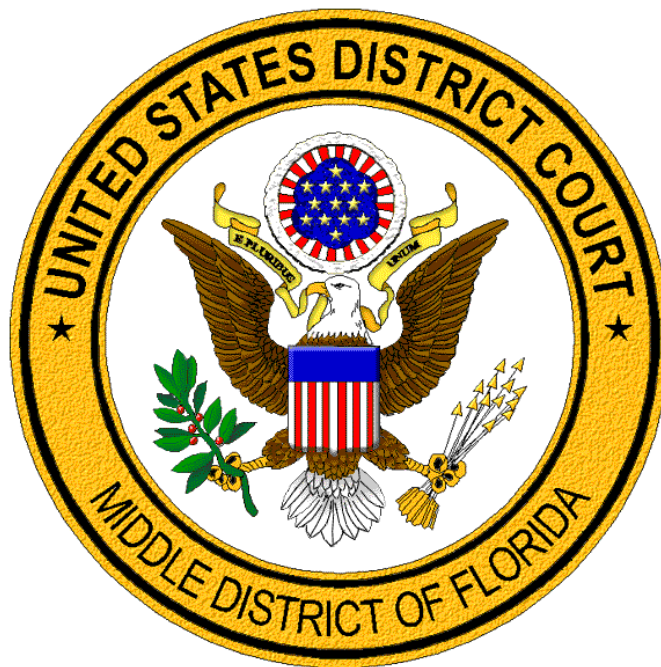# UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA

NEW CIVIL CASE OPENING

A GUIDE FOR ATTORNEYS

Table of Contents

Civil Case Opening Overview

Effective October 9, 2018, lawyers admitted to practice in the Middle District of Florida can electronically file a civil case in CM/ECF. Please note that a sealed case and a miscellaneous case must be filed in paper format or through the Court's Web Portal. Sealed and miscellaneous cases **cannot** be electronically filed by an attorney.

To open a new civil case:

- Attorney must be an active member in good standing with the Middle District of Florida and have an upgraded PACER account with e-filing privileges.
- Prepare the following documents in advance (as applicable) in .pdf format (file size limit = 50 megabytes). All fillable forms must be flattened.
  - Initiating document (i.e., Complaint, Notice of Removal, or Petition for Writ of Habeas Corpus)
  - Civil Cover Sheer (JS-44 form) – fillable forms must be flattened.
  - Proposed Summons(es) – fillable forms must be flattened.
  - Motion to Proceed In Forma Pauperis (IFP)
- Have payment information readily available. Filing fee must be paid at the time of filing (or file a Motion to Proceed In Formal Pauperis). A fee is not required when representing the United States.
  - Payment by credit card or bank account debit are the only acceptable payment options through PACER. You will be prompted to pay the applicable filing fee when filing the initiating document.
  - Paper service copies and completed USM 285 forms must be provided to the court when seeking to proceed without payment and the IFP motion is granted.
- Open the new civil case and enter all required information as prompted.
  - Enter statistical information by referring to the Civil Cover Sheet.
  - Add all parties in the exact order and spelling as listed in the complaint (see exception under Adding Parties for social security and habeas corpus cases). Parties are entered in sentence case (i.e., Jean T, Smith).
- File the initiating document (i.e., Complaint, Notice of Removal).
  - Attach the Civil Cover Sheet, supporting documentation (exhibits), and proposed summons
- File additional documents
  - Motion to Proceed In Forma Pauperis (when applicable)
- Do not use the Back button when opening a case or filing the initiating documents.
- Upon completion of a quality control review, a Notice of Electronic Filing (NEF) is sent to the filing attorney's email with the notification of judge assignment.
- If you are filing a document considered to be an emergency or otherwise urgent, you must immediately contact the division your case is filed.
- Upon completion of a quality control review of an electronically filed case, a Notice of Electronic Filing (NEF) is e-mailed to the registered attorney indicating the judge assignment.

- Contact the applicable Clerk's Office with questions.

Division	Phone Number
Fort Myers (2)	(239) 461-2000
Jacksonville (3)	(904) 549-1900
Ocala (5)	(352) 369-4860
Orlando (6)	(407) 835-4200
Tampa (8)	(813) 301-5400

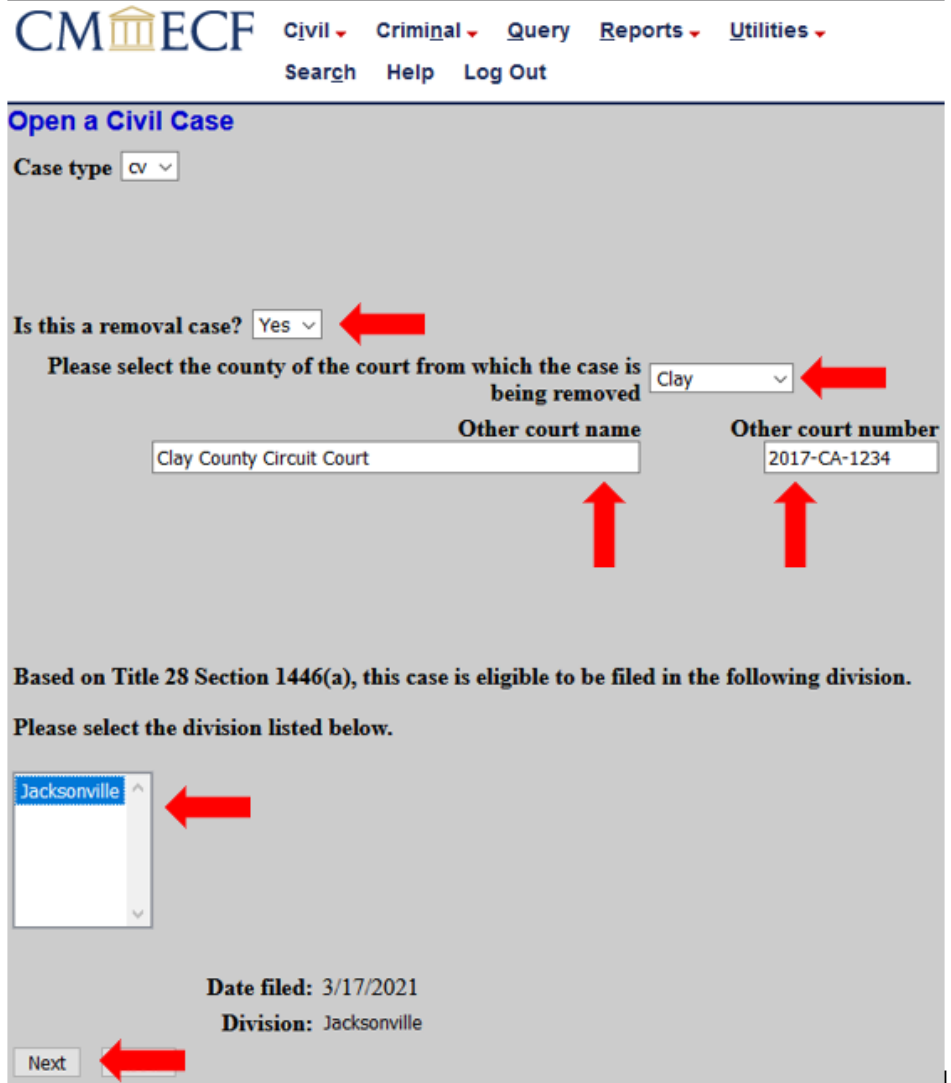# Attorney Electronic Civil Case Opening

Open a New Civil Case

➢ Log in to CM/ECF using your PACER login and password.

➢ Click **Civil** on the menu bar.

➢ Select **Open a Civil Case** under the *Open a Case* category.
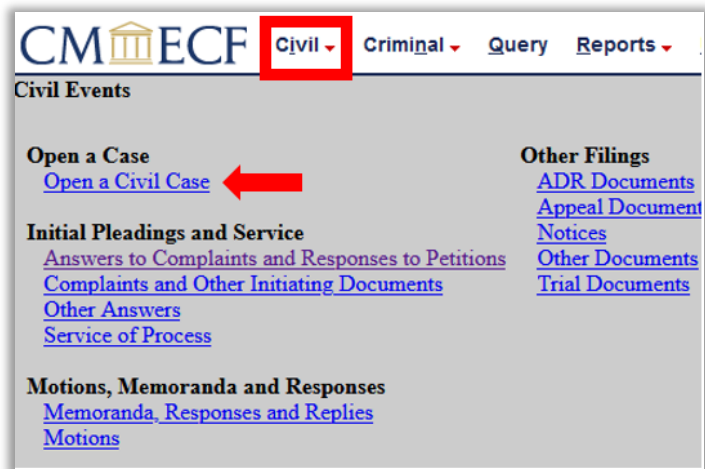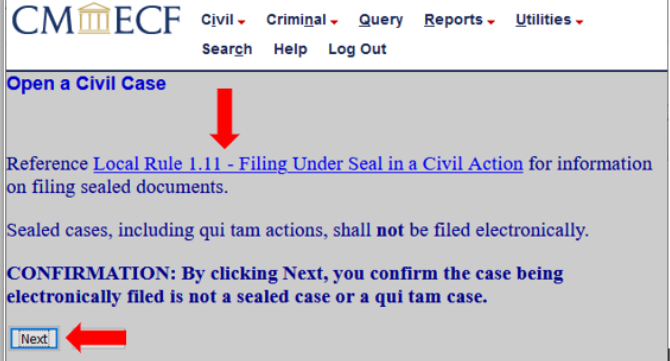

Select the Divisional Office

➢ The Divisional Office is determined by the:
- county in which the incident occurred. If not applicable,
- county of residence of the first listed plaintiff. If not applicable,
- county of residence of the first listed defendant.

Divisional Prompts	Divisional Selection Screen
Complaint ➢ **Case Type** default is **cv**. Case Type does not change. ➢ Click on the link to reference **Local Rule, Section 1.04** . ➢ Select **Yes** or **No** from the **Notice of Removal** drop-down. Default selection is No. ➢ Select the **Defendant's County of Residence**. ➢ **Note:** When **"Out of District"** is selected for the defendant's county of residence, a prompt for the **Plaintiff's County of Residence** will appear. ➢ Select **county where claim for relief arose**. ➢ **Select the division** by highlighting name. ➢ When accurate, click **[Next]**.	**CM▥ECF** Civil ▾ Criminal ▾ Query Reports ▾ Utilities ▾ Search Help Log Out **Open a Civil Case** Case type [cv ∨] **NOTE:** For local rules on Divisional Venue (County) selection, please reference Local Rule **Section 1.04** Is this a removal case? [No ∨] ⟵ Defendant's county of residence [-Out of District- ∨] ⟵ Plaintiff's county of residence [Brevard ∨] County where claim for relief arose [Seminole ∨] ⟵ Based upon the information provided, in accordance with Local Rule 1.04, this case is eligible to be filed in the the following division(s). Please select one division for this case. If you believe there is statutory authority to file your case in another division other than those listed, please contact the Clerks Office. [Orlando] ⟵ **Date filed:** 3/17/2021 **Division:** Orlando [Next] ⟵

Divisional Prompts	Divisional Selection Screen
Notice of Removal ➢ Select **"Yes"** from the **Notice of Removal** prompt. ➢ **Select the county of the court from which the case is being removed**. ➢ Enter the **other court name**. ➢ Enter the **other court number.** ➢ **Select the division** by highlighting the name. ➢ When accurate, click **[Next]**.	**CM/ECF** Civil ▾ Criminal ▾ Query Reports ▾ Utilities ▾ Search Help Log Out **Open a Civil Case** Case type cv ▾ Is this a removal case? Yes ▾ ⬅ Please select the county of the court from which the case is being removed Clay ▾ ⬅ Other court name ___ Other court number Clay County Circuit Court ⬆ ___ 2017-CA-1234 ⬆ Based on Title 28 Section 1446(a), this case is eligible to be filed in the following division. Please select the division listed below. Jacksonville ⬅ Date filed: 3/17/2021 Division: Jacksonville Next ⬅

Local Rule Disclosure

➢ Click on the link to reference Local Rule, Section 1.11.

➢ Review the Confirmation. Sealed and qui tam cases shall not be filed electronically.

➢ Click **[Next]** to confirm.

CM/ECF Civil ▾ Criminal ▾ Query Reports ▾ Utilities ▾ Search Help Log Out

Open a Civil Case

⬇

Reference Local Rule 1.11 - Filing Under Seal in a Civil Action for information on filing sealed documents.

Sealed cases, including qui tam actions, shall **not** be filed electronically.

CONFIRMATION: By clicking Next, you confirm the case being electronically filed is not a sealed case or a qui tam case.

Next ⬅

Statistical Screen

➢ Reference the prepared **Civil Cover Sheet (JS-44)** to complete the statistical screen.

- o **Jurisdiction.** There are 5 options.
  - ▪ 1 = U.S. Government Plaintiff
  - ▪ 2 = U.S. Government Defendant
  - ▪ 3 = Federal Question (default)
  - ▪ 4 = Diversity (Citizenship plaintiff and Citizenship defendant fields are required)
  - ▪ 5 = Local Question

- o **Cause of Action.** Select the appropriate code from the drop-down list or use alpha-numeric codes in the filter fields.

- o **Nature of Suit.** Select the appropriate code from the drop-down list or use alpha-numeric codes in the filter fields.

- o **Origin.**
  - Select 1 (Original Proceeding) if filing an original complaint/case.
  - Select 2 (Removal from State Court) if filing a Notice of Removal.
  - *All additional options are for <u>court use only</u>.*

- o **Citizenship Plaintiff / Citizenship Defendant.** Complete these fields only if the jurisdiction selected above was 4 (Diversity). Otherwise, leave this field blank.

- o **Jury Demand.** Select the appropriate code from the drop-down list.
  - n (None) = if Plaintiff does not request a jury demand in the complaint.
  - p (Plaintiff) = if Plaintiff requests a jury demand in the complaint.
  - b (Both) = Notice of Removal cases **only**. If both parties request a jury trial in either court in the complaint, notice of removal, answer, or other filed document.
  - d (Defendant) = Notice of Removal cases **only**. If defendant requests a jury trial in either court in the answer, notice of removal or another filed document.

- o **Class Action.** *Skip this option - do not change this field, for Court use only.*

- o **Demand ($000).** If applicable, enter the monetary demand of the plaintiff. This must be entered in thousands, rounded to the nearest thousand dollars, do **not** include the dollar sign (i.e. $75,000.00 = 75).

- o **Arbitration Code.** *Skip this option - do not change this field, for Court use only.*

- o **County.** Select the county of residence of the first listed plaintiff or if U.S. Government is the plaintiff, select the county of residence of the first listed defendant. For land condemnation cases, select the county of the tract of land.

- o **Fee status.** Select the appropriate code from the drop-down list.
  - Fp (in forma pauperis) = *for court use only*
  - None (no fee required) = for U.S. Plaintiff, 28 U.S.C. § 2255, bankruptcy
  - Pd (paid) = fee being paid electronically with this filing (default)
  - Pend (IFP Pending) = Motion to Proceed In Forma Pauperis (IFP) being filed immediately after the complaint (motion must be filed same day as complaint)
  - Wv (waived) = *for court use only*

- o **Fee Date.** System generated. **Do not modify.**

- ➢ Click **[Next]**.

Adding Parties

➢ You will be prompted to add parties.
  - Do not enter any address information unless a party is proceeding pro se.
  - Do not add an email address for any party.
  - Do not alter the start date or notice fields when adding a party.
  - If filing a **notice of removal**, parties should be taken from the most recent complaint.
  - Enter all Parties in sentence case (ex. Jean T. Smith)

➢ Click **[Next]**.

  - **Party Name.** The Middle District of Florida has an extensive list of names and businesses stored in the CM/ECF database. To avoid the addition of duplicate parties, search the database for existing party names before adding a new name.

    - Add all parties in the manner and order in which they appear on the complaint.

    - Enter the complete Last/Business Name, First Name, and Middle Name, as applicable. **NOTE:** The complete business name is entered in the Last/Business Name field. Use upper- and lower-case letters to input names (e.g. John Doe or XYZ Corporation).
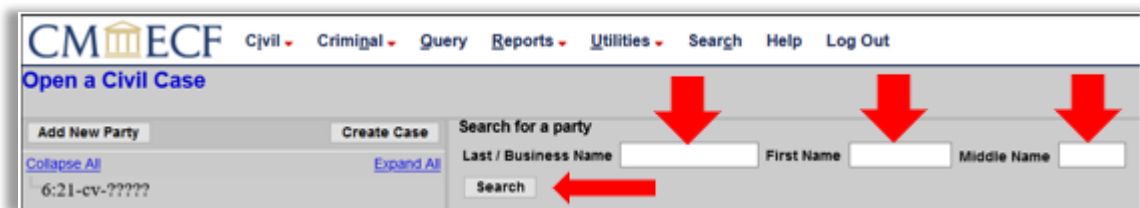
    - When accurate, click **[Search]**.

- The Search Results list will display matching names.

- Scroll through the entire list to determine if there is a party name match. If the name of the party is found in the party **Search Results**, highlight the name and click **[Select Party]**. Only one name may be selected at a time.

- If no match is found, click **[Create New Party]**.

NOTE: Defendants in social security cases and respondents in habeas cases should be entered using the title of office, not the individual person's name.

- ❖ **Social security cases** (natures of suit 861, 862, 863, 864 or 865)
  - o The defendant should be entered as **Commissioner of Social Security**.

- ❖ **Habeas corpus cases** (natures of suit 530 or 535)
  - o The respondent(s) should be entered as **Secretary, Department of Corrections** and/or **Florida Attorney General**.

NOTE: See Appendix for information on the following: Search Strategies, Style Conventions for Names, Entering Spanish Surnames, Abbreviations for States and Territories and Geographic Directions.

➢ Enter only the Role and Party Text on the Party Information screen.

  - o **Role.**
    - Select the correct "role" of the party, the default role is Defendant.

  - o **Party Text.**
    - Enter any "party text" information (e.g., individually, a Florida corporation, etc.).

- Do **not** enter any alias, corporate parent, or other affiliate information in this field. See adding alias, corporate parent or other affiliate information under Party Icons section).


➢ Click **[Add Party]** button.

- A new search screen will be displayed from which the user can search for and add additional parties as applicable. Repeat the above process until ALL parties from the complaint have been entered and added to the case.

Party Icons

➢ After searching for, selecting, and adding all parties, the parties' names appear in the participant tree (left pane). Parties that are added to civil cases will have control icons in the participant tree so the user can add aliases and corporate parents for the party.
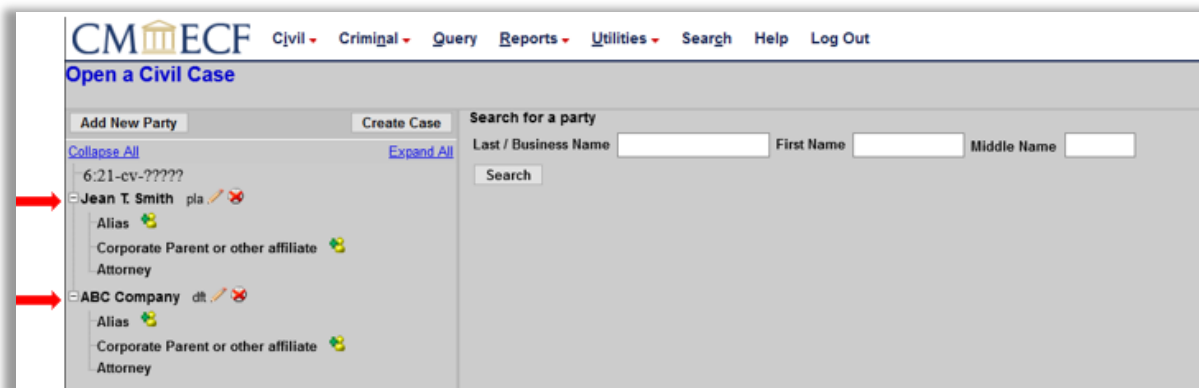

- o Users can:

    - ▪ Edit the party information by clicking on the pencil ✏ "edit" icon;

    - ▪ Delete the party by clicking on the red X ❌ "delete" icon;

    - ▪ Add an alias by clicking on the add 👥 icon;

    - ▪ Add a corporate parent or other affiliate by clicking on the add 👥 icon

    - ▪ Add a new party by clicking on the **[Add New Party]** button on the top left of the screen.

Creating the Case

➢ Once all parties have been entered, click **[Create Case]**.

➢ Click **[Yes]** to proceed with the case opening or **[No]** to return to the party screen.
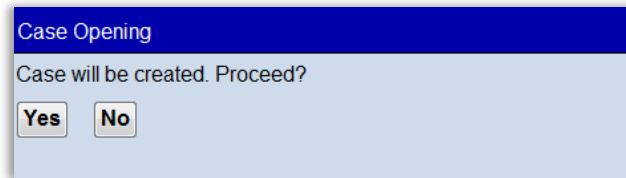
Docketing the Lead Event

➢ After creating the case, 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 (i.e. "13-2"). The case number will not display the division in which the case was filed ("2" for Fort Myers; "3" for Jacksonville; "5" for Ocala; "6" for Orlando or "8" for Tampa), nor the type of case ("cv" for civil).

➢ Even though your case number has been assigned, **you are not finished**. The case opening process is incomplete until you docket the complaint or other initiating document and pay any required filing fee. The final step in opening a new civil case is to **Docket the Lead Event**.

➢ Click [**Docket Lead Event?**].
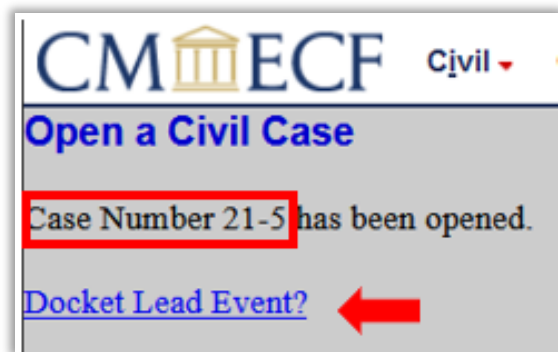
Initiating Document Events

➢ Initiating events for civil cases opened by Attorneys:

Initiating Documents
Complaint
(e.g., Interpleader Complaint, Complaint to enforce/quash/compel Arbitration Award, etc.)
Notice of Removal
Petition for Writ of Habeas Corpus

➢ Select the applicable initiating event (i.e. Complaint, Notice of Removal, or Petition for Writ of Habeas Corpus) and Click **[Next]**.

Case Number

➢ The system automatically displays the case number for the case just assigned or enter the applicable number. Click **[Next]** to continue.

➢ Verify this is the correct case number and click **[Next]** to continue.
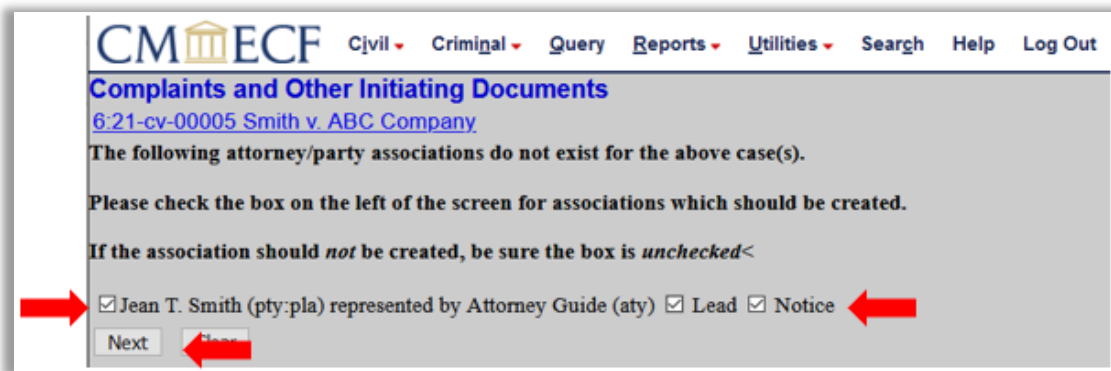

Selecting the Filer(s)

➢ Select the filer by clicking on the party's name. To select multiple filers, hold down the [Ctrl] key on your keyboard and click all applicable filers. Once all filers have been selected, click **[Next]**.

NOTE: All plaintiffs should be the filer for an original complaint. If the initiating document is a Notice of Removal, the filing party of the Notice of Removal should be the defendant that is removing the case from state court to federal court.
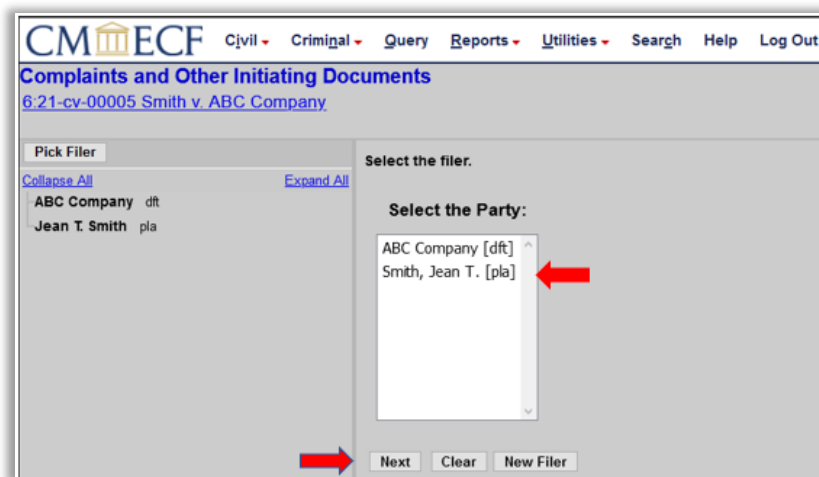
Attorney / Party Association

➢ You **must** associate yourself as counsel of record for the filer(s). Please leave the first box and the Notice box checked for all parties you represent. If you are not **Lead Counsel**, uncheck the Lead box. Only the attorney whose login is used to electronically file the case will be associated with the party(ies). Co-counsel should file a notice of attorney appearance electronically using their login and password to be added to the case.

➢ Click **[Next]**.

Selecting Party(ies) Filing Against

➢ Select the party(ies) this filing is against by clicking on the party's name. To select multiple filers, hold down the [Ctrl] key on your keyboard and click all applicable filers. Once all parties have been selected, click **[Next]**.

NOTE: All defendants should be the party the filing is against for an original Complaint. All plaintiffs should be the party the filing is against for a Notice of Removal.
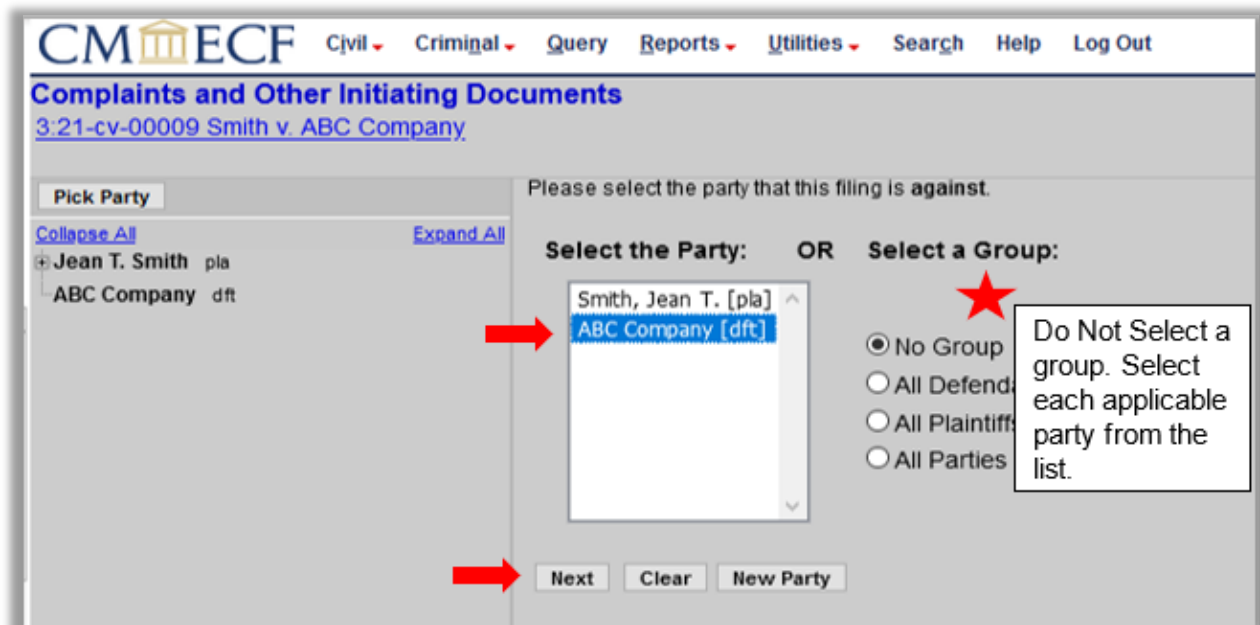
Confirmation of Cover Sheet

Complaint
> ➢ You must file a completed Civil Cover Sheet (JS-44) with all initiating documents (i.e. Complaints, Notice of Removal, or Petition for Writ of Habeas Corpus).
> ➢ Review the Civil Cover Sheet prompt, make applicable selection, and click **[Next]**.
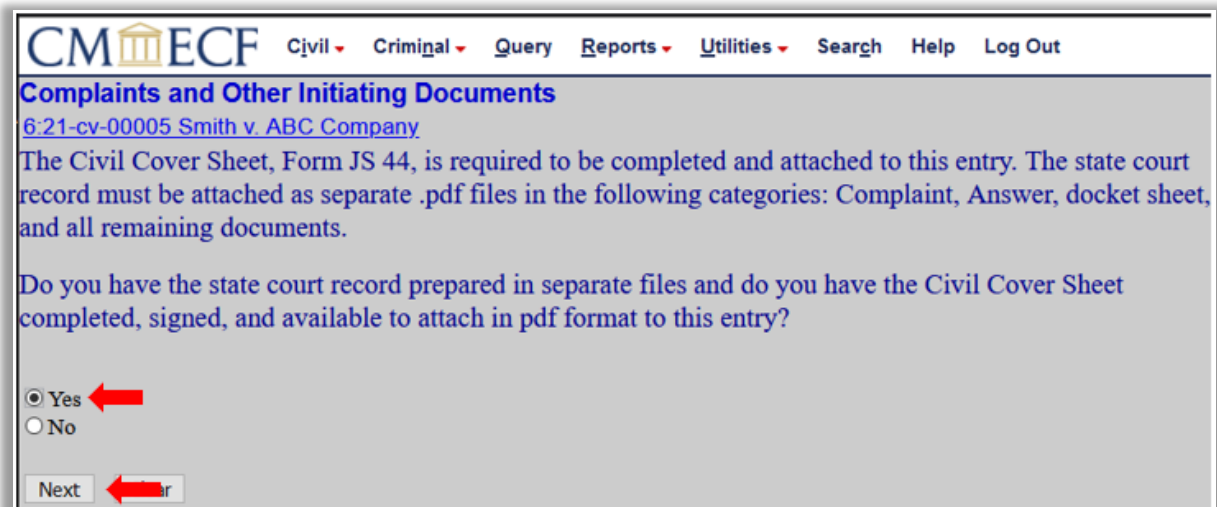
Notice of Removal
> ➢ You must file a completed Civil Cover Sheet (JS-44) with all Initiating documents (i.e. Complaints, Notice of Removal, or Petition for Writ of Habeas Corpus).
> ➢ All State Court documents must be attached as **separate** .pdf files as follows:
>   - State Court Complaint,
>   - State Court Answer,
>   - State Court Docket Sheet, &
>   - State Court Other Documents.
> ➢ Review the document preparation prompt, make applicable selection, and click **[Next]**.

Uploading PDF Document(s) and Attachment(s)

➢ Attach the **Main Document** [i.e. Complaint, Notice of Removal or Petition for Writ of Habeas Corpus]. Click **[Browse]** to locate and select the document to be filed. Document(s) must be in PDF format. Attach any exhibits to the initiating document as attachments.

➢ A pop-up box will appear. Navigate to the applicable file you wish to file. Right click on the document and preview the document by selecting the option to open the document with Adobe Acrobat. This allows you to ensure the correct document(s) is/are being uploaded.

  ▪ **NOTE:** Incorrect documents will not be altered, replaced, or edited by Clerk's Office staff.
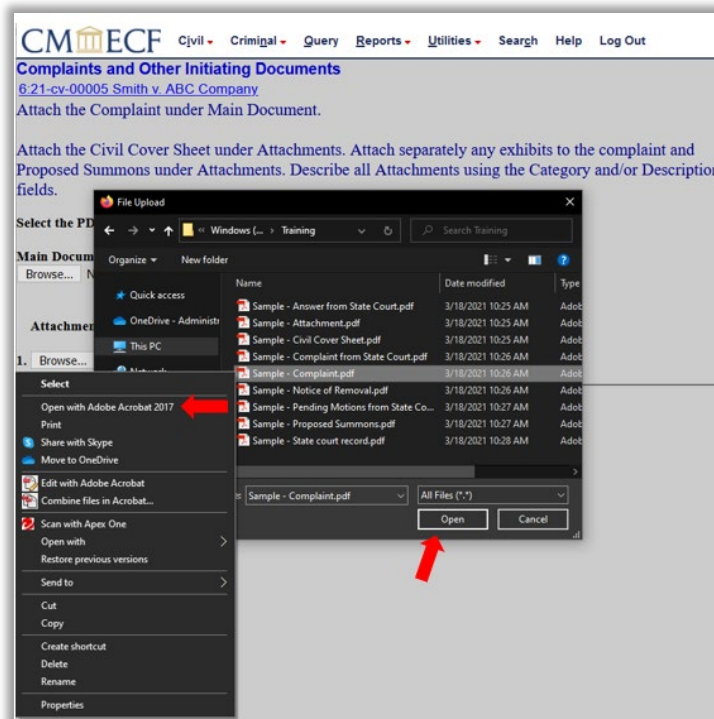
➤ After verifying you have selected the correct PDF document, click **[Open]** to select the document. The filename will appear in the white line, beside the **[Browse]** button.

Sample Civil Complaint

The Civil Cover Sheet (JS-44) and proposed Summons to be issued are added as Attachments to the Complaint. The proposed summons must be completed and can be attached as one document when completing proposed summons for multiple defendants.

Sample Notice of Removal

The Civil Cover Sheet (JS-44) and the state court record are added as separate Attachments to the Notice of Removal. The state court record is separated into the following categories:

- State Court Complaint
- State Court Answer
- State Court Docket Sheet
- State Court Other Documents

Jury Demand

➤ If a jury demand is made within the initial filing, select **Yes**; otherwise, select **No**. The system defaults to No.

➤ Click **[Next]**.

Filing Fee / Motion to Proceed In Forma Pauperis (IFP) / Filing on behalf of the United States / or Exempt

➤ Select the method of payment from the available options.

➤ Click **[Next]**.

➤ If you select "Pay filing fee credit card required," you will be taken to PACER to enter payment information; otherwise, the filing payment screens will be skipped and the user is not prompted to enter credit card or debit card information.

➤ If you are filing a Motion to Proceed In Forma Pauperis or Application to Proceed Without Prepayment of Fees you **must** file the motion as a separate event. After filing the complaint, notice of removal or petition for writ of habeas corpus event, return to the **Civil Events List**,

Select **Motions** and file the IFP motion. **Service copies must be provided to the court when IFP is granted**. **NOTE:** Please refer to the Docket Text Modification section below to continue filing the initiating document.

➢ If you are paying the filing fee, the fee amount will be displayed. Click **[Next]**. The payment screen will load providing the filer an opportunity to pay the filing fee online.
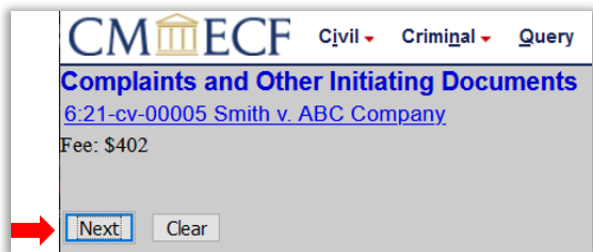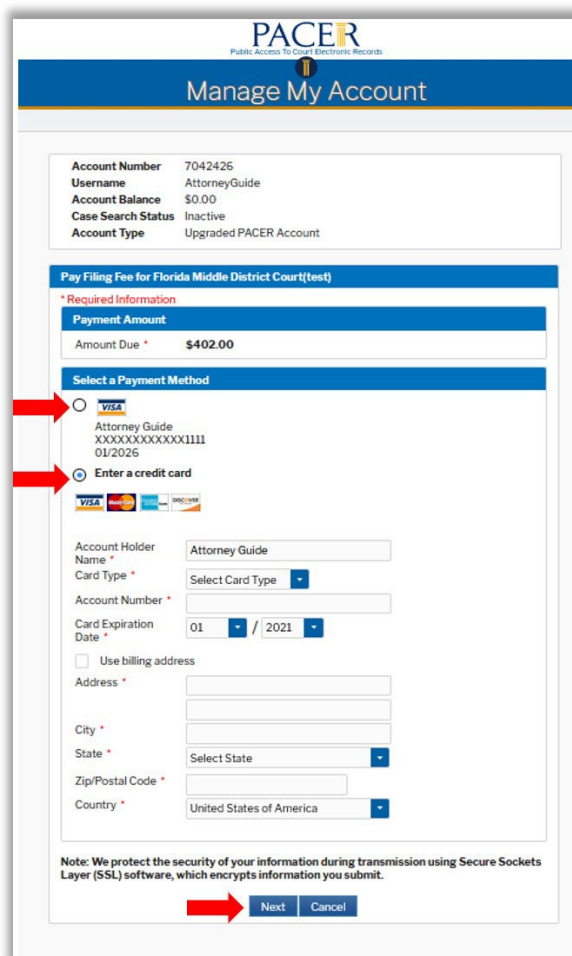
NOTE: Do **not** click the "back button", this may lead to incomplete data being transmitted. Complete the payment data fields as required. Fields marked with a red asterisk [*] are required fields.

Online Payment

➢ You may choose to pay the fee by an existing payment method or choose to enter a new credit card.

NOTE:

- This is a secure site.

- The Account Holder does not need to be the same as the attorney filing the case. For example, the credit card being used could be that of the law firm.

- All payments go directly to the United States Treasury.

- All transactions are reviewed by the Court.

- All users are notified of discrepancies or problems. If payments are not processed properly, counsel will be notified by the Clerk's Office and proper payment must be made no later than the next business day.

The second of two payment screens will appear.

➢ Verify the Address Information, Account Information and Payment Information is correct.

➢ **Court Specific:** Enter required information.

➢ **Email Receipt:** Add an email address to receive a receipt of payment.

➢ Review Authorization and check [✓] the box.

➢ Click [Submit]. **Do not double click** the [Submit] button. Double clicking this button may result in a duplicate charge to your card.

PACER
Public Access To Court Electronic Records

Manage My Account

Account Number	7042426
Username	AttorneyGuide
Account Balance	$0.00
Case Search Status	Inactive
Account Type	Upgraded PACER Account

Pay Filing Fee for Florida Middle District Court(test)

Payment Summary

Payment Method
VISA
XXXXXXXXXXXX1111
01/2026

Attorney Guide
123 Test Lane
Jacksonville, FL
32207
USA

Payment Details
Payment Amount $402.00
Fee Type Filing Fee

Court Specific
Attorney Name *
Firm Name
Name of Person Completing Transaction *
Contact Phone Number *

Email Receipt
Email · attorneyguide@gmail.co
Confirm Email · attorneyguide@gmail.co
Additional Email Addresses

Authorization
☐ I authorize a charge to my credit card for the amount above in accordance with my card issuer agreement. *

Note: We protect the security of your information during transmission using Secure Sockets Layer (SSL) software, which encrypts information you submit.

Submit | Back | Cancel

Final Docket Text

➢ You may add docket text. When accurate, click [Next].
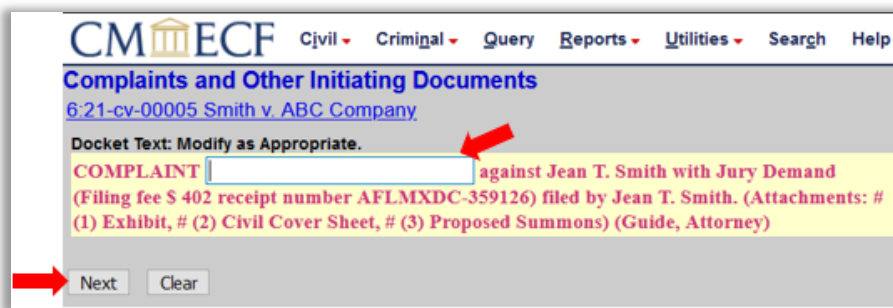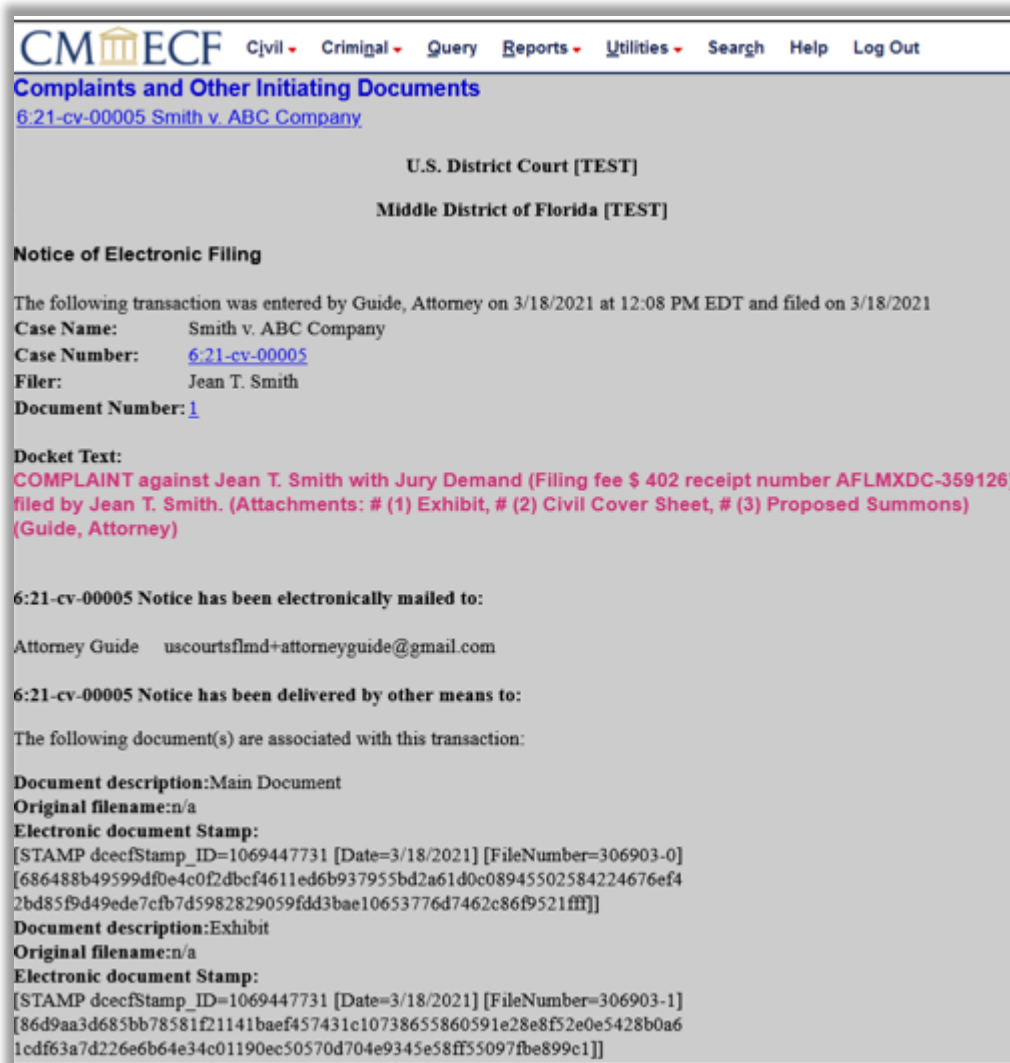
➢ Review the **Final Text** screen. This is the final step before submitting the filing to the court. Once you click [Next] on this screen, you will have no further opportunities to modify this transaction.

   o The **Source Document Path** lists the file path and total number of pages for each document attached.
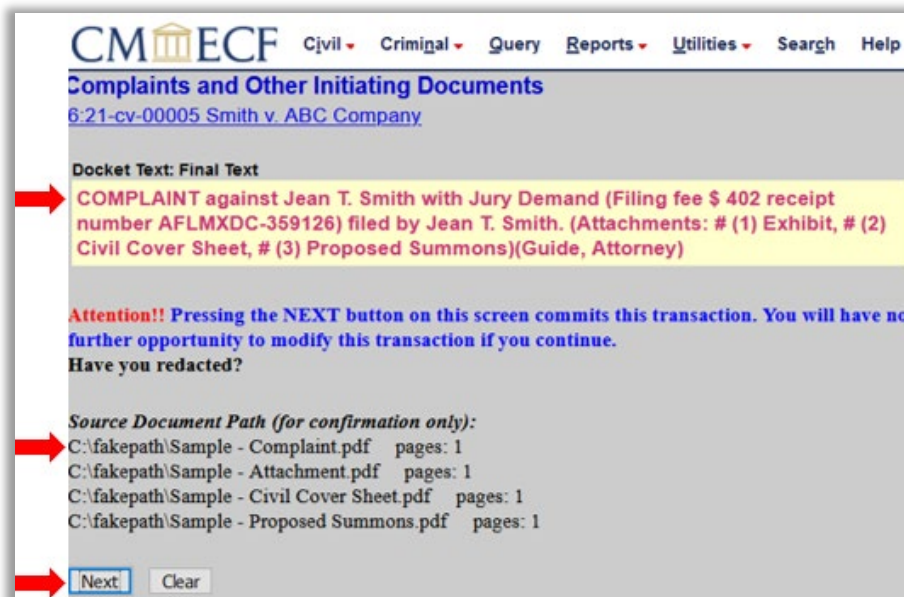
➢ Click **[Next]**.

Notice of Electronic Filing (NEF)

➢ The Notice of Electronic Filing (NEF) is displayed with all the filing information as a receipt of the transaction.

Judge Assignment

➢ Upon completion of the quality review, an NEF will be sent to the filing attorney's email with the notification of Judge assignment.

Issuance of Summon(s) / Warrant(s) of Arrest in Rem

➢ Proposed summons(es), attached to the initial docket entry, will be reviewed and if appropriate issued electronically. An NEF will be sent to the filing attorney's email. Upon receipt of the NEF, print a copy of the summons for service on each defendant.

➢ **Paper service copies and completed USM 285 forms must be provided to the court when seeking to proceed without payment and the motion for IFP is granted**.

➢ Any warrant(s) of arrest in rem, attached to the initial document entry, will be reviewed and if appropriate, issued and returned to the filing attorney.

Subsequent Filings

➢ All subsequent filings may be submitted as normal once the initial document(s) has/have been filed.

Appendix

➢ Content outlined in the Appendix serves as an addendum to Adding Parties section.

Search Strategies

➢ CM/ECF searches do not use key words. Searches require **exact** matches.

➢ It may be necessary to conduct multiple searches.

➢ General search criteria can return more results than desired. For example, if you search for Last Name "Smith" and no first name, the results will return every Smith in the CM/ECF database. It is necessary to provide as much information as known about the party(ies) (i.e. John E. Smith as opposed to Smith only).

   o Search for the entire party's name (e.g., ABC Corporation).

   o Search for part of the party's name (e.g., ABC Corp).

   o Use the asterisk symbol [*] as a wild card to search for words contained within a name.
      ▪ *Corporation would return all party names in the database that contain the word "Corporation" but do not start with the word Corporation.
      ▪ *Corporation* would return all party names in the database that contain the word "Corporation" but do not start or end with the word Corporation.
      ▪ The use of an asterisk at the end of the word is not required. The system will automatically perform this function without the asterisk.

- Search with and without spaces (e.g., ABC Corporation and A B C Corporation).

- Search by last name (e.g., Smith) and the first name (e.g., John) and leave the middle name field blank.

Style Conventions for Names

➢ **Do not use all caps**. Names should be entered with upper- and lower-case letters (e.g., Jane Wilson).

➢ Use punctuation after initials and names (e.g., R.S.T. Development, Inc.).

➢ When entering names that have upper- and lower-case letters and hyphens, do not insert spaces (e.g., Wal-Mart, Mary Jones-Smith).

➢ If an individual does not have a middle name, leave that field blank. **Do not enter "NMN" (no middle name) or NMI (no middle initial).**

➢ If a party has multiple names such as Mary Ellen Kramer Rogers, add the extra names in the middle name field (e.g., Last Name = Rogers; First Name = Mary; Middle Name = Ellen Kramer).

➢ Business names should be entered entirely in the Last Name field. Do not use the First Name or Middle Name fields when entering a business name.

➢ Do not use the ampersand (&) sign for "and" unless it is part of the business name on the initiating document (e.g., A & B Corporation).

Entering Spanish Surnames

➢ The father's surname, or in the case of a married woman, the husband's surname, is always used as the last name.

- Juan Rolando Hernandez-Ramirez
  - Last Name = Hernandez-Ramirez
  - First Name = Juan
  - Middle Name = Rolando

Abbreviations

➢ States and Territories

AL	Alabama	LA	Louisiana	OH	Ohio
AK	Alaska	ME	Maine	OK	Oklahoma
AZ	Arizona	TT	Marshall Island	OR	Oregon
AR	Arkansas	MD	Maryland	TT	Palau
AS	American Samoa	MA	Massachusetts	PA	Pennsylvania
CA	California	MX	Mexico	PR	Puerto Rico
CO	Colorado	MI	Michigan	RI	Rhode Island
CT	Connecticut	TT	Micronesia	SC	South Carolina
DE	Delaware	MS	Mississippi	SD	South Dakota
DC	District of Columbia	MO	Missouri	TN	Tennessee
FL	Florida	MT	Montana	TX	Texas
GA	Georgia	NE	New England	UT	Utah
GU	Guam	NV	Nevada	VT	Vermont
HI	Hawaii	NH	New Hampshire	VA	Virginia
ID	Idaho	NJ	New Jersey	VI	Virgin Islands
IL	Illinois	NM	New Mexico	WA	Washington
IN	Indiana	NY	New York	WV	West Virginia
IA	Iowa	NC	North Carolina	WI	Wisconsin
KS	Kansas	ND	North Dakota	WY	Wyoming
KY	Kentucky	CM	N. Mariana Island		

Geographic Directions

N	North	NE	Northeast
S	South	NW	Northwest
E	East	SE	Southeast
W	West	SW	Southwest