by a pro se litigant,
- Qui tam cases,
- Cases to be filed under seal,
- Ship Attachments,
- Receivership Cases, and
- Registrations of Foreign Judgment.

**Note:** Pro se litigants will continue to file documents in paper form to the Clerk’s Office.

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**Filing Events** The shell case will only allow you to select from the following filing events when submitting civil case initiating documents:

- Complaint,
- Notice of Removal,
- Petition to Confirm Arbitration,
- Petition for Writ of Mandamus,
- Petition for Writ of Habeas Corpus, and
- Miscellaneous Civil Case (e.g., a motion to compel or quash a subpoena for another district court case).

**Note:** After submitting a Petition for Stay of Execution or a case, in which you need to file an emergency motion, contact the divisional Clerk’s Office to inform them of the filing. The Clerk’s Office will expedite the opening of the civil case. Once the case is opened, you can electronically file your motion and any supporting documents.

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## Civil Initiating Documents – Electronic Submission, Continued

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**Attachments to Initiating Document** When submitting an initiating case document electronically, be sure to upload exhibit(s), *Civil Cover Sheet*, and proposed summons forms (if requesting summons be issued) or cover letter indicating how service is to be attempted, as attachments to the main document.

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**Issuance of Summons** The summons will be issued by the clerk and filed into ECF. Upon receipt of the summons issued NEF, attorneys must print two copies of the summons to be served with the case initiating document upon the defendant(s). One summons is for the defendant and one summons is to be returned as proof of service. Attached to the summons issued entry will be local divisional notices/information sheets that are to be printed and attached to your service package(s) for the defendant(s).

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**Reduced Size PDF** To decrease the size of your PDF documents, use the setting in your PDF writer *Save as a reduced sized PDF*.

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**Steps for Submitting Initiating Documents** Take the following steps to electronically submit initiating documents:

Step	Action
1	Select the appropriate initiating filing event from the Civil Menu category <i>Initial Pleadings for at-99999 Cases</i> : <ul style="list-style-type: none"><li>• Complaint,</li><li>• Notice of Removal,</li><li>• Petition to Compel Arbitration,</li><li>• Petition for Writ of Mandamus,</li><li>• Petition for Writ of Habeas Corpus, or</li><li>• Civil Miscellaneous Case;</li></ul> And then click the <i>Next</i> button.

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## Civil Initiating Documents – Electronic Submission, Continued

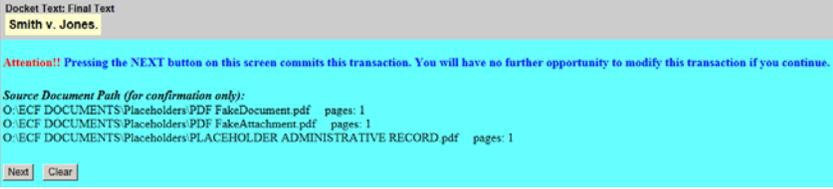
### Steps for Submitting Initiating Documents (continued)

Step	Action												
2	<p>Enter the appropriate shell case number then click the <i>Next</i> button and then click the <i>Next</i> button on the following screen.</p> <table border="1"> <thead> <tr> <th>Division</th> <th>Case Number</th> </tr> </thead> <tbody> <tr> <td>Alexandria</td> <td>1:YYat99999</td> </tr> <tr> <td>Norfolk</td> <td>2:YYat99999</td> </tr> <tr> <td>Richmond</td> <td>3:YYat99999</td> </tr> <tr> <td>Newport News</td> <td>4:YYat99999</td> </tr> </tbody> </table>	Division	Case Number	Alexandria	1:YYat99999	Norfolk	2:YYat99999	Richmond	3:YYat99999	Newport News	4:YYat99999		
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3	<p>Upload the initiating document as the main document and upload accompanying documents (exhibits to initiating documents, civil cover sheet, cover letter, proposed summons, financial disclosure statement) as attachments.</p> <p><small>Please make your <a href="#">Civil Cover Sheet</a>, <a href="#">Corporate Disclosure Notice</a>, and <a href="#">Proposed Summons</a> attachments to this document, if applicable.</small></p> <p>Select the pdf document and any attachments.</p> <p><b>Main Document</b>  <input type="text" value="D:\ECF DOCUMENTS\Placeholders\PD"/> <input type="button" value="Browse..."/></p> <table border="1"> <thead> <tr> <th>Attachments</th> <th>Category</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>1. <input type="text" value="D:\ECF DOCUMENTS\Placeholders\PD"/> <input type="button" value="Browse..."/></td> <td>Civil Cover Sheet</td> <td><input type="text"/> <input type="button" value="Remove"/></td> </tr> <tr> <td>2. <input type="text" value="D:\ECF DOCUMENTS\Placeholders\PD"/> <input type="button" value="Browse..."/></td> <td></td> <td>Summons <input type="text"/> <input type="button" value="Remove"/></td> </tr> <tr> <td>3. <input type="text" value=""/> <input type="button" value="Browse..."/></td> <td></td> <td><input type="text"/></td> </tr> </tbody> </table> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p> <p>And then click the <i>Next</i> button.</p>	Attachments	Category	Description	1. <input type="text" value="D:\ECF DOCUMENTS\Placeholders\PD"/> <input type="button" value="Browse..."/>	Civil Cover Sheet	<input type="text"/> <input type="button" value="Remove"/>	2. <input type="text" value="D:\ECF DOCUMENTS\Placeholders\PD"/> <input type="button" value="Browse..."/>		Summons <input type="text"/> <input type="button" value="Remove"/>	3. <input type="text" value=""/> <input type="button" value="Browse..."/>		<input type="text"/>
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4	<p>Enter the case title in the format of “Plaintiff v. Defendant”</p> <p>Enter the case title in the format of Plaintiff v. Defendant <input type="text" value="Smith v. Jones"/></p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p> <p>And then click the <i>Next</i> button.</p>												
5	<p>Answer the question</p> <p><small>Are you exempt or seeking extension from paying the filing fee for this Complaint? (e.g. USA, CIA, FPD, IFP, USERRA, FDIC, Statutes 45 U.S.C. Secs 151 &amp; 355.7 U.S.C. Secs 18,210 &amp; 499;28 U.S.C. Sec 1916) Y/N: <b>NOTE: If payment IS required your case will not be filed until payment is received.</b> <input type="text"/></small></p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p> <p>And then click the <i>Next</i> button. If the answer to this question is no, then you will be directed to Pay.Gov to pay the filing fee. You will be directed back to ECF once the fee is paid and then you can proceed with <i>Step 6</i>. If the answer to this question is yes, continue with <i>Step 6</i>.</p>												

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# Civil Initiating Documents – Electronic Submission, Continued

## Steps for Submitting Initiating Documents (continued)

Step	Action
6	<p>Click the <i>Next</i> button to commit the transaction.</p> 
7	<p>Print and/or save this page because you will not receive a separate emailed NEF for this submission.</p> 