

# “How To” GUIDE FOR CIVIL CASE OPENING



Eastern District of North Carolina  
(revised Jan 18, 2007)  
(revised as to civil filing fee on May 1, 2013)

An attorney may now open a civil case electronically. To open a case, an attorney must provide the Clerk's office with a Civil Cover Sheet (JS-44c), summons and the complaint, which lists the case party information, along with the filing fee. Every party shall review and comply with Fed. R. Civ. P. 7.1 and Local Civil Rule 7.3. **New cases are deemed filed the day the Clerk's Office receives the complaint and any required filing fee.**

When opening a case electronically, the filing fee may be paid in advance or online by credit card while filing the initiating document. Effective May 1, 2013, the filing fee is \$400.00.

When paying in advance the attorney must have the name of the case that is to be opened. Fees may be paid in advance by:

- credit card (by phone or in person)
  - Raleigh Clerk's office – open 8:30 am to 4:30 pm
    - 919-645-1700
  - Greenville Clerk's office – open 8:30 am to 4:30 pm
    - 252-830-6009
  - Wilmington Clerk's office – open 8:30 am to 4:30 pm
    - 910-815-4663
- check (by mail or in person)
- cash (in person)

The filer will be given a receipt with a receipt number. The attorney will need this receipt number to complete the on-line process of opening a civil case.

When paying online the attorney may use a valid MasterCard, Visa, American Express or Dinner's Club credit card.

#### OPENING A CIVIL CASE

1. Click on Civil.
  
2. Select "Atty Open CV Case"

CM/ECF - NCED - Microsoft Internet Explorer

File Edit View Favorites Tools Help

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Address [https://ecf-test.nced.uscourts.gov/cgi-bin/login.pl?537742692820256-L\\_186\\_0-1](https://ecf-test.nced.uscourts.gov/cgi-bin/login.pl?537742692820256-L_186_0-1)

**ECF** Civil • Criminal • Query • Reports • Utilities •

**Civil Events**

**Open a Civil Case**  
[Atty Open CV Case](#)

**Initial Pleadings and Service**  
[Complaints, Other Initiating Documents](#)  
[Service of Process](#)  
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**Motions and Related Filings**  
[Motions](#)  
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**Other Filings**  
[ADR Documents](#)  
[Discovery Documents](#)  
[Notices](#)  
[Trial Documents](#)  
[Appeal Documents](#)  
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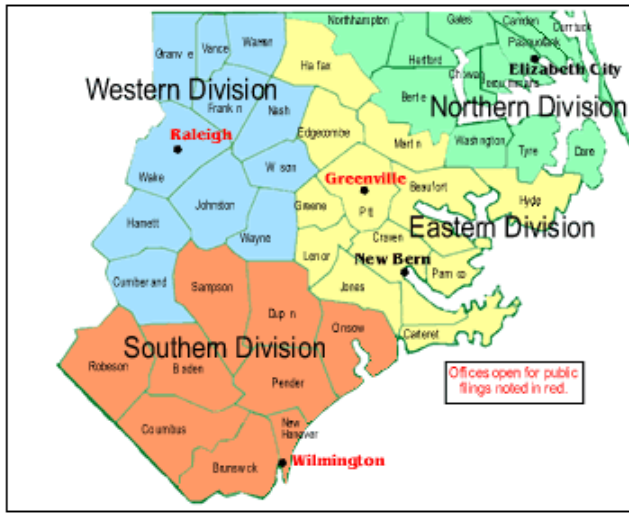
In the **Office** field: Assign the case to a division pursuant to Local Civil Rule 40.1(c) Local Civil Rule 40.1(c)(1), EDNC

Civil Actions. The clerk shall assign all civil actions to a division when the action is filed or removed. If one or more plaintiffs are residents of this District, the clerk shall assign the case to the division in which the first named such plaintiff resides. If no plaintiff resides in the Districts and one or more defendants reside in the District, the clerk shall assign the action to the division in which the first named such defendant resides. In the event no party resides in the District but the claim is alleged to have arisen in the District or to involve real property in the District, the clerk shall assign the action to the division in which such claim is alleged to have arisen or in which the real property is situated. In all instances, a case shall be assigned to a division at the discretion of the clerk. In removed actions, the matter will be assigned to the division in which the state court is located from which the action is removed.

Full list of counties in the District on next

Examples:

Craven County	select Eastern Division
Wake County	select Western Division



**Eastern Division Counties**

Headquarters in [Greenville](#)

- Beaufort
- Carteret
- Craven
- Edgecombe
- Greene
- Halifax
- Hyde
- Jones
- Lenoir
- Martin
- Pamlico
- Pitt

**Northern Division Counties**

Cases Managed in [Raleigh](#)

- Bertie
- Camden
- Chowan
- Currituck
- Dare
- Gates
- Hertford
- Northampton
- Pasquotank
- Perquimans
- Tyrrell
- Washington

**Southern Division Counties**

Headquarters in [Wilmington](#)

- Bladen
- Brunswick
- Columbus
- Duplin
- New Hanover
- Onslow
- Pender
- Robeson
- Sampson

**Western Division Counties**

Headquarters in [Raleigh](#)

- Cumberland
- Franklin
- Granville
- Harnett
- Johnston
- Nash
- Vance
- Wake
- Warren
- Wayne
- Wilson

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**ECF** Civil • Criminal • Query • Reports • Utilities

### Open a Civil Case

Office  Case type  Case Number

Date filed 1/27/2006

Lead case number  Association type

Other court name

Other court number

Related cases

Next Clear

In the **Case type** field choose cv:

cv = civil

hc = habeas corpus

ct = prisoner civil rights

mc = miscellaneous (this selection is not activated and cannot be selected)

Leave the remaining fields blank.

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**ECF** Civil • Criminal • Query • Reports • Utilities

### Open a Civil Case

Jurisdiction

Cause of action

Nature of suit

Origin

Citizenship plaintiff

Citizenship defendant

Jury demand  Class action  Demand (\$000)

Arbitration code  County

Fee status  Fee date  Date transfer

Next Clear

→ This information is found on the completed civil cover sheet (JS-44c).

**Jury demand:** The removing defendant must change this field to ‘p’ if the plaintiff demanded a jury in the complaint.

**Demand:** This field is optional. Complete only if there is a monetary demand in the complaint.

10 = \$10,000.00

500 = \$500,000.00

**Arbitration code:** Leave this field blank

**County:** This information is listed on the civil cover sheet. Use the county of residence of the first listed plaintiff, except in U.S. Plaintiff cases. In U.S. plaintiff cases, use the county of residence of the first listed defendant. In land condemnation cases, use the location of the tract of land involved.

**Fee status:** pd (paid) – when payment is made at time of filing  
pend (IFP pending) – if case is initiated with a Motion to Proceed *In Forma Pauperis*  
wv (waived) – used by federal government agencies

**Date transfer:** Leave this field blank.

Once you have filled in all the appropriate fields, click Next.

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**ECF** Civil • Criminal • Query • Reports • Utilities

**Open a Civil Case**

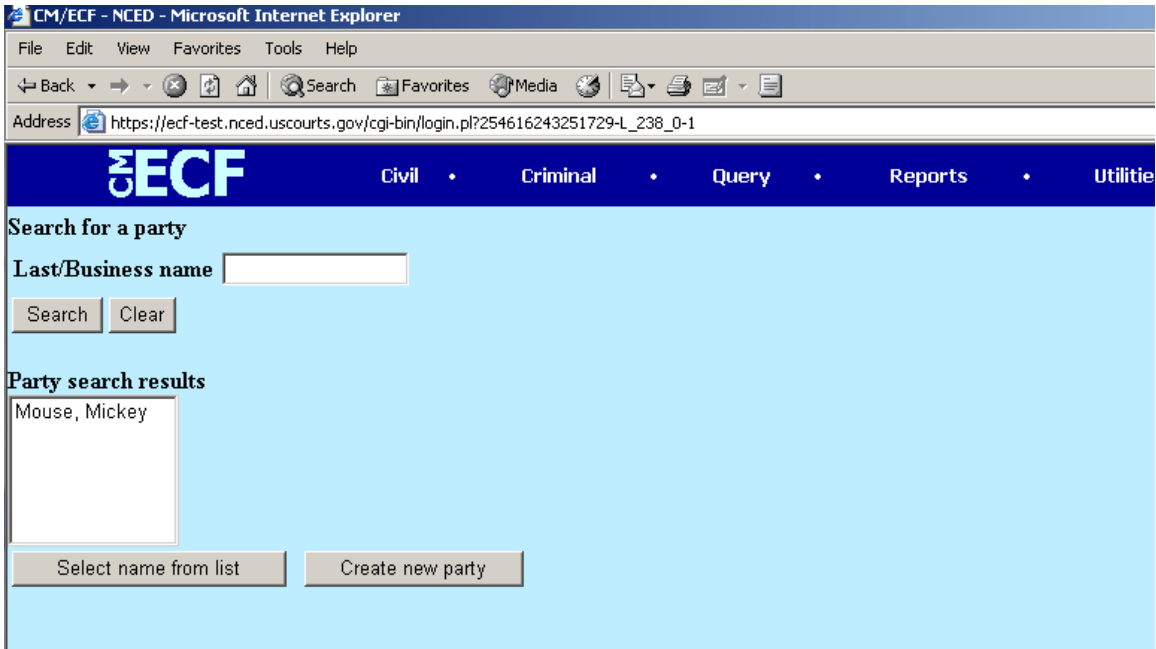
Search for a party

Last/Business name

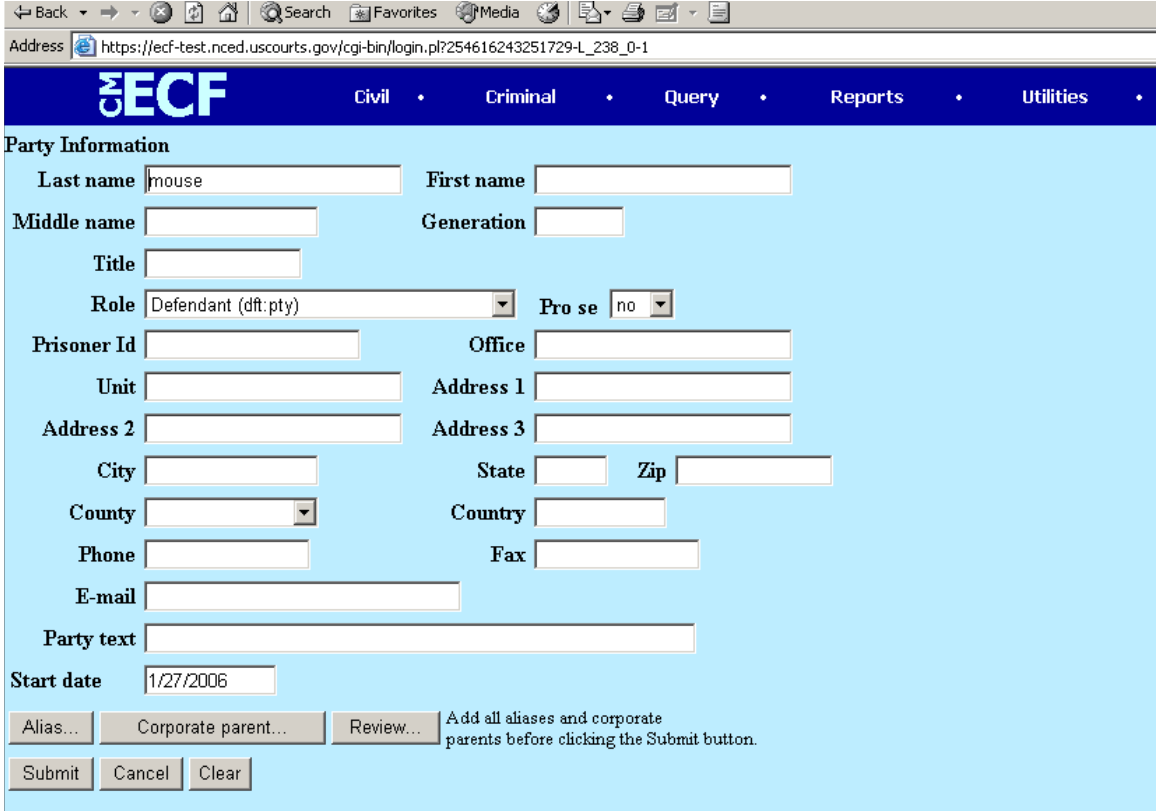
Search Clear

Enter the last name of the business or plaintiff.

Click **Search**.



Click on **Create new party** if the party is not in the database.





**Last name:** If the party is anyone other than an individual, (i.e., a company, a university, a municipality, etc.) the entire name of the party goes in the Last name field. This field will hold up to 200 characters.

**Generation:** Jr., Sr., III

**!!!!!!Role:** the role will always default to defendant and must be changed to the appropriate role. **!!!!!!**

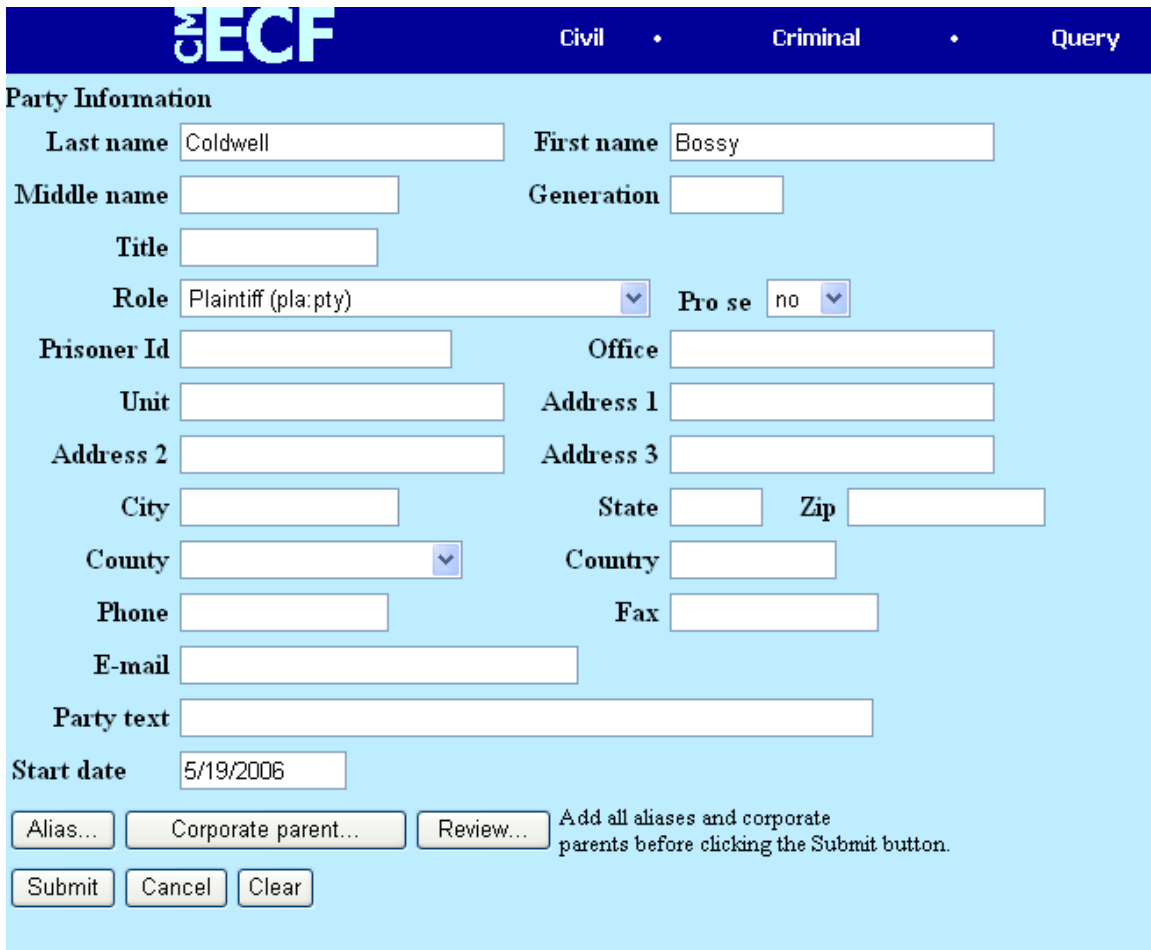
**Pro se:** This field should only be “yes” if the party being added is legitimately *pro se*. Do not put ‘yes’ if the attorney is just unknown.

**Party text:** This field is for descriptive information regarding the party (e.g., “in his official capacity”, “a Delaware corporation”, or “Commissioner of Social Security”). This field will hold up to 255 characters. Do not use this field for party aliases. Use the alias button at the bottom of the screen.

**Alias button:** Used when the party has aliases (i.e., “formerly known as”, “also known as”, “doing business as”, “on behalf of” etc.) The party may have more than one alias.

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## Corporate Disclosure and the Corporate parent button



**ECF** Civil • Criminal • Query

**Party Information**

Last name  First name

Middle name  Generation

Title

Role  Pro se

Prisoner Id  Office

Unit  Address 1

Address 2  Address 3

City  State  Zip

County  Country

Phone  Fax

E-mail

Party text

Start date

Add all aliases and corporate parents before clicking the Submit button.

**Corporate parent** button: Parties must file separate corporate disclosures pursuant to Fed.R.Civ.P. 7.1 and Fed.R.Crim.P. 12.4 See Section A(10) and Form E of the *Administrative Policies and Procedures Manual*.

Click on the corporate parent button.

The screenshot shows the top navigation bar with the ECF logo and the word "Civil". Below the navigation bar, the heading "Search for a corporate parent" is displayed. Underneath, there is a text input field labeled "Last/Business name". Below the input field are two buttons: "Search" and "Clear".

Enter the name of the corporate parent in the text box then click Search.  
 If the corporate parent name does not appear, click the Create new corporate parent button:

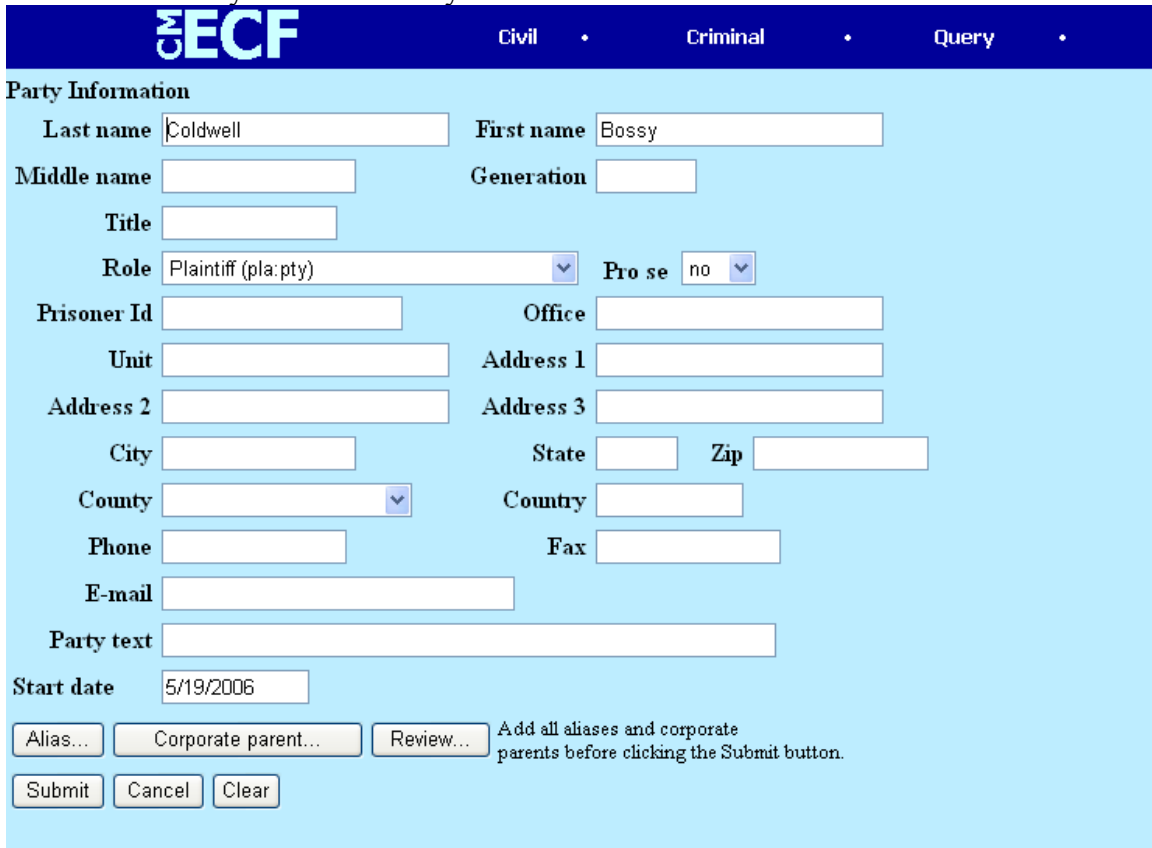
This screenshot shows the same search interface as above, but with additional elements. The top navigation bar now includes "Civil" and "Criminal" with dropdown arrows. Below the search area, the heading "Corporate parent search results" is followed by the text "No person found." At the bottom of the search results area, there is a button labeled "Create new corporate parent".

There are text boxes in which to enter the name of the party's corporate parent.

The screenshot shows the "Corporate Parent Information" screen for a party named "Coldwell, Bossy". The top navigation bar includes "Civil", "Criminal", "Query", and "Reports". The form contains several input fields: "Last/Business name" (with "Dow Chemical" entered), "First name", "Middle name", and "Start date" (with "5/19/2006" entered). Below the input fields are two buttons: "Add corporate parent" and "Clear". A note below the buttons reads: "Click the Add alias button to return to the Party screen and submit all information for this party."

Click the Add corporate parent button.

This returns the system to the Party Information screen:



**ECF** Civil • Criminal • Query •

**Party Information**

Last name  First name

Middle name  Generation

Title

Role  Pro se

Prisoner Id  Office

Unit  Address 1

Address 2  Address 3

City  State  Zip

County  Country

Phone  Fax

E-mail

Party text

Start date

Add all aliases and corporate parents before clicking the Submit button.

To check what you have added, click on the Review button.



**ECF** Civil • Criminal •

**Review attorneys and aliases**

Bossy Coldwell

*Uncheck to remove from list*

**Attorneys added:**

None added.

**Aliases added:**

Dow Chemical, (cp)

In the Review screen, the corporate parent is listed with the designation: cp  
Click the Return to Party screen and to go back to the Party Information screen.

The screenshot shows the 'Party Information' form in the ECF system. The header includes the ECF logo and navigation links for 'Civil', 'Criminal', and 'Query'. The form fields are as follows:

- Last name: Coldwell
- First name: Bossy
- Middle name: (empty)
- Generation: (empty)
- Title: (empty)
- Role: Plaintiff (pla:pty) [dropdown]
- Pro se: no [dropdown]
- Prisoner Id: (empty)
- Office: (empty)
- Unit: (empty)
- Address 1: (empty)
- Address 2: (empty)
- Address 3: (empty)
- City: (empty)
- State: (empty)
- Zip: (empty)
- County: (empty) [dropdown]
- Country: (empty)
- Phone: (empty)
- Fax: (empty)
- E-mail: (empty)
- Party text: (empty)
- Start date: 5/19/2006

Buttons at the bottom include: Alias..., Corporate parent..., Review..., Submit, Cancel, and Clear. A note states: 'Add all aliases and corporate parents before clicking the Submit button.'

Continue these steps until you have entered all corporate parents. Once you have completed entry of all corporate parents, click the submit button.

The screenshot shows the 'Open a Civil Case' search screen in the ECF system. The header includes the ECF logo and navigation links for 'Civil' and 'Criminal'. The search section is titled 'Search for a party' and contains:

- Last/Business name: (empty text box)
- Search: (button)
- Clear: (button)
- End party selection: (button)

You are ready to enter the second party in the lawsuit.

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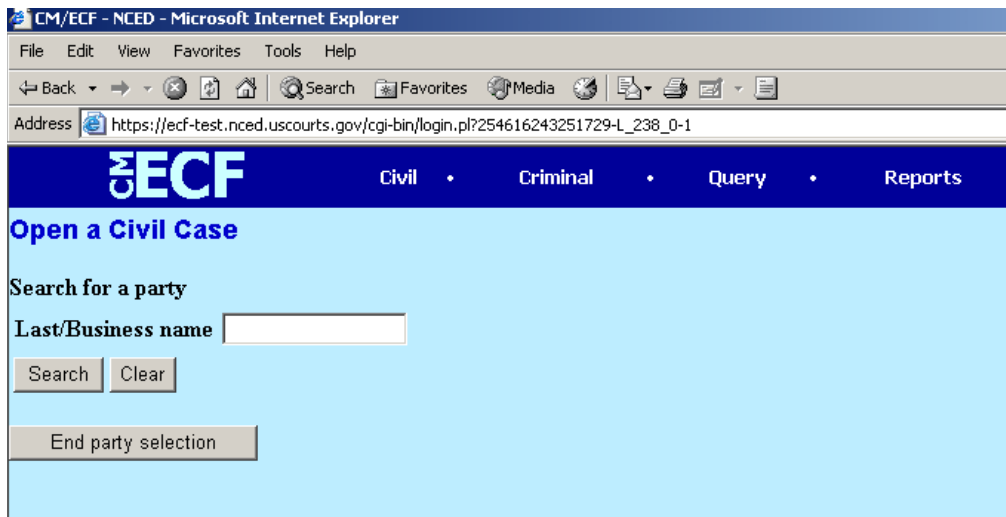
**Review** button: This button allows the filer to review all party information that has been entered, before it gets submitted.

**Submit** button: Click this button to submit the party information.

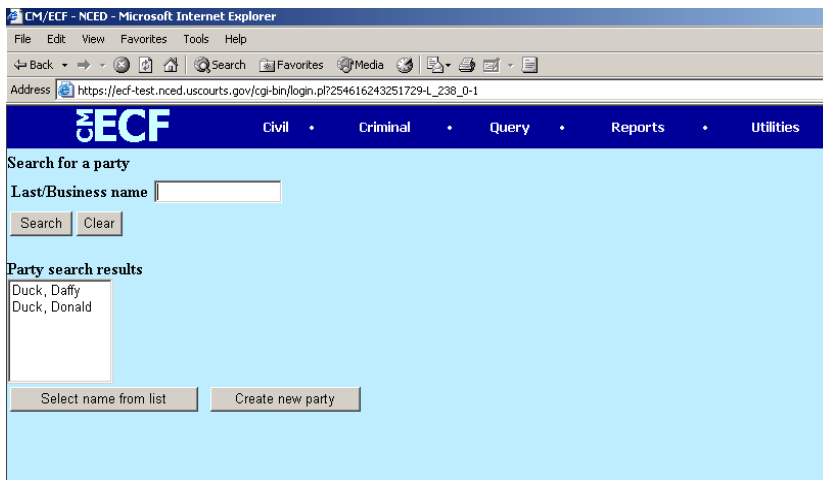
**Cancel** button: Click this button to cancel the information and return back one screen.

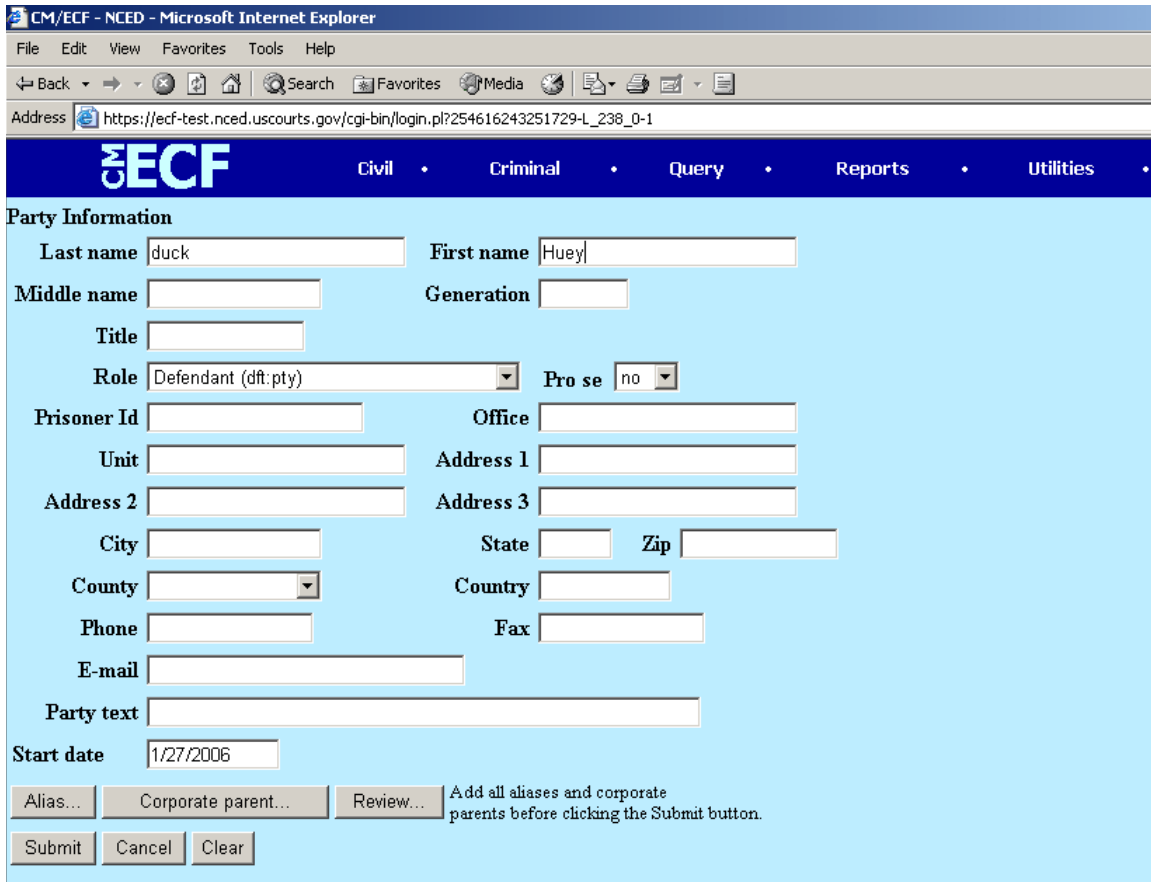
**Clear** button: Click this button to remove information added to the screen.

Repeat the process to add the opposing party:  
Type in the last name of the party.  
click the **Search** button.



If the party name is not in the database, select the **Create new party** button.





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**ECF** Civil • Criminal • Query • Reports • Utilities

**Party Information**

Last name  First name

Middle name  Generation

Title

Role  Pro se

Prisoner Id  Office

Unit  Address 1

Address 2  Address 3

City  State  Zip

County  Country

Phone  Fax

E-mail

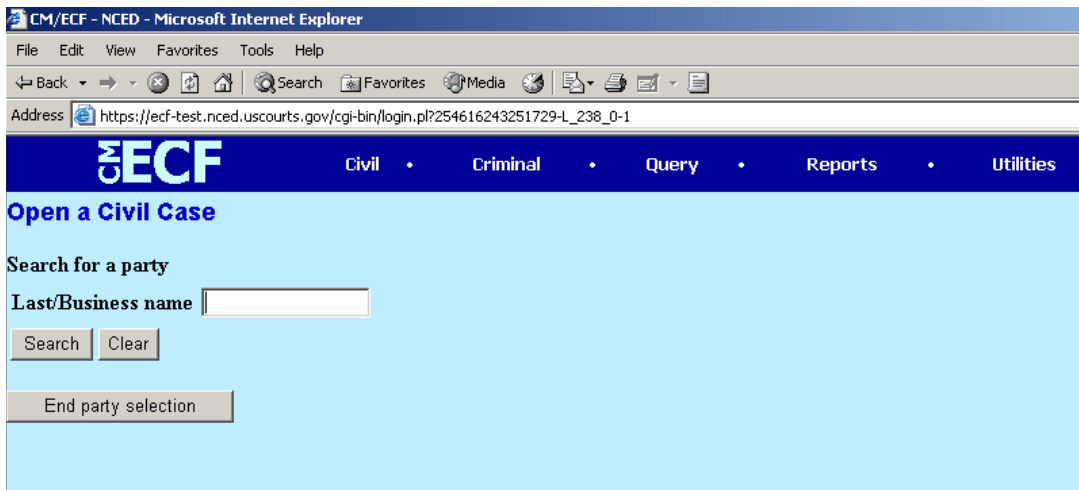
Party text

Start date

Alias... Corporate parent... Review... Add all aliases and corporate parents before clicking the Submit button.

Submit Cancel Clear

Enter the party information.



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Address https://ecf-test.nced.uscourts.gov/cgi-bin/login.pl?254616243251729-L\_238\_0-1

**ECF** Civil • Criminal • Query • Reports • Utilities

**Open a Civil Case**

Search for a party

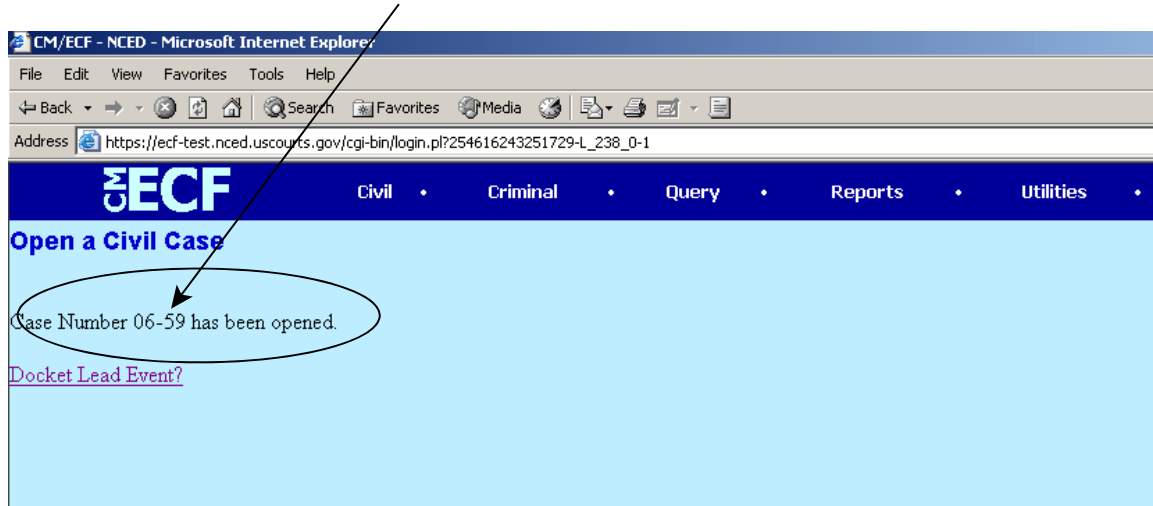
Last/Business name

Search Clear

End party selection

Once you have entered all the parties, then you click the **End party selection** button.

The system will issue a case number:



***Any electronically-generated designation of a district judge or magistrate judge does not mean that the judge so designated is assigned to the case.***  
See proposed Local Civil Rule 40.2 and proposed Local Criminal Rule 5.2.

**Docket Lead Event?:** This is *any* case initiating document (e.g., complaint, notice of removal, motion to proceed *in forma pauperis*, etc.).

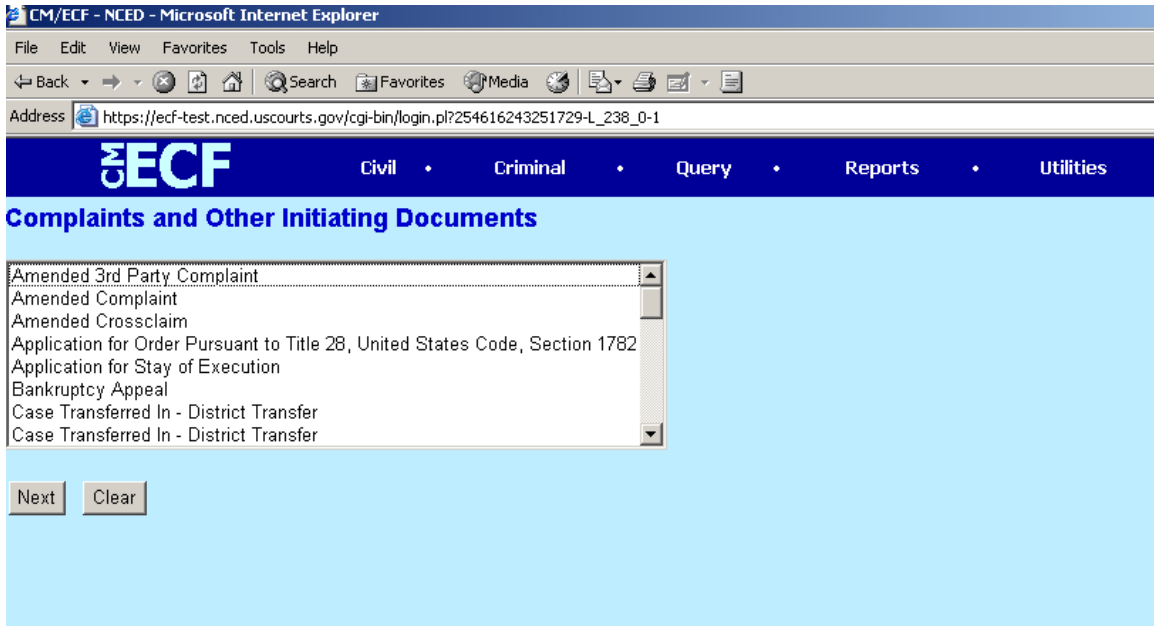
The lead event is where you, the attorney will be able to associate yourself with the party for whom you are filing. This association will trigger the electronic notification process in CM/ECF.

Once you click on the **Docket Lead Event** link, the system gives you a drop-down box of potential lead events.

Select the appropriate lead event.

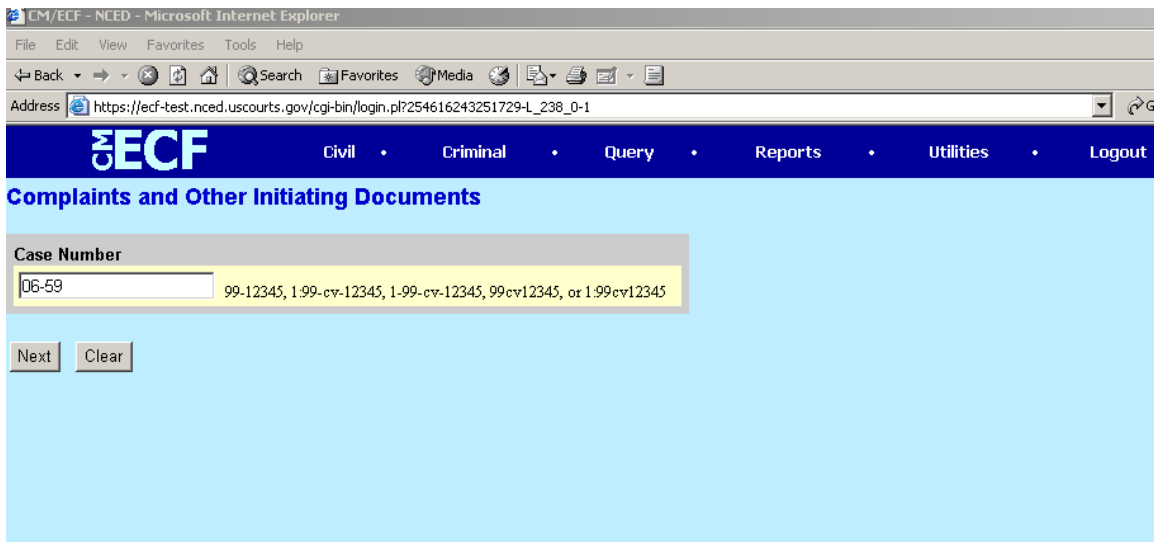
Click **Next**.



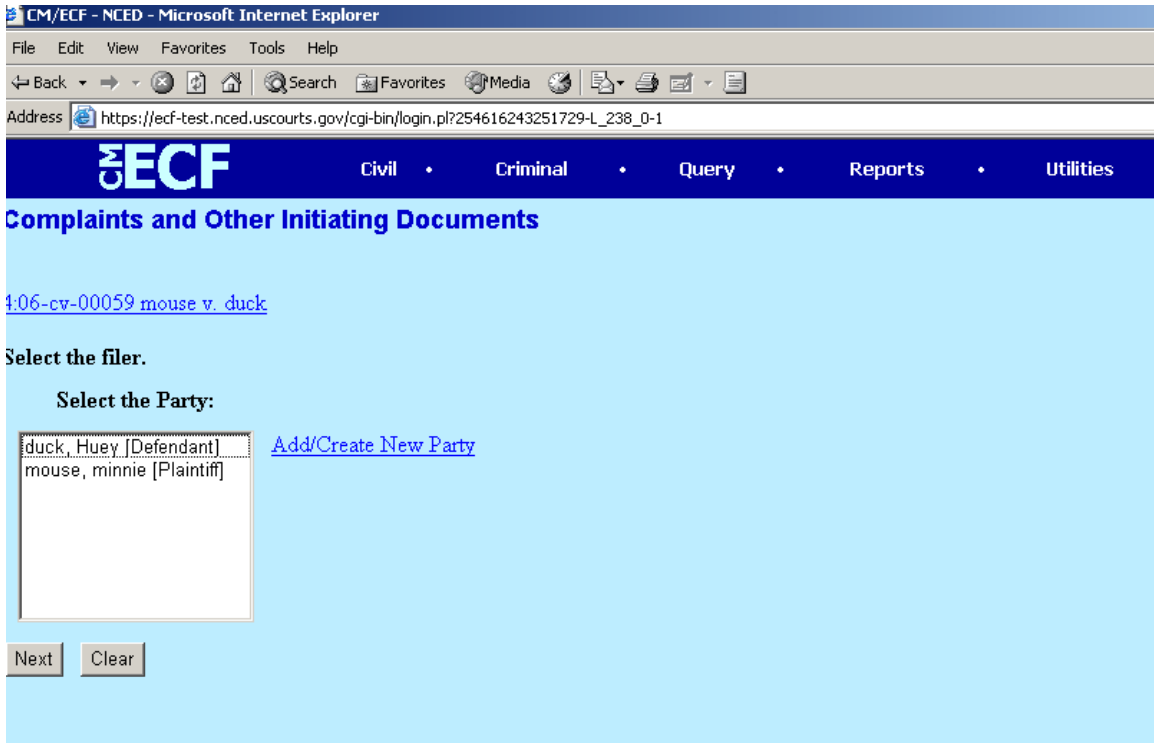


When your case initiating event is a Motion to proceed *in forma pauperis* (event in drop down list is Proceed In Forma Pauperis), attach the proposed complaint and summonses as attachments to the event. Do not docket the complaint as a separate event until the court has granted the motion to proceed *in forma pauperis*. A summons cannot be docketed separately until it has been issued by the court.

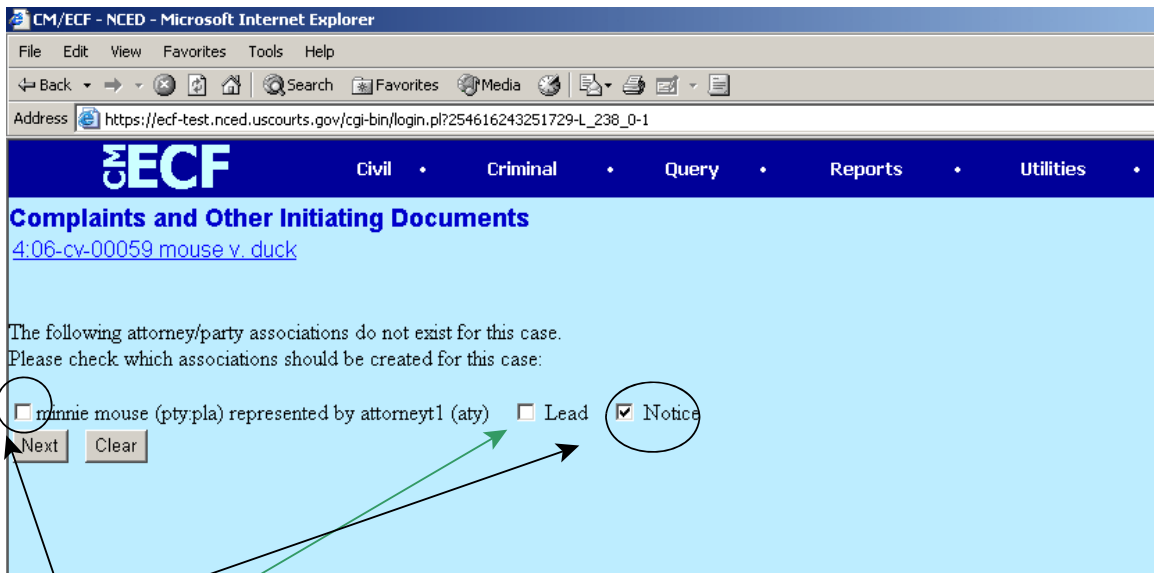
The system remembers the last case you were working in and fills in that case number. Ensure that this is the correct case number and then click **Next**.



Select the filing party from the box on the screen.



Click **Next**.



**These boxes must be checked to activate the electronic notification process.**

This box should be checked if you are lead counsel.

Associate with the party.

Click Next.

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**ECF** Civil • Criminal • Query • Reports • Utilities • Logout

**Complaints and Other Initiating Documents**

[4:06-cv-00059 mouse v. duck](#)

Please select the party that this filing is **against**.

**Select the Party:** OR **Select a Group:**

duck, Huey [Defendant]  
mouse, minnie [Plaintiff]

[Add/Create New Party](#)

No Group  
 All Defendants  
 All Plaintiffs  
 All Parties

Next Clear

Select the party from the box that the initiating document is being filed AGAINST.  
Click Next.

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Address [https://ecf-test.nced.uscourts.gov/cgi-bin/login.pl?254616243251729-L\\_238\\_0-1](https://ecf-test.nced.uscourts.gov/cgi-bin/login.pl?254616243251729-L_238_0-1) Go

**ECF** Civil • Criminal • Query • Reports • Utilities • Logout

**Complaints and Other Initiating Documents**

[4:06-cv-00059 mouse v. duck](#)

Select the **pdf** document (for example: CA199cv501-21.pdf).

**Filename**

Browse...

**Attachments to Document:**  No  Yes

Next Clear

Here is where you attach your initiating document in pdf format.

If you are filing an **Application to Proceed Without Payment of Fees** or if you **represent the federal government** answer “Y” on the next screen. If you are paying the filing fee answer “N” on this screen.

ECF Civil • Criminal • Query • Reports •

**Complaints and Other Initiating Documents**  
[7:06-cv-00019 Stanton v. Delta](#)

Is this filed with an Application to Proceed Without Prepayment of Fees (IFP) or do you represent the federal government Y/N?

There are two options for the payment of filing fees: Option 1: You have prepaid and have a receipt number; or Option 2: You will pay the filing fee online with a credit card.

**Option 1** - Prior to opening the case, the filing fee is paid by phone or in person and the filer is given a court-issued receipt number. That receipt number is entered in this field.

ECF Civil • Criminal • Query •

**Complaints and Other Initiating Documents**  
[7:06-cv-00019 Stanton v. Delta](#)

**Please Read:**  
If you have prepaid enter receipt number, if you have not prepaid click "next" to go to pay.gov

Receipt #:  Fee: \$350

If you do not have a receipt number click “Next” and you will be connected to Pay.Gov, which is Option 2.

**Option 2** - CM/ECF now allows the payment of filing fees by credit card through the internet and a service called Pay.gov. You will need to fill in all of the requested information on the “Pay.Gov” screen. All boxes with “\*” are required.

The screenshot shows the CM/ECF Online Payment interface. At the top, there is a blue navigation bar with the CM/ECF logo and links for Civil, Criminal, Query, and Reports. Below this is the "Online Payment" section with a "Return to your originating application" link. The current step is "Step 1: Enter Payment Information", which is the first of two steps. The payment method is "Pay Via Plastic Card (PC) (ex: American Express, Diners Club, Discover, Mastercard, VISA)". A note states that required fields are indicated with a red asterisk. The form includes the following fields: Account Holder Name (pre-filled with "James Bond"), Payment Amount (\$350.00), Billing Address, Billing Address 2, City, State / Province (dropdown), Zip / Postal Code, Country (pre-filled with "United States"), Card Type (dropdown with logos for VISA, MasterCard, AMEX, Discover, and American Express), Card Number (with a note that it should not contain spaces or dashes), Security Code (with a link to "Help finding your security code"), and Expiration Date (month and year dropdowns). At the bottom of the form, there is a instruction to select the "Continue with Plastic Card Payment" button to proceed, with "Continue with Plastic Card Payment" and "Cancel" buttons provided. A yellow note at the bottom of the form reads: "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."

Please note that the box for “Account Holder” will default to the name of the CM/ECF logged in user. You must correct this box if the credit card holder’s name is not the same as the CM/ECF user name.

When you have entered all of your information click “Continue with Plastic Card Payment”.

Review the next screen to confirm that all of the information is correct.

**CM/ECF** Civil • Criminal • Query •

**Online Payment** [Return to your originating application](#)

**Step 2: Authorize Payment** 1 | 2

**Payment Summary** [Edit this information](#)

Address Information	Account Information	Payment Information
<b>Account Holder Name:</b> James Bond <b>Billing Address:</b> fggggggggg <b>Billing Address 2:</b> <b>City:</b> <b>State / Province:</b> <b>Zip / Postal Code:</b> <b>Country:</b> USA	<b>Card Type:</b> Master Card <b>Card Number:</b> *****5100 <b>Expiration Date:</b> 5 / 2011	<b>Payment Amount:</b> \$350.00 <b>Transaction Date and Time:</b> 01/09/2007 12:24 EST

**Email Confirmation Receipt**  
To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.

**Email Address:**   
**Confirm Email Address:**   
**CC:**  Separate multiple email addresses with a comma

**Authorization and Disclosure**  
**Required fields are indicated with a red asterisk \***

I authorize a charge to my card account for the above amount in accordance with my card issuer agreement.  \*

Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.

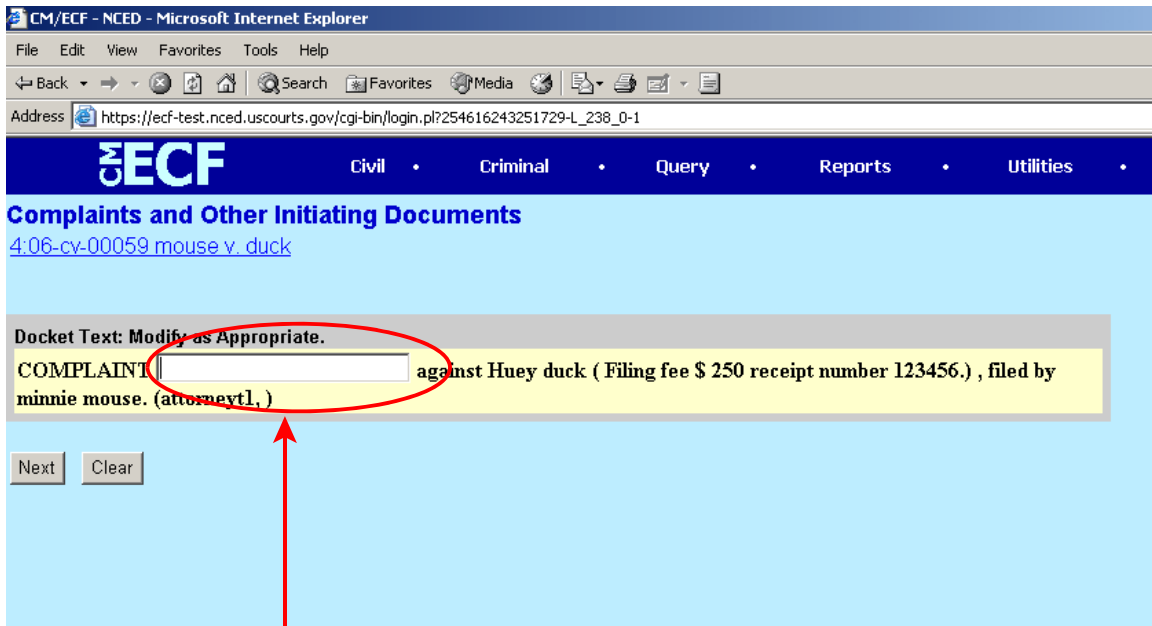
**Note:** Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

You may also add one or more email addresses to receive a receipt for payment.

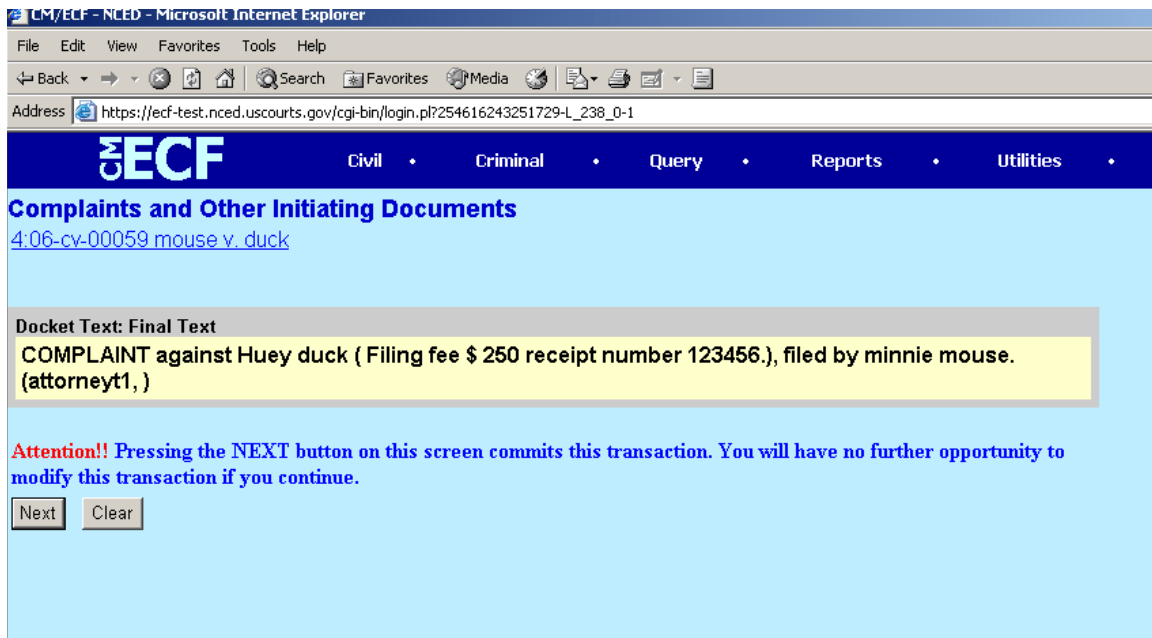
After you have verified that all the information is correct click the authorization box and then click "Submit Payment".

**\*\*\*\*\*ONLY CLICK THE "SUBMIT PAYMENT" BUTTON ONCE - Your card may be charged multiple times if you click more than once.\*\*\*\*\***

Your payment will be confirmed and you will be returned to CM/ECF.



You can add text to describe your initiating document in the text box.



This is the “point of no return” screen. Make sure the docket text is correct. If you discover an error here, click **Clear**. When you are satisfied that it is correct, Click **Next**.


Civil • Criminal • Query • Reports • Utilities • Logout

**Complaints and Other Initiating Documents**  
[4:06-cv-00059 mouse v. duck](#)

**U.S. District Court**  
**Eastern District of North Carolina**

Notice of Electronic Filing

The following transaction was received from attorney1, entered on 1/27/2006 at 5:34 PM EST and filed on 1/27/2006

**Case Name:** mouse v. duck  
**Case Number:** [4:06-cv-59](#)  
**Filer:** minnie mouse  
**Document Number:** [1](#)

**Docket Text:**  
 COMPLAINT against Huey duck ( Filing fee \$ 250 receipt number 123456.), filed by minnie mouse. (attorney1, )

The following document(s) are associated with this transaction:

**Document description:**Main Document  
**Original filename:**n/a  
**Electronic document Stamp:**  
 [STAMP dcecfStamp\_ID=1114528487 [Date=1/27/2006] [FileNumber=61641-0]  
 [4d8f21942dbddcb1d57417e6126b3647a5c5afd371cd3b5e3436cf789833689d8779c  
 b15baf934164721b4cba1e4093648b9e6df6063e5b9ec38e8dbdd548c36]]

**4:06-cv-59 Notice will be electronically mailed to:**

This is the Notice of Electronic Filing (NEF) that you will receive when you complete the filing of your initiating document.

Congratulations, you have just opened your own civil case!