

United States District CourtSouthern District of Illinois

Attorney Civil Case Opening Instructions

Updated: December 2023

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I. Introduction

Attorneys must file new civil cases electronically, initiated with a complaint, a notice of removal, a petition for writ of habeas corpus, or a petition to quash IRS summons. All documents filed must comply with the requirements of the Federal Rules of Civil Procedure and the Local and ECF Filing Rules for the Southern District of Illinois. Please refer to the ECF User Manual for filing questions and requirements.

Qui Tam (false claims) cases and applications for stay of execution are NOT to be opened via CM/ECF. Please contact the clerk's office to file these cases.

If you realize you have made a mistake and it is during business hours, do not proceed further. Contact the clerk's office for assistance. If you have made a mistake during the case opening process and it is outside of business hours, please continue to docket the lead event to maintain/preserve the file date, and send an e-mail to Intake@ilsd.uscourts.gov explaining the circumstances. A representative will respond during business hours.

East St. Louis (618) 482-9371
 Benton (618) 439-7760

II. Case Opening Screen

Begin by logging into CM/ECF at: https://ecf.ilsd.uscourts.gov

Select Civil from the blue menu bar. Under Open a Case, select Civil Case (Attorney).



The following screen will appear:



Please review the "ATTENTION" and additional information.

Complete the fields on this screen using the guidelines provided in the table below.

Open a Civil Case						
Office	East St. Louis ▼ Case type cv ▼					
Date filed: 12/19/2014						
Lead case i	number					
Associati	on type consolidated ▼					
Other court name						
Other cour	t number					
JPMI	number					
■ Related cases						
Next Cle	ear					

Office: Leave default (East St. Louis)

Case type: Select the appropriate *Case type*.

cv = regular civil case

px = Pradaxa multi-district litigationyz = Yaz multi-district litigationpq= Paraquat multidistrict litigation

Lead case number: It is not necessary to populate this field unless you are filing a member case

to a multi-district litigation. If filing a case related to the Yaz, Pradaxa or Paraquat multi-district litigations, enter the lead case number as appropriate. Yaz - 09-2100; Pradaxa - 12-2385; Paraquat- 21-3004. Select

Find This Case to proceed.

Association type: consolidated = regular civil case filing

Multi-District Litigation = Yaz, Pradaxa and Paraquat related cases

Other court name: If filing a notice of removal, enter the state court name from which the

complaint originated.

Other court number: If filing a notice of removal, enter the state court case number from the

state court complaint.

JPML number: If filing a case related to the Yaz, Pradaxa, or Paraquat multi-district litigations,

enter the last four digits of the lead case. Yaz - 2100; Pradaxa - 2385; Paraquat-

3004.

Related cases: Leave default, no selection

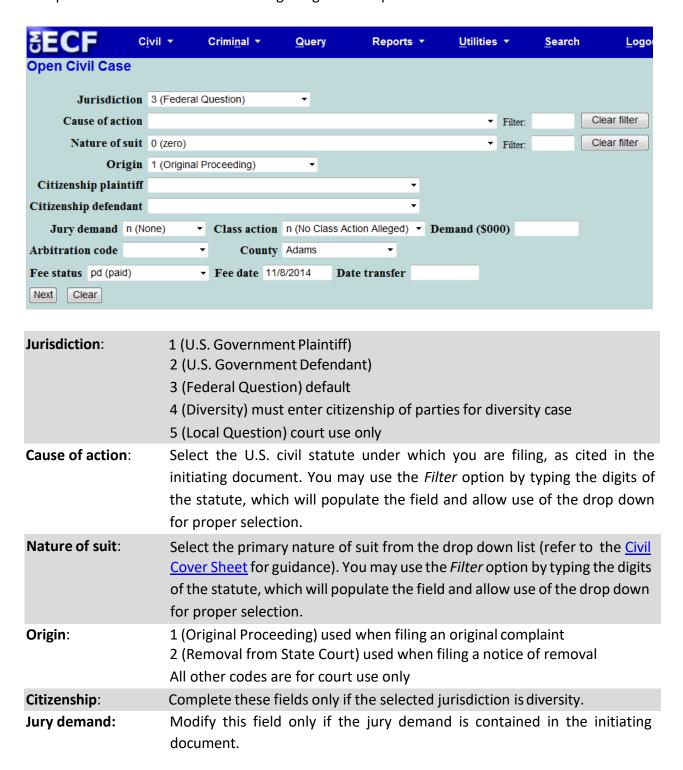
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Select Next to proceed to the nextscreen.

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III. Entering Civil Case Statistical Information

Complete the fields on this screen using the guidelines provided in the table below.

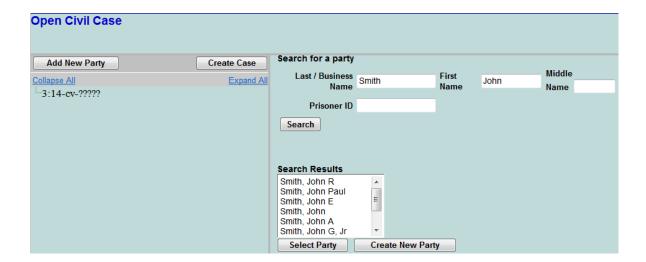


Class action:	n = no (No Class Action Alleged) y = yes (Class Action Alleged)
Demand:	Leave blank
Arbitration code:	Leave blank
County:	County is a statistical code for the county of residence of the first listed plaintiff in all actions except United States plaintiff actions. If the United States is the plaintiff, enter the statistical code for the county of residence of the first listed defendant.
Fee status:	Leave default (paid); for United States plaintiffs, set fee status to none (no fee required); for in forma pauperis plaintiffs, set fee status to pend (IFP pending).
Fee date:	Leave default
Date transfer:	Leave blank

IV. Adding Parties

The left pane contains the controls to *Add New Party* and *Create Case*; this section is the participant tree. Since no participants exist for this new case, the participant tree is empty.

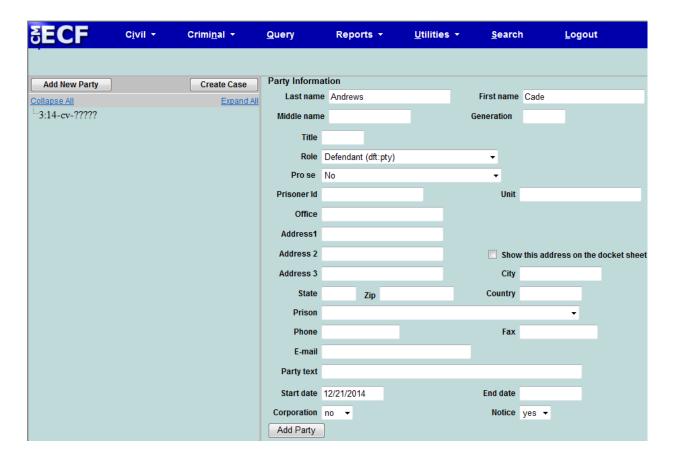
The right pane contains the fields to *Search for a party*. Using the court's <u>Instructions for Searching and Adding Parties</u>, search for each party listed in the caption of your initiating document. Choose the appropriate party from the list and click Select *Party*. If the appropriate party does not appear in the list, select *Create New Party*.



V. Participant Screen

The *Role* field is defaulted to *Defendant* as shown below. This must be changed to the appropriate role.

If you have descriptive information for a party as reflected in the case caption, enter the description in the *Party text* field. Leave all other fields blank. Do not enter address information.



Select *Add Party*. When the *Add Party* feature is selected on the *Party Information* screen, the party will be added to the participant tree on the left side of the screen.



The right pane of the screen returns to *Search for a party*. Continue to add all parties as they appear in the caption of your initiating document.

IMPORTANT: Social Security Cases — Enter the parties as they are captioned in the initiating document. The defendant in a social security case is <u>ALWAYS</u> added as "Commissioner of Social Security". In addition, enter the party "SSAOGC" as an *Interested Party*. This will enable the Social Security Administration General Counsel's Office and the document production facility that produces the administrative transcripts to receive timely notification of all activity in these cases.

VI. Functional Icons

Once all parties are added to the participant tree, please review the information for accuracy. The functional icons displayed next to a participant's name allow you to make the following modifications at this point in the case opening process:

= Edit the party

***** = Delete the party in its entirety

觜 = Add Alias, Corporate Parent, or other affiliate for the selected party

To make changes to the *Role* or *Party text* fields, click on the / icon.

To delete an inadvertently added party, click on the ***** icon.

To add an Alias for a party, click on the 4 icon.

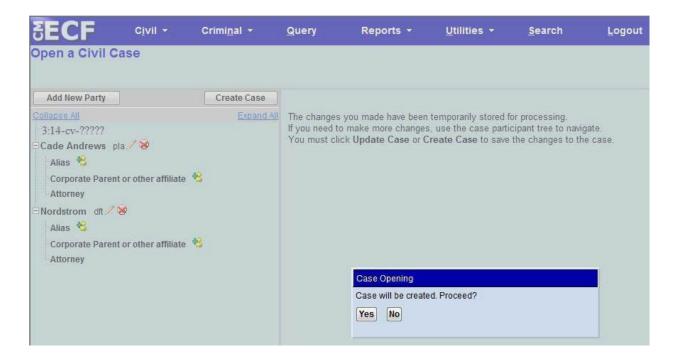
Alias Types	Translation
agent	agent of
aka	also known as
dba	doing business as
est	estate of
fdba	formerly doing
	business as
fka	formerly known as
gal	guardian ad litem
nee	born
nfr	next friend
nka	now known as
obo	on behalf of
other	other
rec	receiver
rpi	real party in interest
suc	successor
ta	trading as

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VII. Creating Case

Once you have verified all parties and added the necessary associations to the participant tree, click on *Create Case*.

The following message will appear:



Select Yes.

Notes:

If you inadvertently failed to add all applicable parties to the case, you will be given another opportunity to do so when filing the initiating document.

Once the case has been created, it is too late to click the back button on your browser. If you realize you made a mistake and it is during business hours, do not continue. Contact the clerk's office for assistance. If you made a mistake during the case opening process and it is outside of business hours, please continue to docket the event to maintain/preserve the file date and send an e-mail to Intake@ilsd.uscourts.gov explaining the circumstances. A representative will respond during business hours.

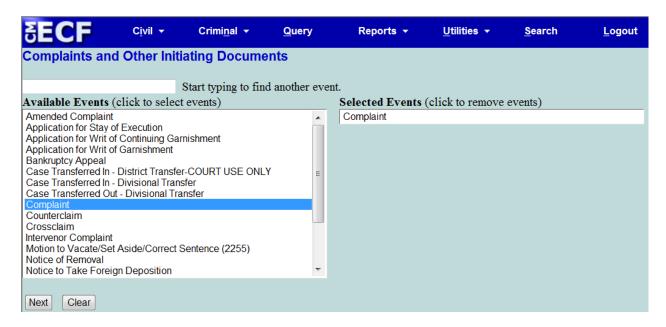
VIII. Docketing Lead Event

Place the assigned case number on your documents before filing in CM/ECF. You are now ready to begin the docketing process.

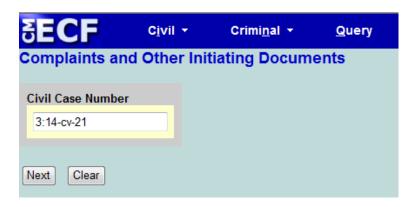
User will be prompted to docket the lead event as shown below:



Click on the link **Docket Lead Event?** at this time.



Select the appropriate initiating event.



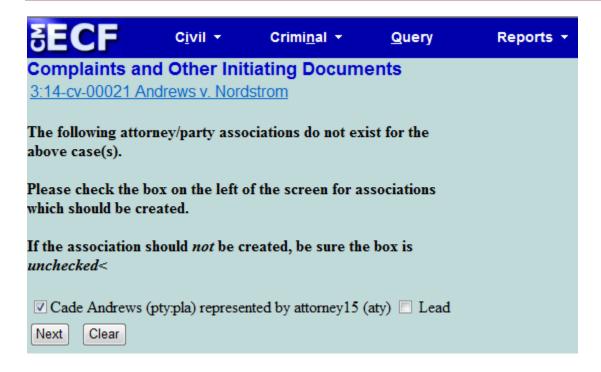
Verify that the populated case number corresponds with the number placed on your initiating documents.

Select *Next* to proceed to the next screen.



Select the appropriate filer of the initiating document.

Note: If you inadvertently failed to add a filer during the *Adding Parties* instruction, you may do so here by selecting *New Filer* and adding the additional party. The new party will then appear in the participant tree and in the *Select the Party* list.

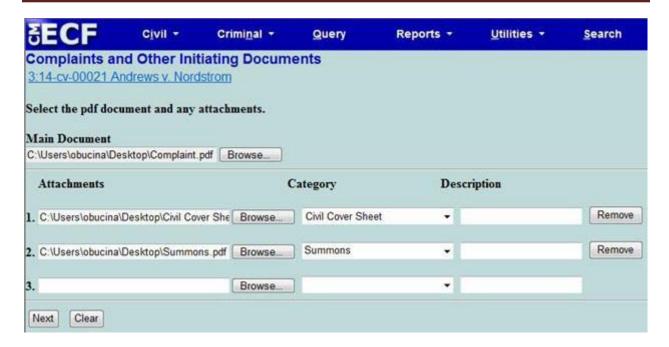


The check box shown to the left of the party filer's name is auto populated to associate your appearance with the party. Please do not uncheck this box.



Select the appropriate party that this filing is against. If you are filing a notice of removal, this filing is against the plaintiff. You may select the *All Defendants* radio button or, for notices of removal, the *All Plaintiffs* radio button.

Note: If you inadvertently failed to add a party that this filing is against during the *Adding Parties* instruction, you may do so here by selecting *New Filer* and adding the additional party. The new party will then appear in the participant tree and in the *Select the Party* list.



Under *Main Document*, click *Browse* to search for your PDF document. Right click and open the document to verify the file, click *Open* to upload, and proceed to add any attachments.

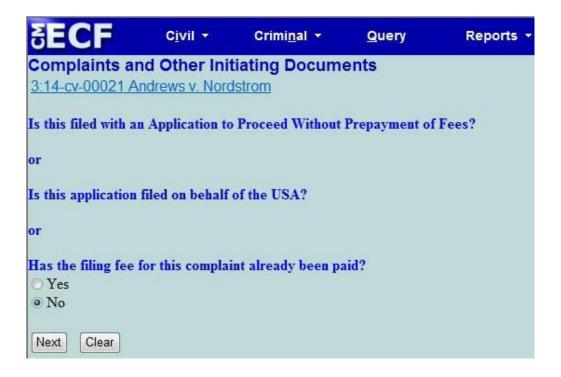
If filing a notice of removal, upload the state court complaint under *Attachments* and select the appropriate *Category* from the drop down menu. The following screen will prompt for entry of the *Name of other court* and *Case number in other court*. Enter the court information as referenced on the state court complaint.

Under *Attachments*, upload your civil cover sheet and select the appropriate *Category* from the drop-down menu.

If summons is requested at the time of case filing, upload the proposed summons completed in its entirety, and select the appropriate *Category* from the drop down menu.

When you are finished adding all attachments, select Next to proceed to the next screen.

IX. Filing Fee Information

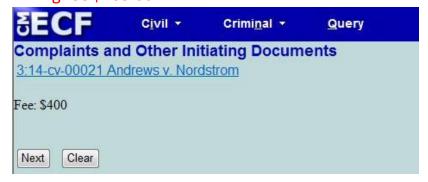


Select Yes or No according to the specifics of the case filing.

Selecting *Yes* on this screen will bypass the payment information screens. Skip to section XII. Completing Your Transaction.

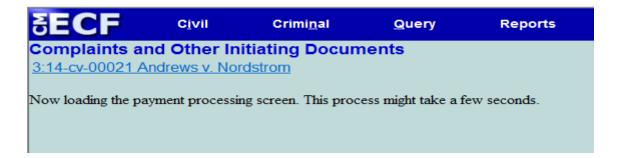
Selecting No on this screen will prompt payment information screens as shown below:

** filing fee \$405.00



After reviewing the fee due amount, select *Next* to proceed to the payment screen.

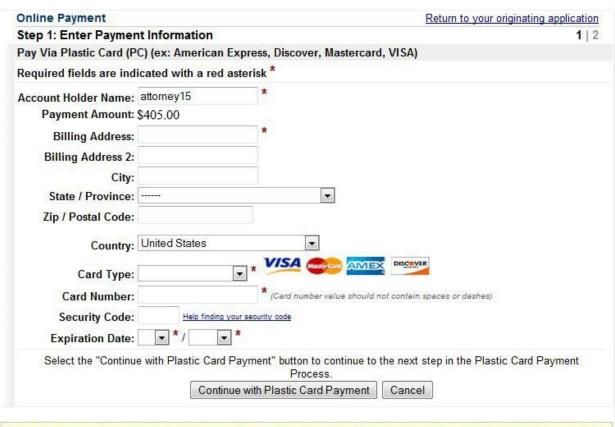
The following message will appear:



After paying the filing fee, you MUST continue with the docket transaction until its completion. Failure to continue will result in your credit card being charged, with no record of your entry on the docket.

X. Entering Payment Information

The following screen is the first of two screens in the Pay.gov process. Note that all fields marked with an asterisk are required to be completed.



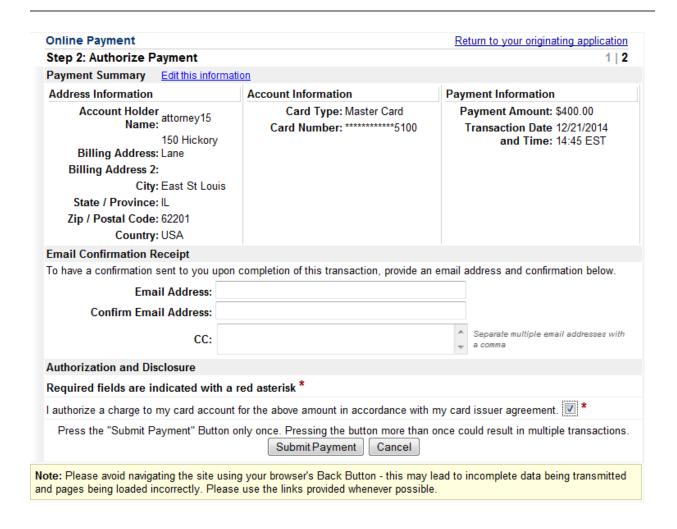
Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

- This is a secure site administered by Pay.gov.
- The account holder does not need to be the same as the attorney filer. For example, the
 credit card being used could be that of the law firm. Enter the account holder name as it
 appears on the credit card.
- Following payment of the filing fee, you MUST continue with the docket transaction until
 its completion. Failure to continue will result in the credit card being charged, with no
 record of your entry on the docket.

Select Continue with Plastic Card Payment.

XI. Authorizing Payment Information

The final payment screen provides the filer with an opportunity to authorize the payment.



- The only required field on this screen is the Authorization and Disclosure check box. If you
 fail to check the box, the transaction will not be completed and Pay.gov will return to this
 screen until the authorization is marked.
- The e-mail confirmation receipt does not need to be the same e-mail address as the
 attorney filer. For example, the user may request the credit card receipt to be e-mailed to
 his/her finance office. The *Email Confirmation Receipt* field is not a required field. If it is
 left blank, no e-mail receipt will be generated from Pay.gov.

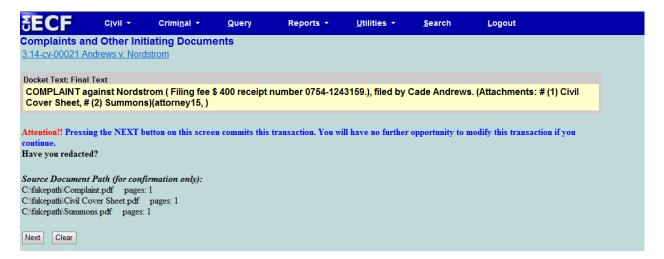
Select Submit Payment.

XII. Completing Your Transaction

The following screen will appear:



It is not necessary to add any additional text. Select *Next* to proceed to the next screen.

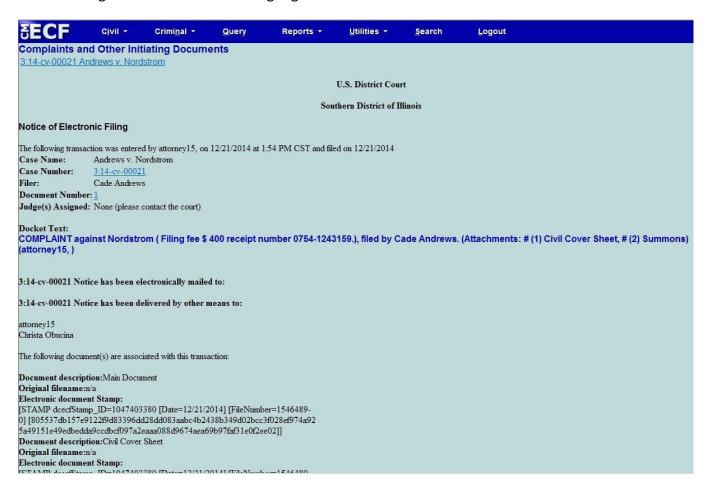


Review the docket text and attached documents in the final screen.

Select Next to finalize the transaction.

If you notice an issue with the filing, proceed by selecting *Next* and contact the clerk's office at 618-482-9371 or 618-439-7760 for assistance.

The following Notice of Electronic Filing is generated.



Judge Assignment and Summons Request

The filing attorney will receive an e-mail notification of the judge assignment from the clerk's office within one business day. Any requested summonses will be issued after the judge assignment. Issued summons will be mailed to the requesting attorney for service. If a motion to proceed in forma pauperis has been filed, the summons will not be issued until the motion is granted.

FED.R. CIV. P. 7.1 DISCLOSURE STATEMENT

As of December 1, 2022, please note that in any action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the Court orders otherwise, file a disclosure statement. The disclosure statement must be filed with the party or intervenor's first appearance, pleading, petition, motion, or request. In addition to the information required of corporations, in a diversity case under § 1332(a), it must also identify the citizenship of every individual or entity whose citizenship is attributed to that party of intervenor. *See* Fed. R. Civ. P. 7.1. Please use the template form found here: https://www.ilsd.uscourts.gov/forms-0. The disclosure statement must be filed as a separate CM/ECF filing entry under Civil Events -> Other Filings -> Other Documents-> *Disclosure Statement*.

PRACTICE TIPS FOR ALLEGATIONS OF CITIZENSHIP

- If the party or intervenor is an individual, citizenship is domicile, meaning the state where the person is physically present with an intent to remain indefinitely; residency alone is not sufficient. See Perry v. Pogemiller, 16 F.3d 138, 140 (7th Cir. 1993).
- If the party or intervenor is a corporation, citizenship requires identification of both the state of incorporation and its principal place of business. See Dalton v. Teva N. Am., 891 F.3d 687, 690 (7th Cir. 2018).
- ❖ If the party or intervenor is a noncorporate entity that sues or is sued as an entity, for example, an LLC or partnership, the citizenship of each partner or member must be named and identified through all layers until you reach individuals and/or corporations (and identify the citizenship of those individuals and/or corporations). See Meyerson v. Harrah's East Chicago Casino, 299 F.3d 616, 617 (7th Cir. 2002).
- See also 28 U.S.C. § 1332(c)(1) (regarding direct actions against liability insurers) and (2) (regarding legal representatives of the estate of a decedent, an infant, or an incompetent).