UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF GEORGIA

GUIDE FOR ATTORNEY CASE OPENING

CONTENTS

IMPORTANT The information contained in this guide is provided using the **TEST** CM/ECF database. For this reason, some screens may vary while using the **LIVE** CM/ECF database.

ATTORNEY CHECKLIST

Steps to Take Prior to Opening a Civil Case:

STEP 1:   Read **all** instructions on **Attorney Case Opening**. Do not open a new civil case unless you completely understand all the instructions. If you have any questions, concerns, or experience problems during the process, please contact the Clerk's Office for assistance.

> **Albany** - (229) 430-8432
> **Athens** - (706) 227-1094
> **Columbus** - (706) 649-7816
> **Macon** - (478) 752-3497
> **Valdosta** – (229) 242-3616

STEP 2:   Prepare the following documents and convert them to a text-searchable Adobe Acrobat PDF (ensure there are no embedded links inside the documents). It is recommended that scanner settings be configured at 150dpi in black and white only:

- Initiating Document (complaint, notice of removal, etc.)
- **Civil Cover Sheet** (JS-44)
- **Summons(es)**, if applicable
- Exhibits, if applicable. Each exhibit must contain a description of the exhibit in the **Description** box. The description must be of sufficient detail to make the attachment readily identifiable to the court. A generic identifier such as "Exhibit A" or "Exhibit 1" is not acceptable.

STEP 3:   If you do not have a valid credit or debit card associated with your PACER account to pay the filing fee, please have your method of payment (VISA, MasterCard, American Express, Discover) to pay the

required filing fee. The payment information is not required if you are filing a **Complaint (IFP)** or representing the government.

ATTORNEY CASE OPENING

To file a new civil case using CM/ECF, follow the steps outlined in this section. You may click https://ecf.gamd.uscourts.gov/ for direct access CM/ECF.

Enter your PACER **Username** and **Password**. Do not enter a Client Code. Click Continue. If you access CM/ECF via https://pacer.uscourts.gov/ you must select Georgia Middle District Court from the drop-down menu.

PLEASE NOTE: If your case initiating document is a Motion to Quash, Other Initial Pleading, Registration of Foreign Judgment, or Petition to Enforce Summons/Subpoena (e.g. Motion for Temporary Restraining Order, Motion for Preliminary Injunction, etc.), please abort. See MISCELLANEOUS CASE OPENING for instructions for filing a Miscellaneous Case.

The Middle District of Georgia CM/ECF page is displayed. Select **Civil** on the main menu bar to continue. See **Figure 1.1**.
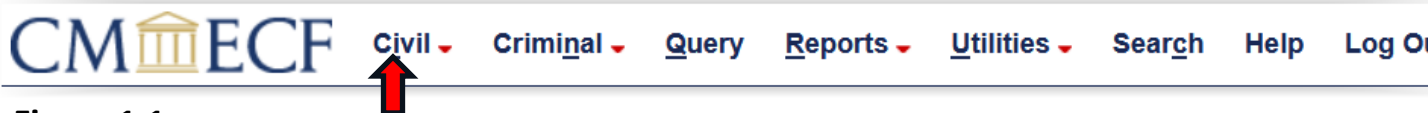
Figure 1.1

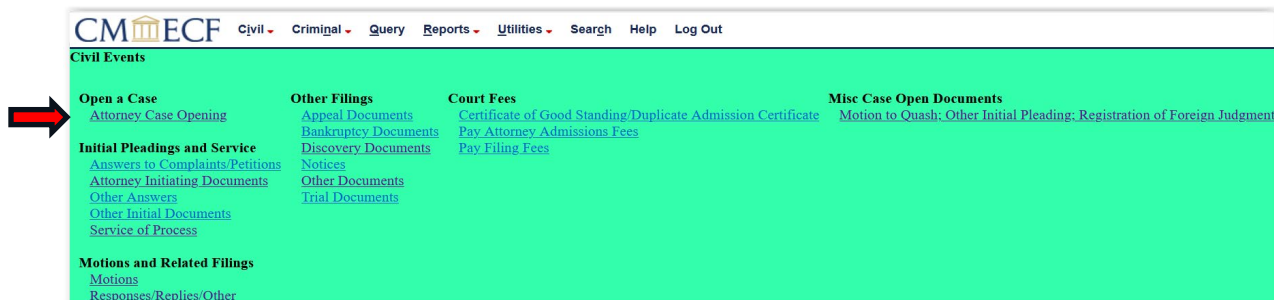Select **Attorney Case Opening** from the Civil Events Menu. See **Figure1.2**.

Figure 1.2

Select the appropriate divisional **Office** from the drop-down list. Leave **Case type**

as **cv**. See **Figure1.3**.

Figure 1.3

Pursuant to Local Rule 3.4, the **Office** is determined by:

- The county in which the incident occurred; or
- the county of residence of plaintiff; or
- the county of residence of defendant.

The Middle District of Georgia has five divisions with each division assigned a leading number as follows:

- **Albany** (1): Baker, Ben Hill, Calhoun, Crisp, Decatur, Dougherty, Early, Grady, Lee, Miller, Mitchell, Schley, Seminole, Sumter, Terrell, Turner, Webster, and Worth
- **Athens** (3): Clarke, Elbert, Franklin, Greene, Madison, Morgan, Oconee, and Oglethorpe, Walton
- **Columbus** (4): Chattahoochee, Clay, Harris, Marion, Muscogee, Quitman, Randolph, Stewart, Talbot, and Taylor
- **Macon** (5): Baldwin, Bibb, Bleckley, Butts, Crawford, Dooly, Hancock, Houston, Jasper, Jones, Lamar, Macon, Monroe, Peach, Pulaski, Putnam, Twiggs, Upson, Washington, Wilcox, and Wilkinson
- **Valdosta** (7): Berrien, Brooks, Clinch, Colquitt, Cook, Echols, Irwin, Lanier, Lowndes, Thomas, and Tift

NOTE: It is critical that you select the appropriate divisional office. See **Figure 1.4**.

DO NO ENTER INFORMATION IN THE Lead case number, Association type (leave as consolidated), and JPML number fields. These fields are for **internal use only**. Do **NOT** check the **Related Cases** box. See **Figure 1.4**.

Figure 1.4

Do not enter information in the **Other court name** and **Other court number** fields unless you are filing a **Notice of Removal**. Enter the name of the court in which the case is being removed in the **Other court name**. Enter the case number of the court in which the case is being removed in the **Other court number** field. See **Figure 1.4**. Click **Next**.

STATISTICAL SCREEN

The statistical screen appears and displays multiple fields to enter new case information located on the Civil Cover Sheet (JS-44). Select from the options displayed from the drop-down arrows or fill in the necessary fields. **DO NOT USE ORIGIN CODE 4 (REINSTATED/REOPENED CASE)** . **DO NOT ENTER AMOUNT IN DEMAND ($000)**. See **Figure 1.5**.

Jurisdiction

CM/ECF defaults to Jurisdiction code **3 (Federal Question)**. To change the Jurisdiction code, you must select one of the following five options from the **Jurisdiction drop-down menu**:
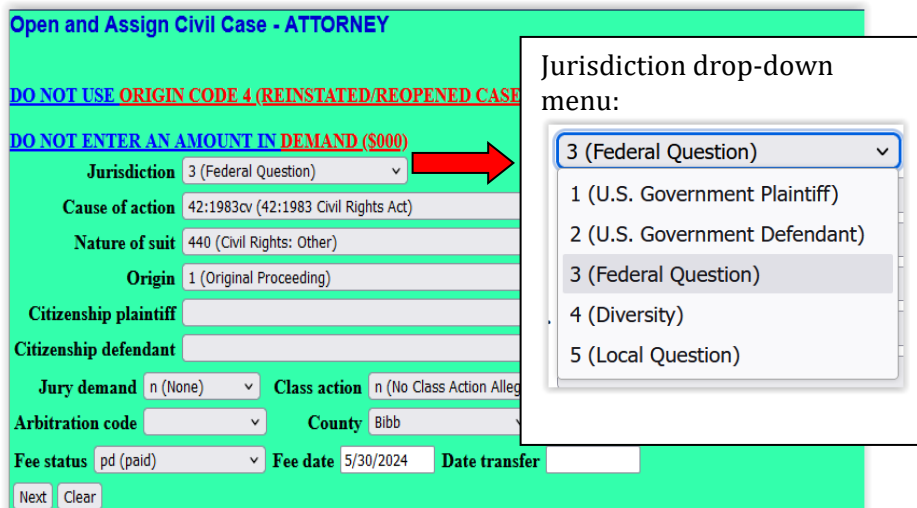
- **U.S. Government Plaintiff** - Jurisdiction based on 28 U.S.C. §1345 and §1348. Suits by agencies and officers of the United States are included. **U.S.**

Government Plaintiff selection must be used when the U.S. Government is filing a **Complaint for Forfeiture** as the case initiating document. Failure to select the U.S. Government Plaintiff jurisdiction will result in the following user message:
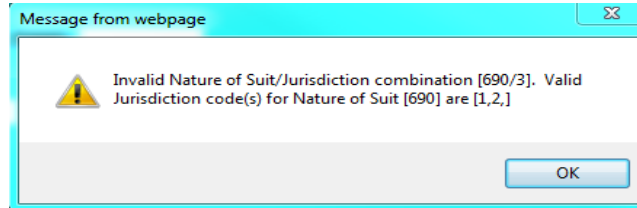
If this message is received, the user must return to the **Jurisdiction** section and Select U.S. Government Plaintiff.

- **U.S. Government Defendant** - The plaintiff is suing the United States, its officers, or agencies.
- **Federal Question (Default)** - Suits brought under 28 U.S.C. §1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress, or a treaty of the United States.
- **Diversity of Citizenship** - Suits brought under 28 U.S.C. §1332, where parties are citizens or businesses of different states or countries. Citizenship for plaintiff and defendant must be entered in the corresponding fields.
- **Local Question** - This option is not currently used. Do not select this option.

Figure 1.5

Cause of Action

Select the appropriate **Cause of Action** code from the **Cause of Action drop-down list**. This code should match Block VI – Cause of Action listed on the Civil Cover Sheet. The **Filter** is a shortcut to the Cause of Action selection. In this example 42:1983 is typed in the **Filter text box** (the filter text box is limited to six characters, so the entire 42:1983 doesn't appear). The correct Cause of Action is displayed. If the correct Cause of Action was not entered, click **Clear filter** to select the correct cause of action. See **Figure 1.6**.

Cause of action | 42:1983cv (42:1983 Civil Rights Act) | ∨ | Filter: | 42:198 | Clear filter
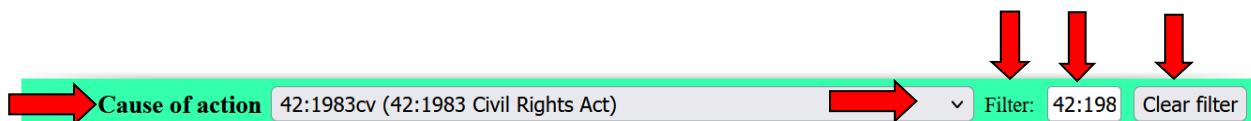
Figure 1.6

Nature of Suit

Select the appropriate **Nature of Suit** from the **Nature of Suit drop-down list** or use alpha numeric codes in the filter field. In this example 440 is typed in the **Filter** box. The correct Nature of Suit is displayed. If the correct Nature of Suit was not entered, click **Clear filter** to select the correct Nature of Suit. See **Figure 1.7**.

Nature of suit | 440 (Civil Rights: Other) | ∨ | Filter: | 440 | Clear filte
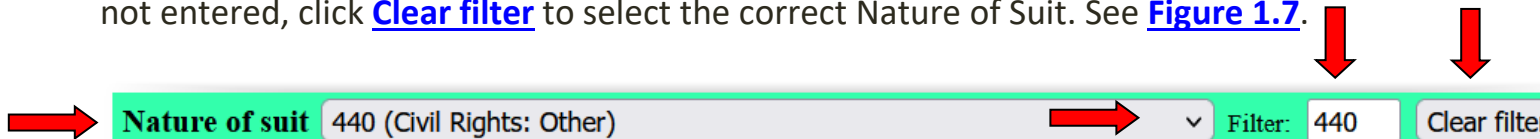
Figure 1.7

Origin

Select the correct **Origin** code. The system defaults to **1 (Original Proceeding)**. Only change the default **Origin** code when filing a Notice of Removal **2 (Removal from State Court)**. **DO NOT USE ORIGIN CODE 4 (REINSTATED/REOPENED CASE)**. All other options are for COURT USE ONLY. See **Figure 1.8**.

Figure 1.8

Citizenship plaintiff/Citizenship defendant

If jurisdiction is based on code **4 (Diversity)** of Citizenship, complete the **Citizenship plaintiff** and **Citizenship defendant** fields by selecting the appropriate option from the **Citizenship of plaintiff and Citizenship of defendant drop-down menu**. Otherwise, skip this step. See **Figure 1.9**.
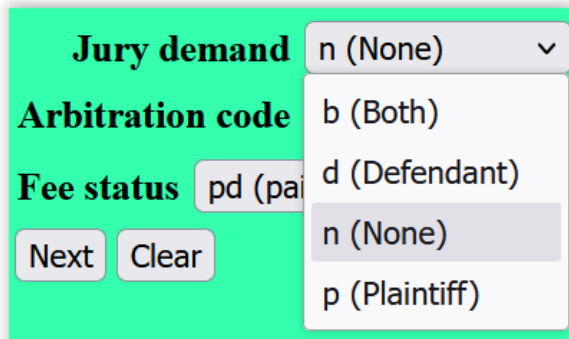
Figure 1.9

Jury Demand

- **n (None)** if plaintiff does not wish to have a Jury Trial
- **p (Plaintiff)** if plaintiff wishes to have a Jury Trial
- **b (Both)** for Notice of Removal cases in which both parties have requested a jury trial in either court
- **d (Defendant)** for Notice of Removal cases in which only the defendant has requested a jury trial See **Figure 1.10**.

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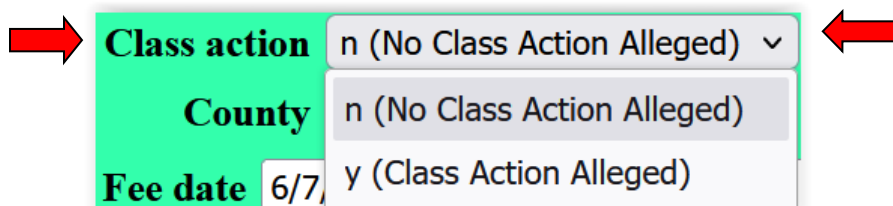
Figure 1.10

Class Action

Class Action field defaults to **n (No Class Action Alleged)**. If you are requesting class action certification, change the **Class Action** field by selecting y (Class Action Alleged) from the **Class action drop-down menu**. See **Figure 1.11**.

Figure 1.11

Demand ($000)

Do not enter amount in Demand ($000). See **Figure 1.12**.

Figure 1.12

Arbitration code

Do not enter **Arbitration Code**. See **Figure 1.13**.

Figure 1.13

County

Select the name of the applicable **County** from the **County drop-down menu** (you must scroll down the menu to see all counties). In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. This county should correspond with the **Office** code. If the defendant resides out of state, select XX US – Outside State. If the defendant resides outside of the US, select XX - Outside US. See **Figure 1.14**.
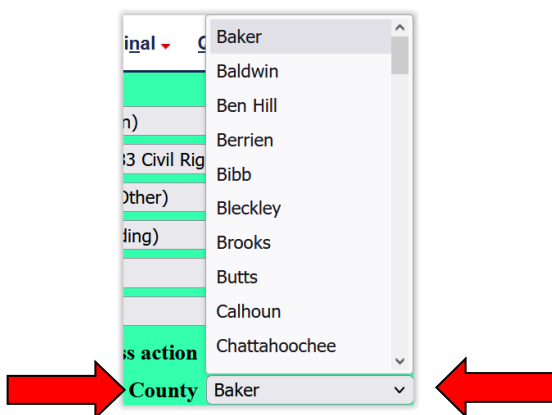
Figure 1.14

Fee status, Fee Date, and Date transfer

CM/ECF defaults to Fee status pd (paid). Modify the **Fee Status** via the **Fee status drop-down menu**. Below is a definition of all Fee status abbreviations:

- **fp (in forma pauperis)**: Change the Fee status field to **fp (in forma pauperis)** if granted in State Court (Notice of Removal)
- **none (no fee required)**: for US Attorney use only
- **pd (paid)**: if being paid electronically through pay.gov with the initial filing cases)
- **pend (IFP pending)**: if submitting a motion to proceed in forma pauperis
- **wv (waived)**: For internal use only.

DO NOT MODIFY Fee date. The Fee date is generated by CM/ECF. DO NOT MODIFY **Date transfer**. See **Figure 1.15**.

Figure 1.15

After entering all the required information on the Open and Assign Civil Case – ATTORNEY screen, click **Next**. See **Figure 1.16**.

Figure 1.16

ADDING A PARTY

It is highly recommended to review the **Attorney Style Guide for E-Filing** prior to adding parties.

All parties should be added in the order in which they appear on your case initiating document. **SOCIAL SECURITY CASES**: The defendant should always be

entered as **COMMISSIONER OF SOCIAL SECURITY** in the Last/Business name.
You will see the following user messages as reminders to modify the **Role** type as
the system defaults to **Defendant** and a reminder that all parties must be added
using **ALL CAPS WITHOUT PUNCTUATION** (i.e. LISA SMITH or DELTA AIRLINES).
See **Figure 2.1**.

Figure 2.1

From the **Search for a party** screen, enter the **LAST NAME** and the **FIRST TWO
LETTERS** of the **FIRST NAME** followed by an asterisk *****. Click **Search**. See **Figure
2.2**.

Figure 2.2

If a party has previously been involved in litigation in this district, the name will
already exist in the ECF database. **NOTE**: If the party in which you're searching
already exists in CM/ECF **in lowercase letters**, select the existing party. The
Clerk's Office edit name capitalization.

In **Figure 2.3**, **TEST PLAINTIFF** is the name of the party in which a search is being
performed. **TEST PLAINTIFF** already exists in CM/ECF. If the name of the party is
found during **Search**, **select the name** in the **Search Results** list. In **Figure 2.3**, If
the party in which you are searching is not in the system, click **Create New Party.**
See **Figure 2.3**.

Figure 2.3

If the party you are searching for does not exist, you must select Create New Party. See the **Instructions for Adding New Party** section of the **Attorney Style Guide for E-Filing** for more information regarding creating a new party.

You must identify the **Role** of the party. The **Role** type defaults to **Defendant**. It is important to select the appropriate **Role** type from the Role drop-down menu. See **Figure 2.4**.

In this example (**Figure 2.4**), the role was changed to **Plaintiff**. Click on the **drop-down arrow** next to the **Role** field and select the appropriate party role (e.g., **Plaintiff (pla:pty)**, **Petitioner (pet:pty)**). **Do not add address information**.

Do not change the **Start date**. Leave **End date** blank. **Corporation** defaults to **no**. If party is a **Corporation,** select **yes** from the drop-down menu. **Notice** should remain **yes**. If **Notice** is changed to **no**, the attorney will not receive electronic notification of filings.   Only select **Start a New Search** after determining the party being added to the case is the incorrect party. If the party information is correct, click **Add Party**. See **Figure 2.4.**

Figure 2.4

After searching for, selecting, and/or adding a party, the party names appear in the participant tree. See **Figure 2.5**.   From this screen you can:

- Edit party by clicking on the 🖉 "edit" icon.
- Delete the party by clicking on the ❌ "delete" icon.
- Add an alias by clicking on the 🎄 "add alias" icon. Search for an alias by entering the first two letters of the last name or the first two letters of the business name using the same search techniques discussed under **Adding a Party**. If a match is found, highlight the name. Click **Select Alias**. In the example in **Figure 2.6**, a search for **DELTA CREDIT UNION** is being made. **DE** was entered in the Last/Business Name field. **DELTA CREDIT UNION** is **NOT** found in the search result. Click **Create New Alias**. Identify the **Type** by clicking on the Alias drop-down arrow next list below and click **Add Alias**. Definitions of alias abbreviations can be found in the Alias Definitions table. See **Figure 2.7**.
- If you have more parties to add, click **Add New Party**. When a new party is added, the new party is added to the party pick list and to the participant tree. See **Figure 2.5**.
- Corporate Parent or other affiliate: Do not add Corporate Parent or other affiliate. Corporate Parents or Other Affiliates are added at the time of filing the Corporate Disclosure Statement.

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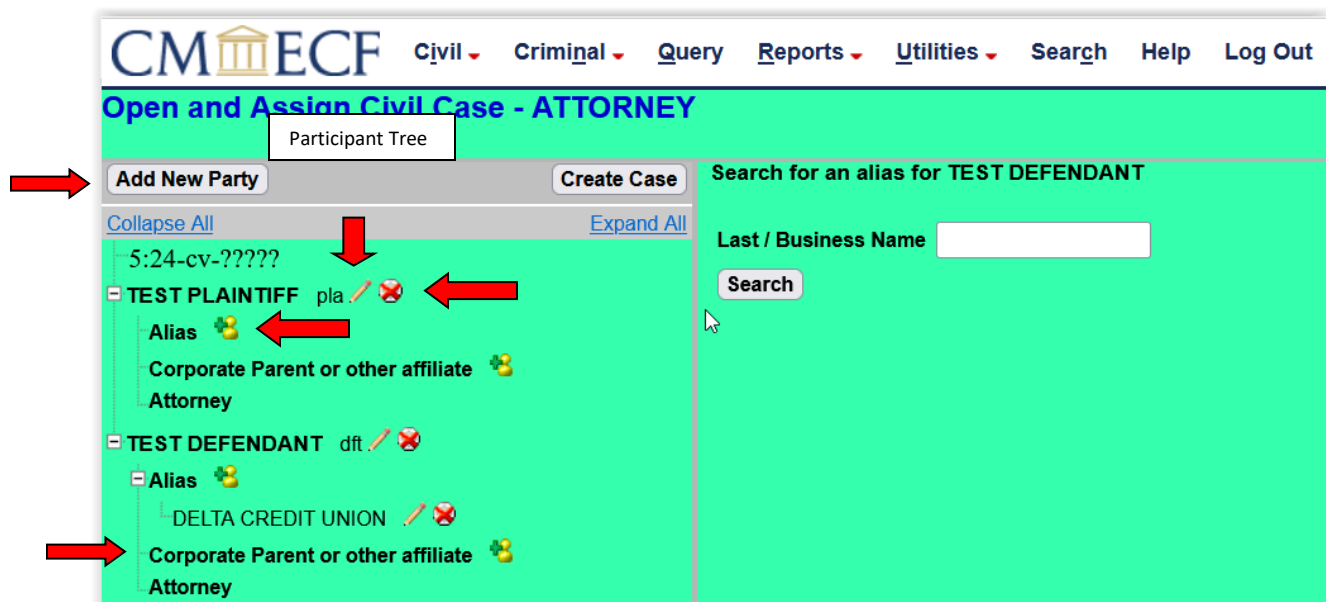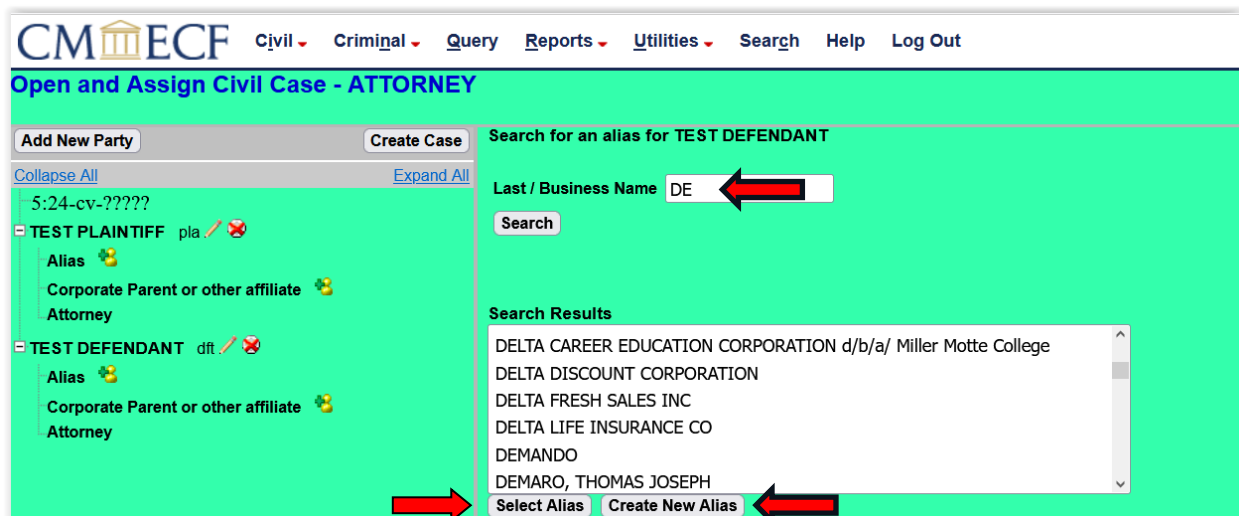
Figure 2.5

Figure 2.6

Alias Definitions:

FUBO: For Use And Benefit Of
agent: agent of
aka: also known as
anf: as next friend of
asso: as surviving spouse of
bat: by and through
dba: doing business as
est: deceased
fdba: formerly doing business as
fka: formerly know as
nee: born
nka: now know as
obo: on behalf of
rpi: real party in interest
ta: trading as

Figure 2.7

Continue adding parties until all parties reflected on the case initiating document are added. In this example, plaintiff **TEST PLAINTIFF** and defendant **TEST DEFENDANT** with DELTA CREDIT UNION as an alias have been added. Once all parties are added, select **Create Case**. See **Figure 2.8**.

Figure 2.8

If all parties are correct, select **Yes** when prompted as follows:
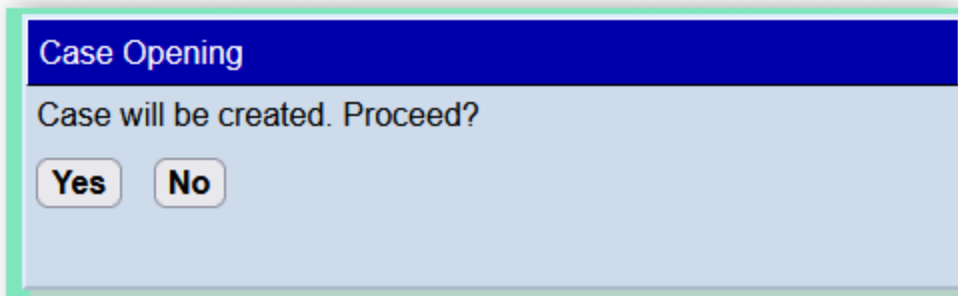
CASE NUMBER ASSIGNMENT AND DOCKETING LEAD EVENT

Failure to click Docket Lead Event? on the next screen and complete the filing of your case initiating document will result in the case being deleted. Click **Next**. See **Figure 3.1**.
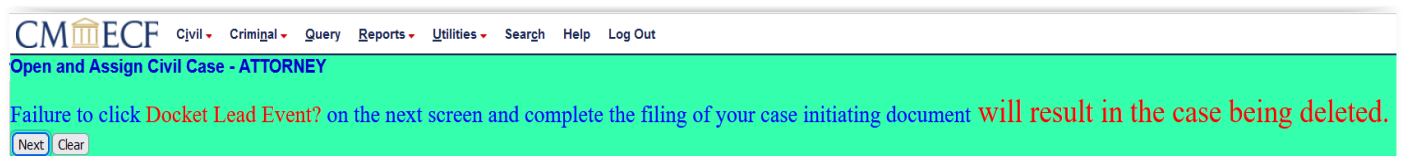
Figure 3.1

A **case number** was automatically assigned. **Write down or otherwise note the case number before continuing.** The **case number** displayed will show only the year and civil case number (e.g. "15-11"). See **Figure 3.2**. The case number will **not** display the division in which the case was filed ("1" for Albany; "3" for Athens; "4" for Columbus; "5" for Macon; or "7" for Valdosta).

Even though your case number has been assigned, you are not finished. **You must select DOCKET LEAD EVENT to complete the E-Filing**. If you realize there is an error in opening this case **DO NOT START OVER BY PERFORMING ATTORNEY CASE OPENING AGAIN. DO NOT HIT THE BACK BUTTON.** For assistance contact the clerk's office for the appropriate division. **It is very important that you do not initiate another new case once you realize there is an error in case opening.** To proceed with docketing your main document (complaint, petition, notice of removal, etc.) click **Docket Lead Event?** See **Figure 3.2**.

Figure 3.2

Selecting **Docket Lead Event?** takes the user to the **Case Initiating Documents** screen. Select the applicable initiating document type (e.g., Complaint, Notice of Removal, et al.). Click **Next**. For this example, **Complaint** is selected. Click **Next**. See **Figure 3.3**.
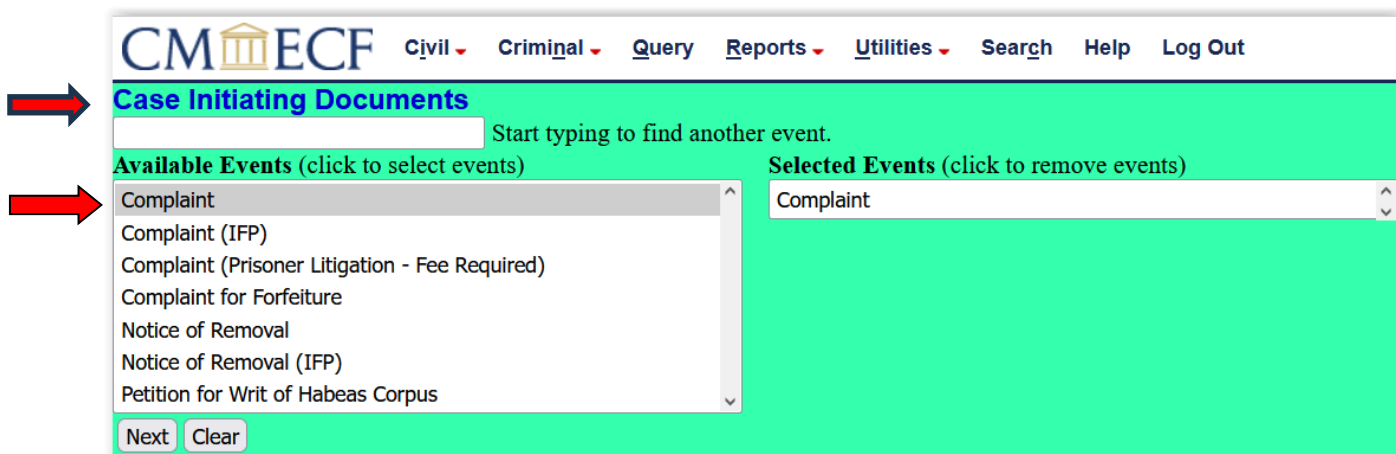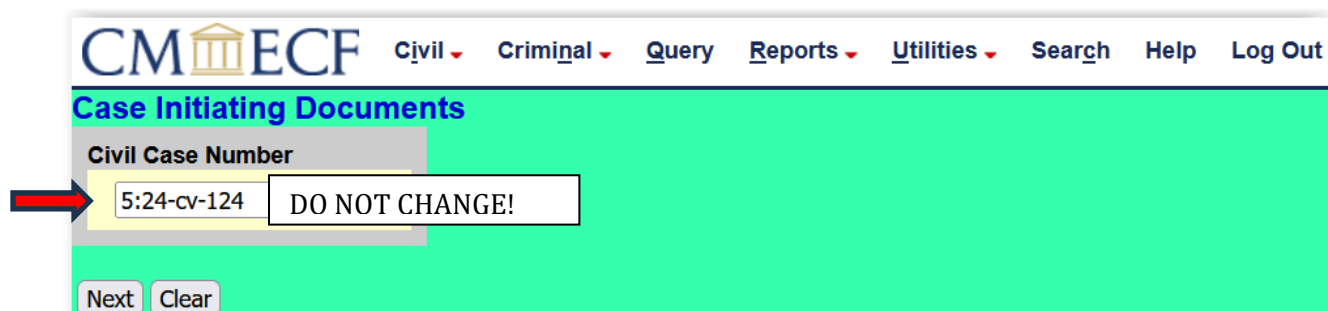
Figure 3.3

The system automatically displays the case number assigned. **DO NOT CHANGE THIS NUMBER**. Click **Next**. See **Figure 3.4**.

Figure 3.4

The screen below in **Figure 3.5** will appear when the CM/ECF database is formulating data in the background. Click **Next**.

Figure 3.5

Select the party or parties filing the complaint. In the example below TEST PLAINTIFF is selected. You may select multiple parties by holding down the "Ctrl" key on the keyboard and using the mouse to highlight more than one name OR you can select **All Plaintiffs**. Click **Clear** to deselect a party or parties. Click **Next** once all plaintiffs are selected. See **Figure 3.6**.

Figure 3.6

The next screen will require the filing attorney to associate themselves with the filing party. This ensures that notice of electronic filing will be served on the filing attorney for all parties indicated. **Leave the check in the box** by the name of the attorney. By leaving the box checked by the name of the attorney the filer is indicating the party is represented by the attorney currently logged into CM/ECF as the filer. Checking the **Lead** box is optional. Checking the **Lead** box notates the attorney as **Lead** on the docket sheet. Click **Next**. See **Figure 3.7**.

Figure 3.7

Select the party or parties this filing is against. In the example below, TEST DEFENDANT is selected. You may select multiple parties by holding the "Ctrl" key down and clicking to highlight more than one name OR you can select **All Defendants**. Click **Clear** to deselect a party or parties. Click **Next** once all defendants are selected. See **Figure 3.8**.

Figure 3.8

Review user messages in **Figure 3.9**. Click **Next**.

Figure 3.9

ATTACHING DOCUMENTS

On the next screen, you must select the applicable Category **from the** Category drop-down menu.   See **Figure 3.10**.

Browse your computer for the Complaint or other case initiating document (must

be text searchable).   Once your Complaint or other case initiating document is attached, you must attach the text searchable PDF documents in the following order (file size limit per attachment is **15MB**):

JS-44 Civil Cover Sheet – all cases must have a completed JS-44 Civil Cover Sheet.

Summons – If service will be performed via Summons, attach Summons(es) to docket entry *except in Social Security Appeals* arising under 42 U.S.C. § 405(g) or 42 U.S.C. § 1383(c)(3) in which service is made electronically via CM/ECF pursuant to Local Rule 9.2. Once the summons(es) are docketed by the Case Administrator, the filer will receive electronically notification via CM/ECF of the issuance of the summons(es).

Exhibit(s) – **NOTE**: Exhibits are not required to be text searchable.

Notice of Removal - If filing a Notice of Removal, a copy of all process, pleadings, and orders served upon defendant(s) should be attached.

NOTE: When opening a case using **Complaint (IFP)**, **DO NOT** attach the Motion to Proceed In Forma Pauperis. The Motion to Proceed In Form Pauperis must be docketed via **Civil Events** > **Motions and Related Filings** > **Motion**s > Select **Proceed In Forma Pauperis** from the drop-down menu. If the complaint is a new Social Security Appeal, **DO NOT** attach the Motion to Proceed In Forma Pauperis, the Consent Form, or the Local Rule 9.2 Social Security Identification Form. These documents must be filed as separate individual docket entries. Once all PDF documents have been added, click **Nex**t.   **Once submitted, a document cannot be edited**. See **Figure 3.10**.

Figure 3.10

DO NOT CLICK THE BACK BUTTON once you have attached your documents and clicked **Next**. Doing so will take you back to **Browse** screen where all documents will have to be attached again.

Review the user messages regarding Local Rules 87 and 87.2. See **Figure 3.11**.

Figure 3.11

<center>PAYING THE FILING FEE</center>

The next screen that appears prompts for the filing fee. Click **Next**. See **Figure 4.1**.

Figure 4.1

The next screen appears as the system is compiling case opening information. Click **Next**. See **Figure 4.2**.

Figure 4.2

The next screen appears as the system is compiling case opening information. Click **Next**. See **Figure 4.3**.
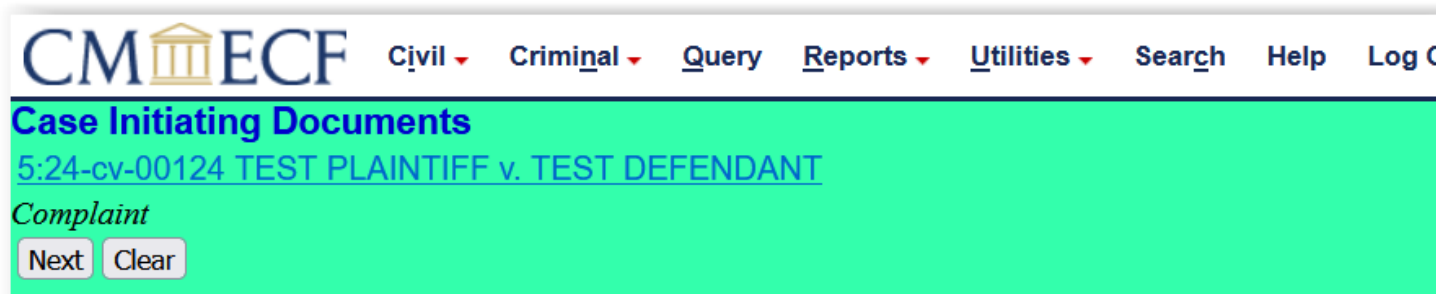
Figure 4.3.

After clicking the **Next** button for the $405 filing fee, you will see the screen which states, "**Now Loading the payment processing screen. This process might take a few seconds.**" **DO NOT** click the "back button", as this may lead to incomplete data being transmitted. Click **Next**.

You are routed to the PACER login screen. Enter your PACER **Password**. Click
Login. See **Figure 4.4**.

Figure 4.4

Select a payment method in which you have stored in your PACER account. If you do not wish to use any of the payment methods stored in your PACER account, select **Enter a credit card**. Click **Next**. See **Figure 4.5**.

Figure 4.5

If you select one of the payment methods you have stored in your PACER account, the following screen appears. See **Figure 4.6**

Figure 4.6

Verify the email address and add any additional email addresses. You must select the box located under **Authorization** which states "I authorize a charge to my credit card for the amount above in accordance with my card issuer agreement." Click **Submit**. See Figure 4.6.

If you choose to enter **Enter a Credit Card,** enter all required credit card information as notated with a red asterisk *. Click **Next**. See **Figure 4.7.**
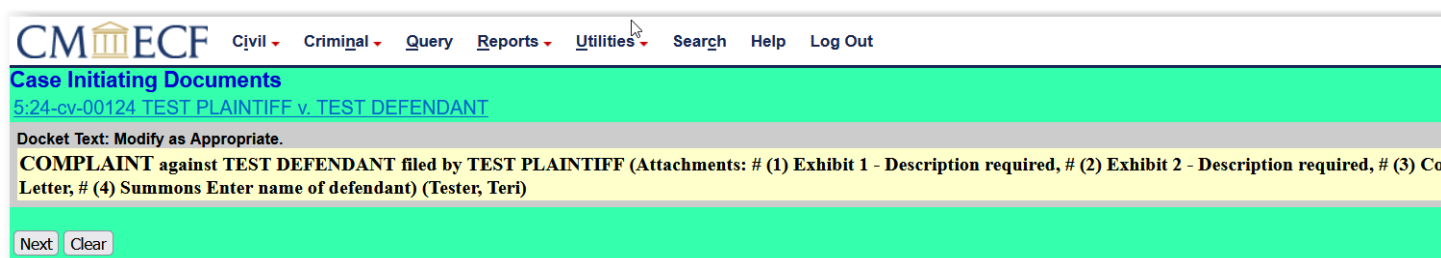
Figure 4.7

NOTE: After 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. If you do not see the information contained in Figure 7.1, you have not completed opening the new case.

The final **two** docket text screens will be display. ***REMINDER*** never hit the back button or abort the filing of the lead document once you have completed the payment screens. If you try to start over again filing the lead document, your credit card will be billed twice. Complete the transaction by clicking **Next**. See **Figure 4.8** and **Figure 4.9**.

Figure 4.8

 Figure 4.9 (**NOTE**: This example does not include the receipt number and filing fee in the final docket text since this case was opened in the Test database. When opening in the Live database, the final docket text will reflect the receipt number and filing fee in the final docket text (ex. Receipt # AGAMDC-4648126, $405).

NOTICE OF ELECTRONIC FILING (NEF) AND JUDGE ASSIGNMENT

Review the Notice of Electronic Filing. In addition to serving as notification that the event was accepted by CM/ECF and providing document filing information and relevant hyperlinks, the NEF indicates who will and will not receive a "Notice of Electronic Filing (NEF)" via email. The NEF also identifies the judge assignment. The presiding judge's initials appear at the end of the case number, and the judge's name appears in the Judge Assigned section. In figure 7.1, case 5:24-CV-00124 was randomly assigned to MARC T TREADWELL (presiding). See **Figure 7.1**.

Figure 7.1

MISCELLANEOUS CASE OPENING DOCUMENTS

From the Civil Events screen, select Motion to Quash; OtherInitial Pleading; Registration of Foreign Judgment. Miscellaneous cases are entered into a TEMPORARY CASE . See **Figure 8.1**.
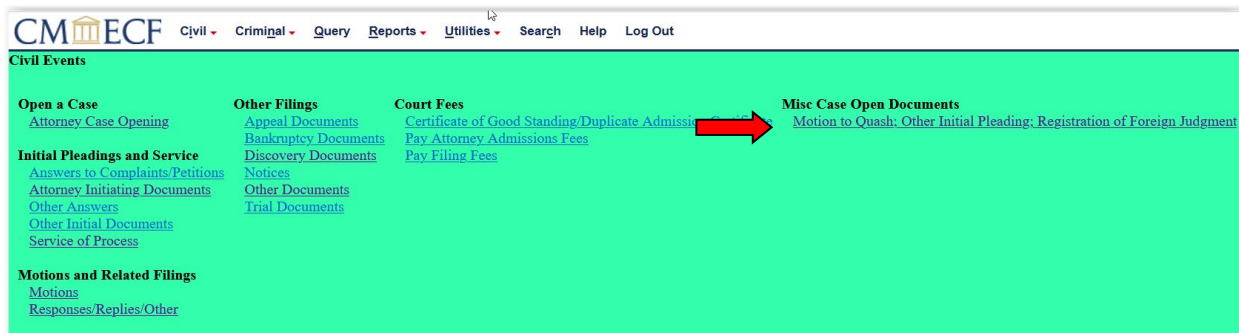
Figure 8.1

Select the appropriate event from the **Available Event** list. In the example below, Registration of Foreign Judgment is being selected. Click **Next**. See **Figure 8.2**.
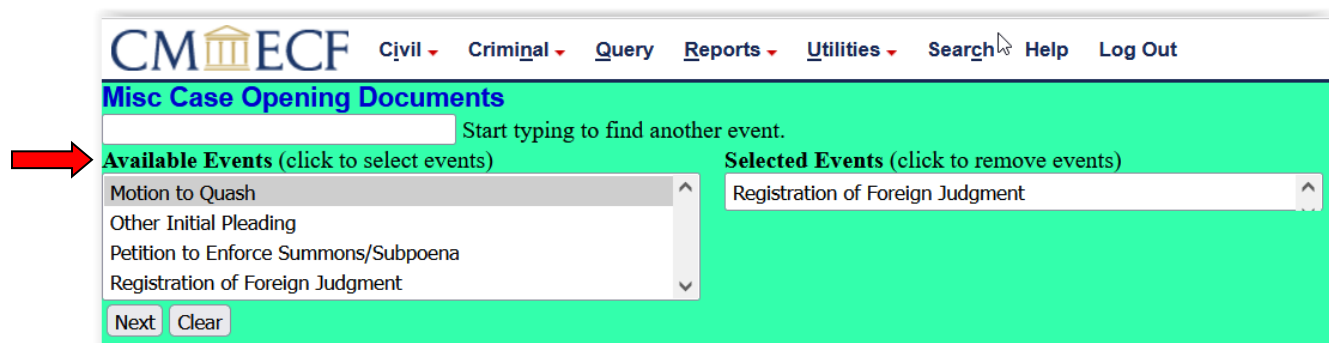

Figure 8.2

User message is displayed instructing user to enter case number **24-5000** (year changes every year) then select the proper division on the following screen. Click **Next**. See **Figure 8.3**.
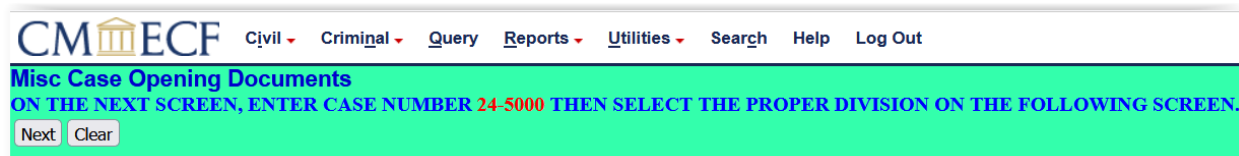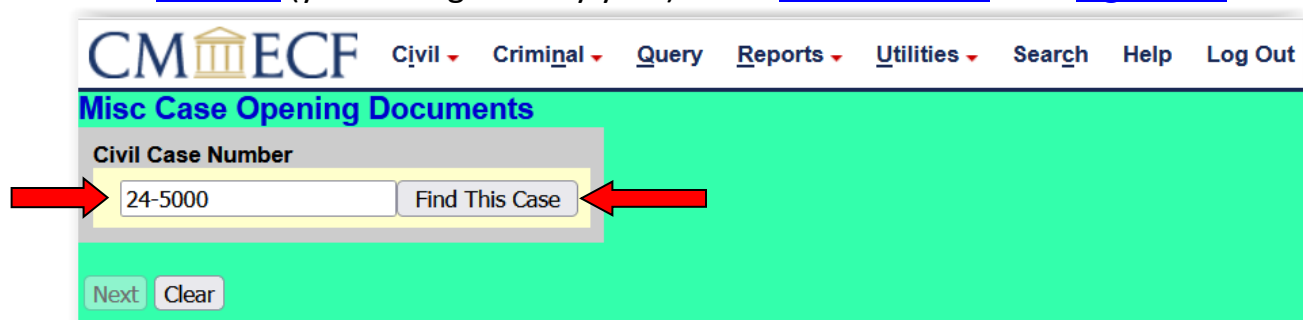
Figure 8.3

Enter **24-5000** (year changes every year). Click **Find this Case**. See **Figure 8.4**.

Figure 8.4

Select the Appropriate division. In this example, Macon is selected as the appropriate division. Click **Next**. See **Figure 8.5**.
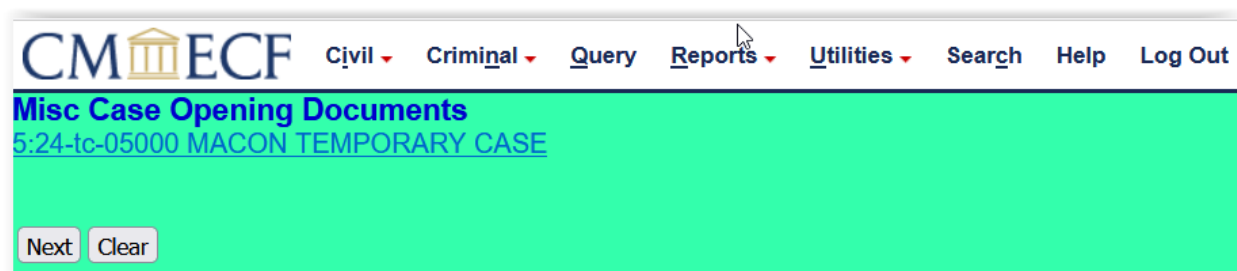
Figure 8.5

Event processing screen appears. Click **Next**. See **Figure 8.6**.

Figure 8.6

Browse for Main Document and Attachments. Refer to **ATTACHING**

DOCUMENTS. Once all documents are attached, click **Next**. See **Figure 8.7**.

Figure 8.7

Enter the title of case in the form of Plaintiff v. Defendant in **ALL CAPS**. Click **Next**. See **Figure 8.8**.

Figure 8.8

Proceed to payment screen. Please refer to **PAYING THE FILING FEE** for instructions regarding payment of filing fee.

Confirm all information is correct in the final docket text screen. If all information is correct, click **Next**. If information is not correct, you can click the BACK button. **NOTE**: Receipt information does not appear on this screen due to case being

created in Training Database. See **Figure 8.9**.
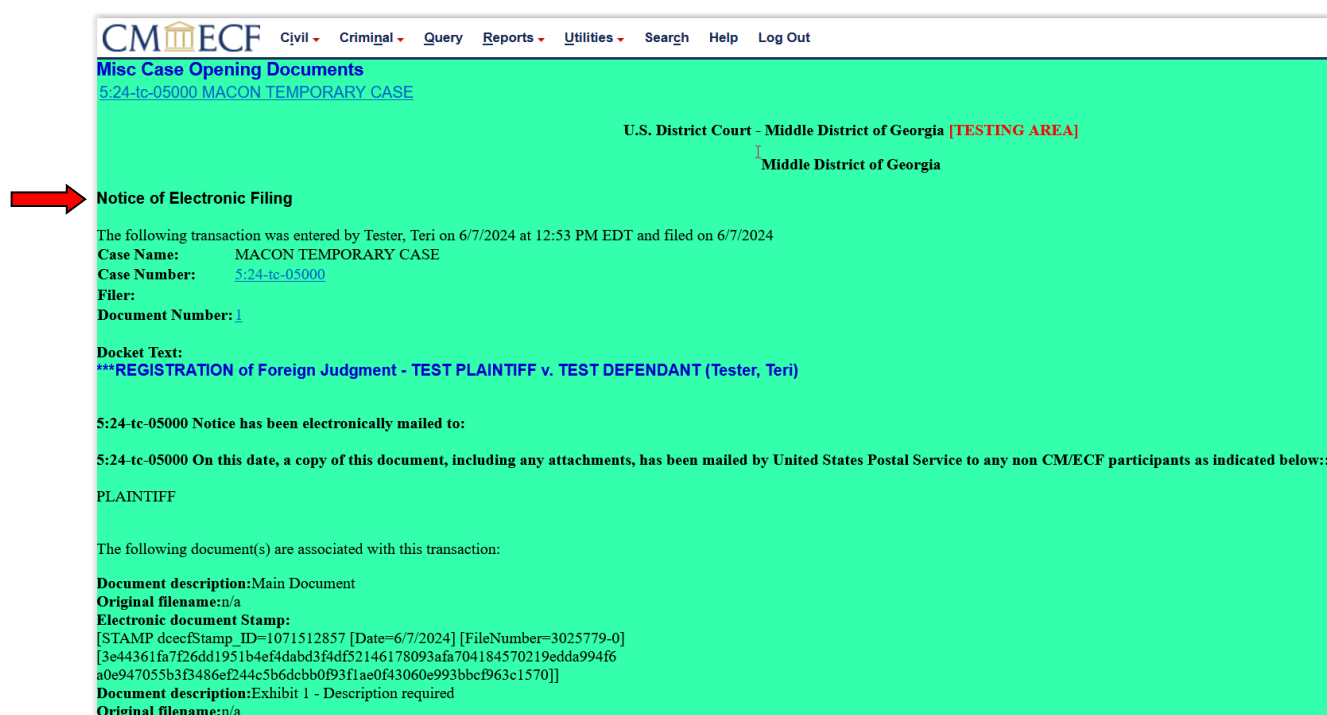
Figure 8.9

The **Notice of Electronic Filing** screen is the final screen.   See **Figure 8.10**.

Figure 8.10

Once the Clerk's Office receives electronic notification of the miscellaneous filing, the case will be opened by the Clerk's Office at which time you will receive electronic notification of the permanent case number and the judge assigned.

SEALED CASES

Sealed cases may not be opened by attorneys using **Attorney Case Opening**. Refer to the Restricted Documents and Sealed Entries portion of the Middle District of Georgia's [Administrative Procedures for Electronic Filing](#) for information regarding sealed entries.