United States District Court

Southern District

Of

New York

CM/ECF Electronic New Civil Case Opening Manual

Step-by-Step Instructions for Attorneys on How to Electronically Open and File a New Civil Case

May 2016

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I. General Information

A. Who May File

Effective April 2015, attorneys may electronically open and file civil cases in CM/ECF if the following conditions are met:

(1) The attorney has a valid CM/ECF login and password issued by the Southern District of New York.

(2) One of the following is true:

- All filing fees will be paid online with a credit card through pay.gov; or

- No filing fee is required (i.e., cases filed by the U.S. government or exempted by statute or I.F.P.).

(3) The attorney is a member of the SDNY bar or is filing a pro hac vice motion at the time of case opening.

(4) No motion for a temporary restraining order or order to show cause accompanies the initiating document.

(5) The case is not being filed under seal.

B. Attorney Checklist

Before opening a new civil case:

- Read and become familiar with all instructions in this CM/ECF Electronic New Civil Case Opening Manual (the "Manual").

- Prepare the following documents to file and convert to PDF-A format:

    - Initiating Document (i.e., Complaint, Notice of Removal, Petition)

    - **SDNY** Civil Cover Sheet found at:

      http://nysd.uscourts.gov/file/forms/civil-cover-sheet

      Descriptions of Nature of Suit Codes found at:

      http://nysd.uscourts.gov/file/forms/civil-nature-of-suit-code-descriptions

    - Fillable Summonses (as applicable) found at:
      http://nysd.uscourts.gov/file/forms/civil-case-summons

    - If applicable, a 7.1 Corporate Disclosure Statement

- If applicable, a Pro Hac Vice Motion

- If applicable, a Related Case Statement found at:

   http://nysd.uscourts.gov/file/forms/related-case-statement

   During the case opening process you will receive your case number and add your case number to these documents.

o Have your credit card available for the payment of filing fees.

C. Overview of Opening a New Case

The electronic case-opening process consists of two steps. You must complete BOTH STEPS:

(1)   Open the case by providing sufficient information about the case for CM/ECF to create a docket; AND

(2)   File your case-initiating document. If you complete step (1) but do not complete step (2), your case will be closed. Detailed instructions for each of these steps are included in this Manual.

To successfully open a case electronically:

o Complete the entire process as instructed in this Manual.

o Enter all necessary information on CM/ECF screens.

o Docket the lead event and upload all PDF-A documents.

o Enter all necessary information on the pay.gov screens.

o DO NOT click the back button once you begin the process.

o DO NOT electronically open cases that should be filed under seal, or upload documents that should be filed under seal.

o DO NOT attempt to open the same case twice.

In using CM/ECF to open your case electronically, please understand that CM/ECF was originally optimized for internal court use; allowing attorneys to open cases electronically requires that attorneys be given access to parts of the program not initially set up for use by the public. This means that some drop-down menus may contain choices that will never be applicable to you in opening a case, and that some fields are for internal use only, and should be left blank by you during the case opening process.

D. After Opening a New Civil Case

Certain supporting documents, such as your Civil Cover Sheet, must be filed immediately after

filing your case-initiating document. (See Section III, below, for additional information.) However, do not file any subsequent **motion other than a motion for pro hac vice** until a judge has been assigned to your case.

You will receive a case number during the case opening process, but a judge will not be assigned to your case until court staff performed a quality control review of your case-initiating documents. This process should be completed within 1-2 business days of case-opening. You will receive a Notice of Electronic   Filing through CM/ECF when a Notice of Judge Assignment is filed in your case.

II.   Instructions for Opening a New Civil Case

A. Getting Started

Log in to CM/ECF

Click **[Civil]** on the blue menu bar at the top of the CM/ECF screen.

Select **[Open a Civil Case (Attorney)]** under the *Open a Case* category.

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Note: Before proceeding further you must have completed a JS 44 Civil Cover Sheet. You must use the version currently available from the Court's website at

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http://nysd.uscourts.gov/file/forms/civil-cover-sheet). Information from the Civil Cover Sheet is required during the electronic case opening process, and other versions of the Civil Cover Sheet will not provide you with all the information you need to open your case electronically.
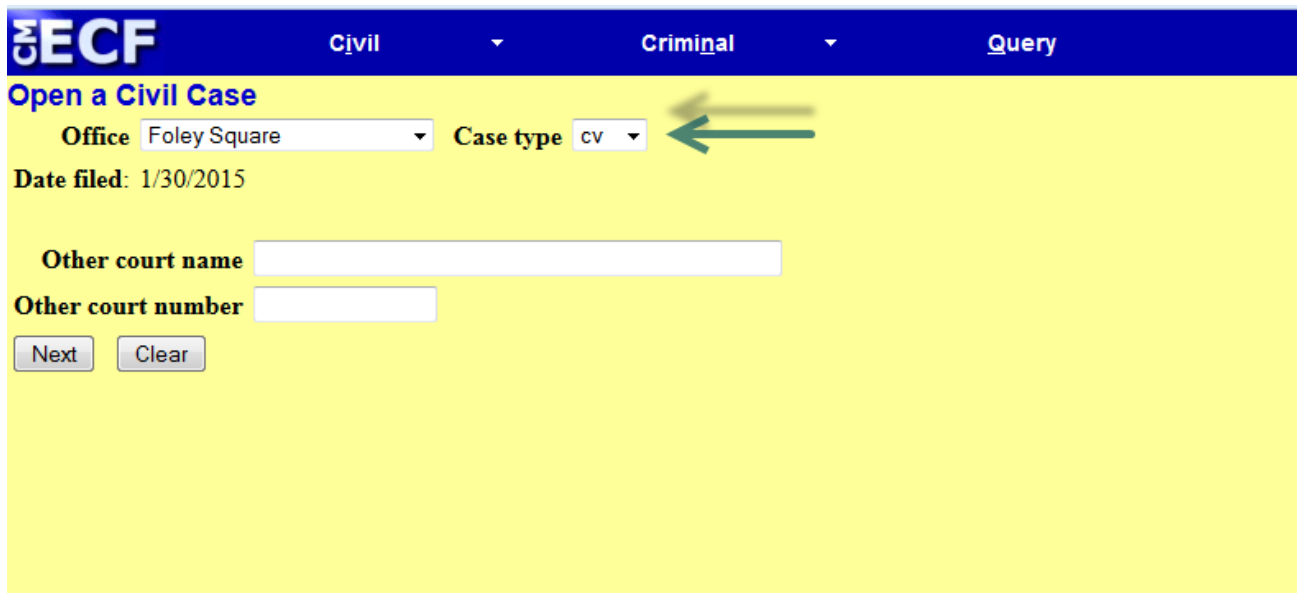
The Civil Cover Sheet must also be electronically filed using the Civil Coversheet Event after opening your civil case.

On the "Welcome" screen, click "Next".

The page you see will provide a synopsis of the case opening process. Please read and click "Next".

B. Selecting the Divisional Office and Case Type

On the next screen, you will be prompted to select from drop-down menus for "office" and "case type". Please review the Court's Local Rules. See the Rules for the Division of Business Among District Judges, Rule 18 Designation of White Plains Cases.

For "**Case type**" select "cv" to indicate that you are opening a civil case. There are other options in the "Case type" drop-down menu, but DO NOT use them – only civil cases may be

electronically opened by attorneys at the present time.

The **"Date filed"** is automatically displayed on the screen and cannot be modified.

Leave "**Other court name"** and "**Other court number**" blank (this information will be added by court staff during the quality control review).

The "**Office**" drop-down menu provides choices to past and present divisions of the Southern District.

- Foley Square, Office 1
- White Plains, Office 2

[DO NOT select Suspense]

The appropriate division for your case is determined by the Rules for the Division of Business Among District Judges. (Rules 18 and 21). You may find the Local Rules at http://nysd.uscourts.gov/rules/rules.pdf. You may not choose a division based on your personal preference; you must select the division based on your answers on Page 2 of the Civil Cover Sheet. Select either Manhattan or White Plains. (If you select the incorrect office during filing, it will be corrected during the quality control review and assigned to the correct division.

Once you have made your selections for "**Office**" and "**Case Type**"; click "Next".

C. Providing Statistical Information

The following screen collects statistical data about your case. Please read the instructions below carefully. The information required to complete this screen should be found either on your completed Civil Cover Sheet (4/2014) or in the complaint.

Complete the fields on the statistical screen as detailed below, then click "Next":

1. **Jurisdiction:** A drop-down menu is provided. You should choose the option that best reflects your basis for invoking federal court jurisdiction. Your choice here should match your selection in Section II of the Civil Cover Sheet. However, note that there are five options in the onscreen drop-down menu:

- U.S. Government Plaintiff
- U.S. Government Defendant
- Federal Question

- Diversity
- Local Question

Only the first four of these options should be considered. Do not use the "local question" option; this is not a valid basis for asserting federal jurisdiction. The system default is "Federal Question"; please remember to choose another selection if this is not accurate.

2. **Cause of Action:** Select the appropriate code from the drop-down list. If you have more than one cause of action, enter the first one only; your selection must match the civil statute number you entered in Basis of Jurisdiction Section of the Civil Cover Sheet. It is not necessary to enter any information in the **"filter"** field, though you may find this field helpful in narrowing the choices in the drop-down menu; for instance, if the appropriate choice is 28 U.S.C. § 1391, you may type "1391" in the filter field rather than scrolling through all the choices in the drop-down list.

3. **Nature of Suit:** Select the appropriate code from the drop-down list. Your selection must match the nature of suit you checked in the Nature of Suit Section of the Civil Cover Sheet. You may also type this code into the "**filter**" field to quickly locate the correct choice in the drop-down menu. If you do not know which Nature of Suit Code to use, go to our website, then click on forms, search for the form titled: Civil Nature of Suit Code Descriptions, this will provide you a description for each NOS.

4. **Origin:** Though there are several options provided in the drop-down menu, you may select only "1 (Original Proceeding)" or "2 (Removal from State Court)". All other

   options are for COURT USE ONLY. Select "1 (Original Proceeding)" when filing a Complaint or Petition. Select "2 (Removal from State Court) when filing a Notice of Removal or Petition of Removal. Your selection must match the option you checked in Origin Section of the Civil Cover Sheet.

5. **Citizenship plaintiff/Citizenship defendant:** Complete these fields only if you selected "4 (Diversity)" in the "Jurisdiction" field. Your selections must match the options you checked in Citizenship of Principal Parties Section of the Civil Cover Sheet. On both the Civil Cover Sheet and online, you should make your choices based on the citizenship of the **first-named plaintiff** and **first-named defendant**.

6. **Jury Demand:** Select the appropriate code from the drop-down menu. Note that marking the field is equivalent to marking the Civil Cover Sheet **and is not sufficient in itself to constitute a demand for a jury trial pursuant to Fed. R. Civ. P. 38.** As your choice should be based on the state of the record at the time of filing, it is unlikely that you will pick "b" or "d" at the time of electronically filing a complaint:

   - *n(None):* no party has yet requested a jury trial
   - *b(Both):* both plaintiff and defendant have requested a jury trial
   - *d(Defendant):* defendant has requested a jury trial and plaintiff has not
   - *p(Plaintiff):* plaintiff has requested a jury trial and defendant has not

7. **Class Action Under Fed. R. Civ. P. 23:** Select the appropriate code from the drop-down menu. Your selection must match your response to the statement "Check if this is a class action under F.R.C.P. 23" on the Civil Cover Sheet. Please note: If you are filing a FLSA collective action, answer no.

   - n (no Class Action Alleged)
   - y (Class Action Alleged)

8. **Demand ($000):** Enter the dollar amount to the nearest thousand with no punctuation. That is, if the complaint asserts damages in the amount of $75,000, enter "75"; if the complaint asserts damages in the amount of $5,000,000 enter "5000"; if the complaint alleges more than $10,000,000 enter "9999". The smallest amount which can be entered is "1" (for $1,000.00). Round up or down as needed to the

nearest thousand (e.g., $750.00 = 1; $1,498.56 = 1; $25,501.99 = 26). If no specific dollar amount is demanded in the complaint, leave this field blank.

9. **Arbitration Code:** Leave this field blank.

10. **County:** The drop-down menu for "County" lists every county in New York State as well as choices for "XX US, Outside home state" and "XX Outside US". In most cases, you should make your choice based on the residence of the first-named plaintiff. Where the United States is a plaintiff, make your selection based on the residence of the first-named defendant; or, in land condemnation cases, the county where the property at issue is located.

11. **Fee Status:** There are seven choices in this drop-down menu. However, only four of them will be used by attorneys during the electronic case-opening process. If you plan to pay filing fees online with a credit card through pay.gov at the time of filing, select "pd (Fee Paid)"; if you are filing an action on behalf of the United States, select "none (no fee required)"; if you are filing an action in which the fee is waived by statute, select "wv (Fee Waived)"; if you are filing a motion to proceed informa pauperis, select "IFP Pending".
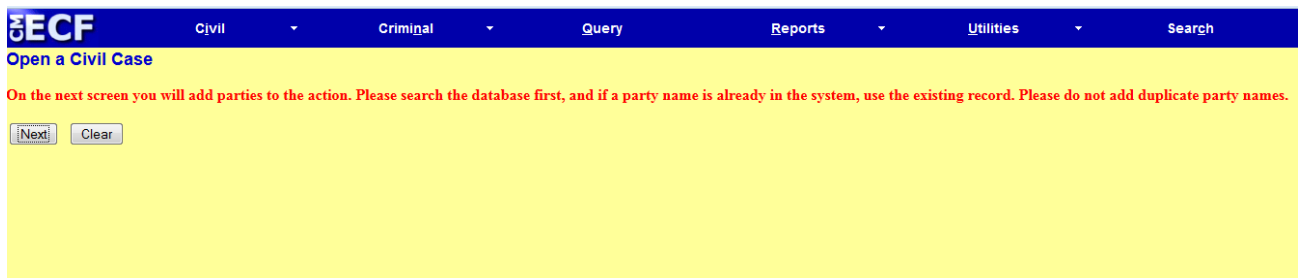
12. **Fee Date:** System generated. Do not modify.

13. **Date Transfer:** Leave this field blank.

Once all the required information is correctly selected, click "Next".

D. Adding Parties

On the screen you will see displayed an alert regarding the next step in the process, during which you will add parties in the case to the docket, and provide basic information about those parties

Review the information and hit "Next".

1. **Party Name:** You will be asked to enter the name of each party named in the case -

initiating document. This process will create the online docket for your case.

Add parties in the order in which they appear in the caption of the case-initiating document. Use upper and lower case letters to input names (i.e., "Jane Doe" or "XYZ Corporation"). DO NOT USE ALL CAPS. For additional instructions regarding the proper entry of party names please refer to the Appendix to this manual entitled "Instructions for Searching and Adding Parties for Attorney Civil Case Opening".

The first step in adding a party is to run a search to see if that party is already in the Court's CM/ECF database. Large corporations, especially, may have been involved in prior litigation in the Southern District of New York, which means that their information will already have been added to the system. Please do not create a duplicate database entry for a person or company with an existing record in the database.

Look for the "Search for a party" option in the right pane of the screen shown below. Type the party's last name – or if a business, the business name - in the "Last/Business Name" field. Complete the "First Name" and "Middle Name" fields, as applicable, and click "Search".

Search results will then be displayed. If one of the names displayed in the "Search Results" box matches the party in your case, click on the party name to highlight it, and then click "Select Party". If no match is found, click "Create New Party".

2. **Party Information:** Whether or not you found a match for your party in the database, you will next see a screen with numerous fields for the entry of information about the person or entity you have identified as a party in your case. Please note that, unless you know that the party you are entering is appearing *pro se,* most of these fields should be left blank: **change only the "Role" field, and if applicable, the "Party text" and "Corporation" fields.**

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Important Note: Do not enter a party's address or contact information (unless you know for sure that the party is appearing *pro se)*, and do not change the "Start date", or modify the "Notice" option. If you do, the data will be corrected during the quality control review.

Role: Select the correct party "Role". Note that this field defaults to "ADR".

Pro Se: If a party is appearing pro se in your case, please change the drop down from "No" to "Yes" and add the pro se litigant's address information on this screen.

Party Text: Enter any descriptive "Party text" information appearing in the caption of the case-initiating document (i.e. "individually", a "New York corporation" etc.). Add "1 through 10, inclusive" in the "Party text" field for Doe defendants, if applicable. **Note**: Do not enter any alias, corporate parent, or other affiliate information in this field (see the "Editing Party Information" section below for information about adding alias, corporate parent, or other affiliate information).

After completing the few required fields on the screen shown above, click the "Add Party" button.

A new search screen will be displayed, (see screen below), from which the user can search for and add additional parties. Repeat the above process until ALL parties in your case have been

entered.

E. Editing Party Information

After searching for, selecting, and adding all parties, the parties' names will appear in the left pane, in the "participant tree" (see screen below). Parties added to civil cases will have control icons in the participant tree so the user can add aliases, corporate parents, etc., for the party during the case-opening process.

From this screen, the user can:

- Add an **alias** or **corporate parent** by clicking on the corresponding "add" icon;

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

- **Delete** the party by clicking the red "delete" icon; or

- **Add** a new party by clicking on the "Add New Party" button at the top left of the screen.

F. Creating the Case

After all parties have been entered, the correct roles assigned, and any necessary aliases or corporate parents/affiliates added, click "Create Case" (as shown on screen below).

A pop-up window will appear. Click "Yes" to proceed with the case opening only if all parties have been added. Click "No" to return to the party screen.
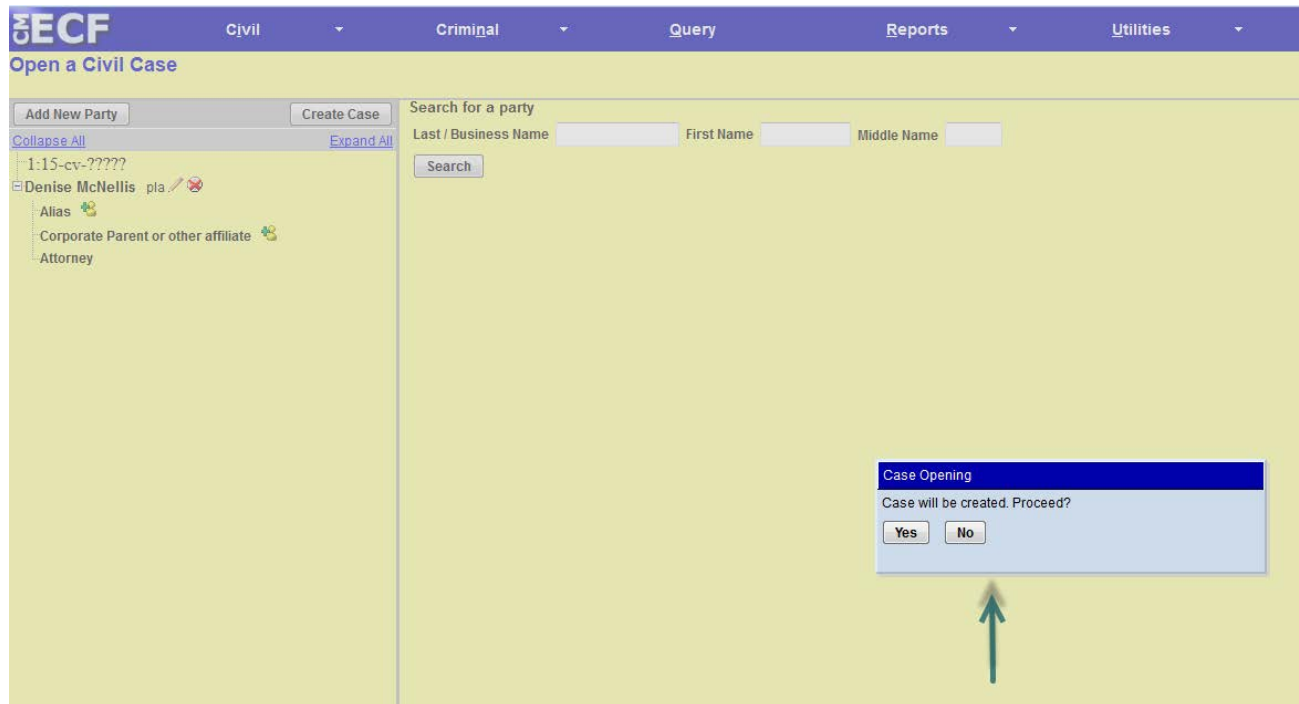
The new case number you are given on this screen must be entered on all documents filed with the Court in this case. Remember to format the case number correctly. You will need to add the case type ("CV").

On documents filed after a judge has been assigned to your case, the case number must include the judge's initials.

G. Docketing the Lead Event

You must now file and docket the case-initiating document or "lead event" to complete the opening of the new case. Otherwise, the case you just opened will be closed. See Section III below for instructions on how to file and docket case-initiating documents.

III. INSTRUCTIONS FOR E-FILING THE CASE-INITIATING DOCUMENT

A. Docketing the Lead Event

Now that you have opened the new civil case, you **must file and docket the case-initiating document or "lead event". You should proceed directly to this step after opening the case** by clicking DOCKET LEAD EVENT on the screen, this will take you to the "Complaints and Other Initiating Documents" screen.

B. Selecting the Lead Event

On the next screen you will see a list of available events. Select the appropriate lead event (e.g. Complaint, Petition, Notice of Removal) and click **[Next].** (For the full list of lead events refer to the table of available events for each case type in the Available Case Types section).

C. Case Number

The case number assigned will be displayed.

Click **[Next]** on this screen. Do not alter any information or click the [Clear] button**.**

D. Selecting the Filer(s)

Select the filer by clicking on the party's name. To select multiple filers, hold the [Ctrl] key on your keyboard down and highlight all applicable filers.
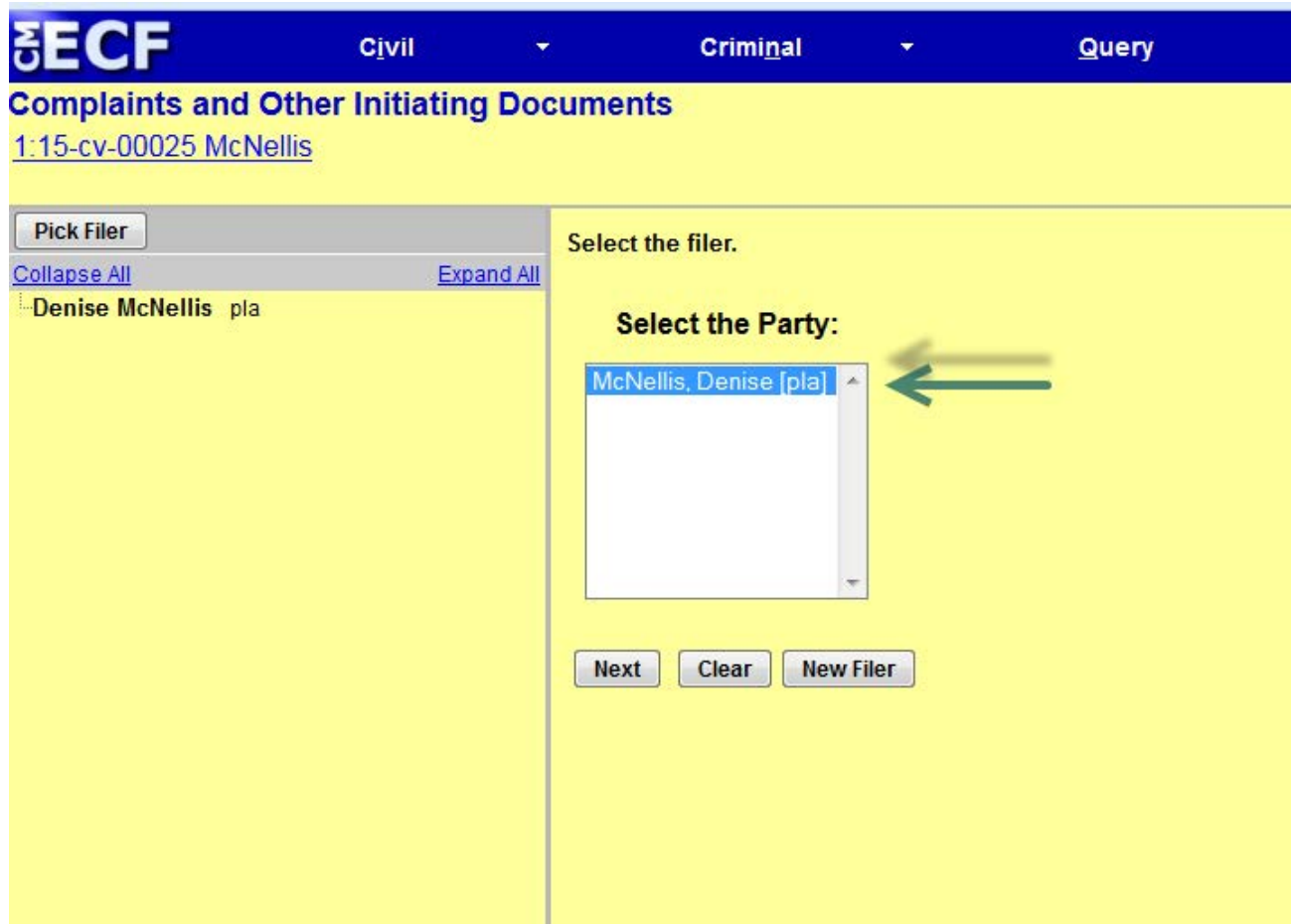
After all the filing parties are highlighted, click **[Next]** to proceed.
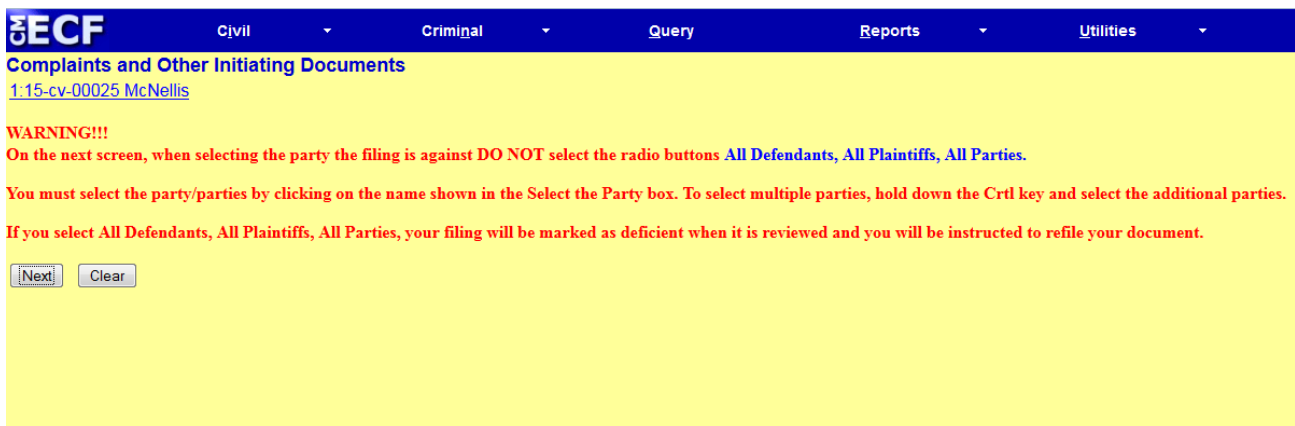
E. Associating the Filing Attorney with the Filing Party
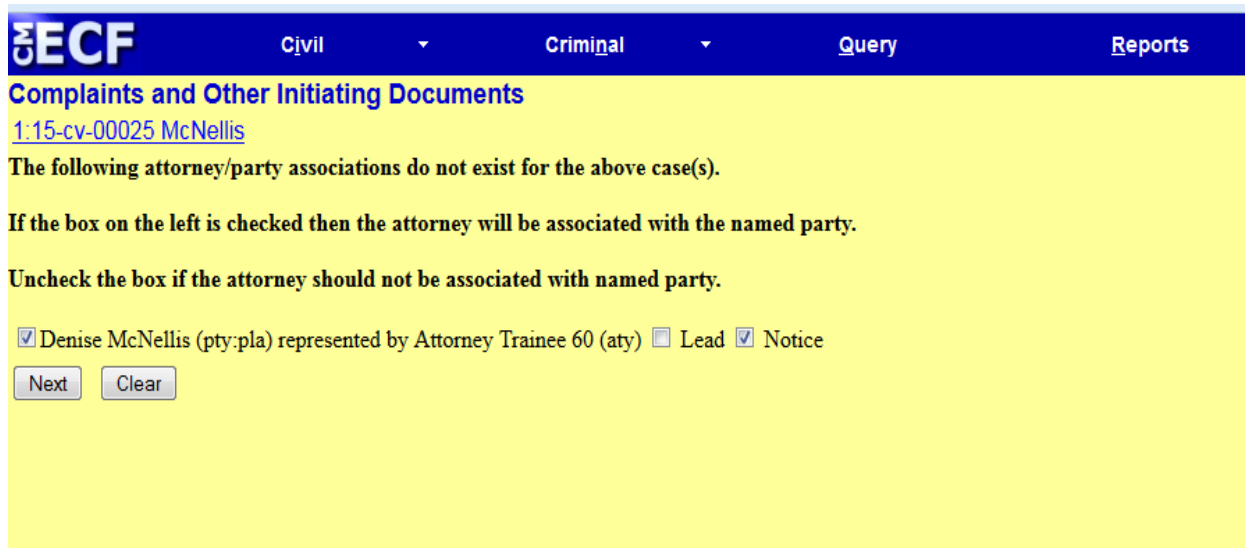
Once you have identified the party filing the case-initiating document, you must identify the attorney who represents that party. However, your options are limited. At case opening, the system

allows only the attorney whose CM/ECF login and password are being used to file the case-initiating document to be associated with the case. Once the case-initiating document is filed, additional attorneys who wish to appear on the docket as counsel of record may file a "Notice of Appearance" after the judge assignment has been completed by the Clerk's Office.

The filing attorney, however, must be associated with the case as counsel of record when the case-initiating document is filed. After selecting the filing party on the screen (shown on the screen above), the next screen (shown on the screen on the next page) will display a warning that "the following attorney/party associations do not exist". The box on the left-hand side of the page

must be checked for each party the filing attorney represents. If that attorney is lead counsel and wants to be identified as lead counsel on the docket sheet, click the "Lead" box to the right. The "Notice" box on the right should be pre-populated with a checkmark – **DO NOT UNCHECK THIS BOX.** When all necessary boxes are checked, click "Next".

F. Selecting Party(s) That the Filing is Against

On the next screen, select the party that the filing is against by clicking on the party's name. To select multiple party names, hold the [Ctrl] key on your keyboard down and highlight all applicable names under the *"Select the Party"*.
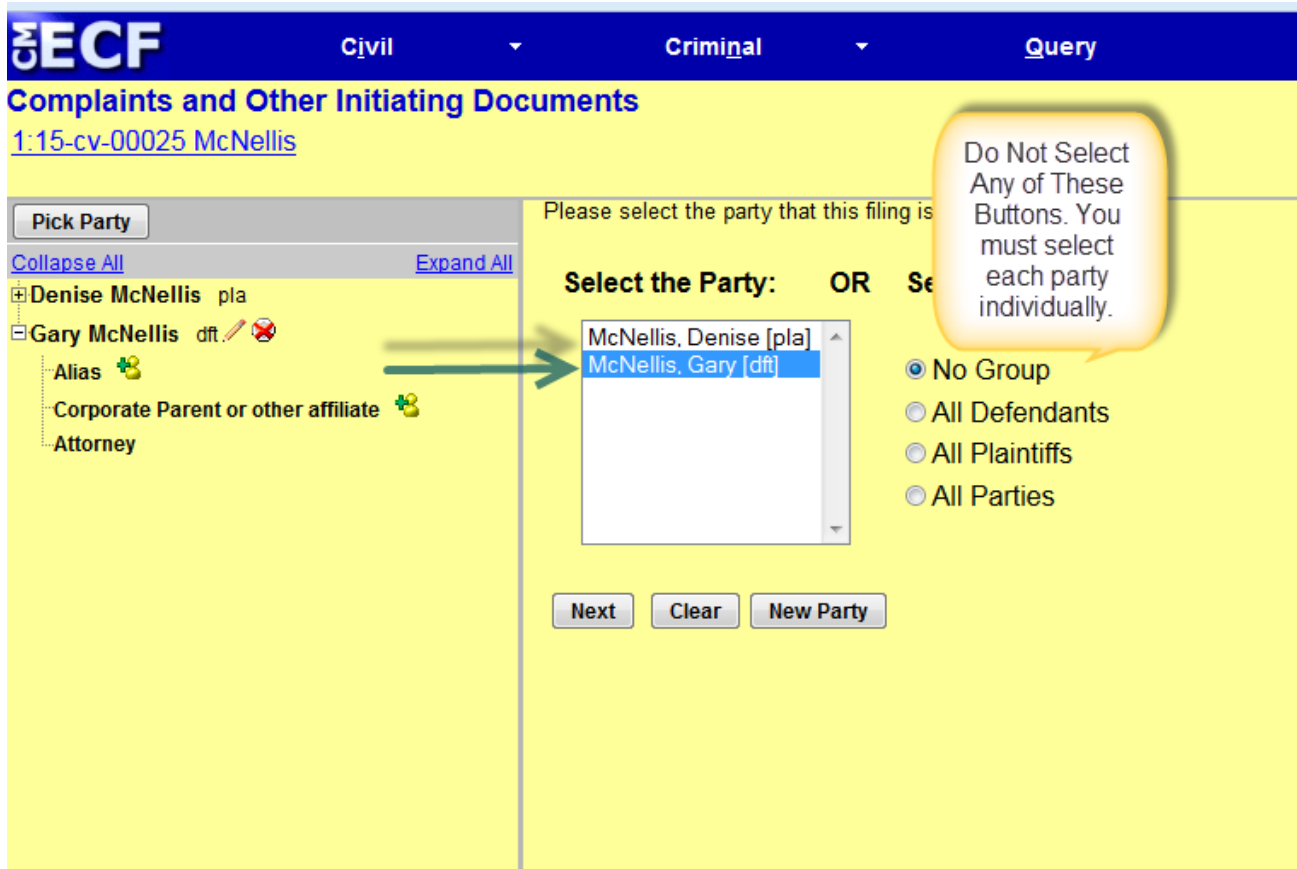
After all the parties that the filing is against are highlighted, click "Next".

G. Uploading PDF Documents

The general process for uploading documents will be the same regardless of the type of lead event you selected. Before proceeding, remember to add your new case number to the caption of all documents you intend to file, and make sure that each document is saved as a PDF-A file. (Either open your document using word processing software, add the case number, and then save the document as a PDF-A file, or use the "edit document text" or similar function of Adobe Acrobat to edit a previously created PDF-A file).

In brief, upload:

      (1)   the Complaint/Notice of Removal/Petition as your "Main Document;

Attachment # 2 - Warrants of Arrest In Rem – when main document is

Complaint or Petition.

Attachment #2 – Exhibits when main document is a Notice of Removal.

(2) *Attachment #3* – Exhibit(s)

Main Document: Under "Main Document", click "Browse"; you will be able to select the PDF version of your Complaint/Petition/Notice of Removal from wherever it is stored on your c o m p u t e r .

Attachment #1: Use the remaining lines for additional attachments (e.g., exhibits, state court records) by clicking "browse" to upload the document. Then select the appropriate description under the category drop-down menu.

After you have attached all necessary documents, click "Next".

H. Filing Fee, IFP Motion Screen

On the next screen, you will be asked to indicate whether you are paying the filing fee. Remember, unless no fee is due, **you must pay the fee online by credit card**.
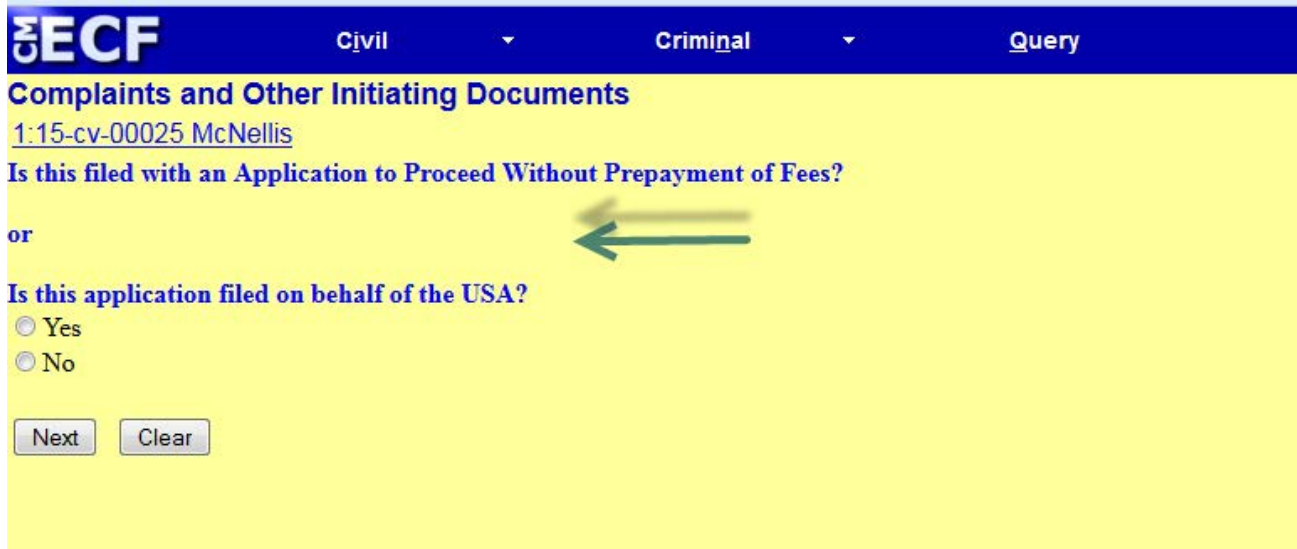
On the following screen the fee will display in accordance with the lead event selected.

If the filing included a Motion to Proceed In Forma Pauperis (IFP), change the radio button to Yes.

If the filing is being filed on behalf of the USA, change the radio button to **Yes.**

Once you have answered the questions, click "Next".

If you answer **NO**, you will be directed to the pay.gov screen, and see the following screens, which will allow you to pay the fee online with a credit card.

Online Payment   Return to your originating application

Step 1: Enter Payment Information   1 | 2

Pay Via Plastic Card (PC) (ex: American Express, Discover, Mastercard, VISA)

Required fields are indicated with a red asterisk *

Account Holder Name: Attorney Trainee 60 *

Payment Amount: $1.00

Billing Address: 500 Park Avenue *

Billing Address 2:

City: New York

State / Province: New York - NY

Zip / Postal Code: 10010

Country: United States *

Card Type: Visa *   VISA MasterCard AMEX DISCOVER

Card Number: 4111111111111111 * (Card number value should not contain spaces or dashes)

Security Code: 123 * Help finding your security code

Expiration Date: 06 ▾ * / 2017 ▾ *

Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.

[Continue with Plastic Card Payment] [Cancel]

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.

Online Payment   Return to your originating application

Step 2: Authorize Payment   1 | 2

Payment Summary   Edit this information

Address Information	Account Information	Payment Information
Account Holder Name: Attorney Trainee 60	**Card Type:** Visa	**Payment Amount:** $1.00
Billing Address: 500 Park Avenue	**Card Number:** ************1111	**Transaction Date and Time:** 02/05/2015 09:25 EST
Billing Address 2:		
City: New York		
State / Province: NY		
Zip / Postal Code: 10010		
Country: USA		

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.

[Submit Payment] [Cancel]

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.

Remember: DO NOT USE YOUR BROWSER'S BACK BUTTON

After you have hit the 'submit payment" button, you will be redirected back to ECF to complete your filing. If you do not complete the filing, you will have to refile your initiating document, pay the filing fee again and then seek a refund. See 13 Misc (LAP) regarding the return of fees paid in pay.gov.

I.   Docket Text Modification Screen

This screen will allow a generous amount of text to further describe your entry.

Complaints and Other Initiating Documents
1:15-cv-00037 Hogan v. Hamlet of Kings Park

Docket Text: Final Text
COMPLAINT against Hamlet of Kings Park. (Filing Fee $ 1.00, Receipt Number 1111-442830)Document filed by Keri Anne Hogan.(Attorney Trainee 60,)

Enter the appropriate text in the manner it should appear in the final docket text. *(Note: CM/ECF does not have spell check).* Therefore, you should review all docket text for spelling errors.

Click "Next" to proceed.

J.   Final Docket Text Screen

The final docket text will be displayed with all attachment descriptions. Click "Next" to proceed.

Complaints and Other Initiating Documents
1:15-cv-00037 Hogan v. Hamlet of Kings Park

Docket Text: Final Text
COMPLAINT against Hamlet of Kings Park. (Filing Fee $ 1.00, Receipt Number 1111-442830)Document filed by Keri Anne Hogan.(Attorney Trainee 60,)

**Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.
Have you redacted?**

K. Notice of Electronic Filing (NEF)

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

L.   Judge Assignment

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

M. Requesting a Summons

If counsel needs a summons or summonses to be issued, please review the captivate at

http://nysd.uscourts.gov/ecf/training/captivate/Summons_Process and follow the instructions

on how to request (docket) a summons.

N. Issuance of Summons (es)

Any request for summons (es), docketed after the case initiating document has been filed, will

be issued and entered on the docket. Upon receipt of the NEF, the filer may print the official summon(es) for service.

O. Subsequent Filings

All subsequent filings may be submitted upon receipt of the Judge assignment notification.

P. 7.1 Corporate Disclosure Statement

If you are filing on behalf of a corporation, you must file your Local Rule 7.1 Statement after you open your civil case and docket your case initiating document. For more information about filing a Local Rule 7.1 Statement,

please review the captivate demonstration at

http://nysd.uscourts.gov/ecf/training/captivate/Rule_7-1_Corporate_Disclosure_Statement

Q. Pro Hac Vice Motions

If you are not admitted to the S.D.N.Y., you must file a motion for Pro Hac Vice after you open

your civil case and docket your case initiating document. Visit

http://nysd.uscourts.gov/pro_hac.php to

find instructions regarding the filing of a pro hac vice motion.

R. Related Cases

When you file a related case, you must complete the related case section on the civil cover sheet

and complete a Related Case Statement. The Related Case Statement Form can be found at

http://nysd.uscourts.gov/file/forms/related-case-statement. After you have opened your civil case

and docketed your case initiating document, you must docket the related case statement in ECF.

S. Social Security Complaints

When you electronically file your social security complaint, do not redact the plaintiff's last four

digits of their social security number in your document because the CM/ECF System will restrict

your filing to case participants (only) if the PDF-A of your complaint is added during the case opening process, if the PDF-A of your complaint is added after, the restriction must be manually

1

set otherwise anyone in the courthouse at a public terminal can see the information. The Social

Security Administration will need the SSN to locate your client's records in order to prepare the

electronic social security administrative record.

APPENDIX

<u>Instructions for Searching and Adding Parties for Attorney Civil Case Opening</u>

A critical part of case opening is the entry of party names. It is important that parties are entered correctly because it not only impacts your case, but the general records of the court. Please take a moment of your time to review the following guidelines.

I. <u>BEFORE YOU START</u>:

Some important things to know:

1. Use only initial capitals - **do not use All Caps**.
2. Party names must be entered in the case in the order they appear in the caption of complaint.
3. Party names added to the case should match the caption of the complaint exactly.
4. **All parties** (no matter how numerous) must be added to the case.
5. Names of companies, organizations, government agencies, etc. are entered in the Last Name field only.
6. You may find additional help by viewing our SDNY Party Name Data Conventions Manual on our website at http://nysd.uscourts.gov/docs/ecf_training/00%20SDNY%20Party%20Name%20Data%20Conventions%20for%20CM%20ECF%20Manual.pdf

II. <u>SEARCHING FOR A PARTY</u>:

You must first search to see if a party is already in the ECF database. Please use the following search hints.

For a person, enter the last name in the "Last Name" field and the first name in the "First Name" field and click Search. You may get possible matches. If one of the selections matches the party in the complaint exactly, then click on it and then click on "Select Party". If there are no search results or none of the results match exactly the party name, then click "Create New Party". **For a corporation, organization or government agency**, enter the party name in the "Last Name" field and click "Search". If there are possible matches and one of the selections matches the party in the complaint exactly, then click on it and then click on "Select Party". If there are no search results or none of the results match exactly the party name in the complaint, then click "Create New Party".

Remember:

Scroll through all search results and select one that exactly matches the name in the complaint.

If the exact same party name appears multiple times in your search results, select the **first** match from the list of duplicates.

Role and Party Text:

After you have chosen either "Select Party" or "Create New Party", you will see the "Party Information Screen".

You must select the appropriate role for the party from the drop down menu. **Please note that Role will default to ADR, so please be sure to select the proper role.**

The "Party Text" field is used for descriptive language. One example would be: *in her official and individual capacity.* Only add party text if it appears in the caption of your complaint.

III.   SOME HELPFUL EXAMPLES

John and Jane Does:

When entering John Does and Jane Does as party, be sure to follow the complaint exactly.

For example:

>   Name in Complaint Caption: John Doe
>   Last Name: Doe
>   First Name: John
>   Middle Name: (blank)
>
>   Name in Complaint Caption: John and Jane Doe
>   Last Name: Doe
>   First Name: John and Jane
>   Middle Name: (blank)
>
>   Name in Complaint Caption: John Doe #1
>   Last Name: Doe #1
>   First Name: John
>   Middle Name: (blank)
>
>   Name in Complaint Caption: John Does Nos. 1 to 10
>   Last Name: Does
>   First Name: John
>   Middle Name; (blank)
>   Party Text: Nos. 1 to 10

Real Property:

When entering real property, enter the address or property description in the Last Name field as it appears on the complaint.

For example:

Name in Complaint Caption: 125 Main St., Brooklyn, NY 11201
Last Name: 125 Main St., Brooklyn, NY 11201

Vessels:

Enter the vessel name/description in the Last Name field and any additional information in Party Text.

For example:

Name in Complaint Caption: M/V The Sea Ranch VI, having Official No. 1234
Last Name: M/V The Sea Ranch VI
Party Text: *having Official No. 1234*

Minors:

For privacy purposes (*see* Fed. R. Civ. P. 5.2) minor's name should not appear in the complaint. Rather, the minor's initials should be used. When adding the minor as a party, add the initials in capital letters in the Last Name field, separated by periods, but not spaces.

For example:

Name in Complaint Caption: M.G., a minor
Last Name: M.G.
Party Text: *a minor*

Name in Complaint Caption: M.G., a minor by her parent and natural guardian Shirley Gaines
Last Name: M.G.
Party Text: a minor by her parent and natural guardian Shirley Gaines

Name In Complaint Caption: Shirley Gaines, as parent and natural guardian of M.G., a minor
Last Name: Gaines
First Name: Shirley
Party Text: as parent and natural guardian of M.G., a minor

Titles:

Titles should not be entered into either the Last Name field or the First Name field. Rather, they are entered in the Title field on the Party Information Page.

For example:

>Name in Complaint Caption: P.O. John Smith
>>Last Name: Smith
>>First Name: John
>>Title: P.O.

>Name in Complaint Caption: Governor Richard Jones
>>Last Name: Jones
>>First Name: Richard
>>Title: Governor

Suffixes:

Suffixes should be entered in "Party Text".

For example:

>Name in Complaint Caption: Michael Smith, M.D.
>>Last Name: Smith
>>First Name: Michael
>>Party Text: M.D.

Unions and Trustees as Parties:

If the plaintiffs are a combination of Union and Trustees, enter the first named plaintiff, which should be the Union, in the Last Name field. (Many unions already exist as parties in ECF so be sure to conduct a thorough search) Enter the remained of the plaintiffs/trustees in Party Text.

For example:

>Name in Complaint Caption: International Brotherhood of Painters Pension and Benefit Fund by James Smyth, Mary Jones, and Richard Lyons as Trustees
>>Last Name: International Brotherhood of Painters Pension and Benefit Fund
>>Party Text: by James Smyth, Mary Jones, and Richard Lyons as Trustees

If the union is not named, enter the individual parties using the Last Name, First Name and

Middle Name field, adding any descriptive language as Party Text to the last name party.

For example:

Names in Complaint Caption: James Smyth, Mary Jones, and Richard Lyons as

Trustees of Local 123 Welfare, Pension, Annuity and Job Training Trust Funds.

Last Name: Smyth
First Name: James

Last Name: Jones
First Name: Mary

Last Name: Lyons
First Name: Richard
Party Text: as Trustees of Local 123 Welfare, Pension, Annuity and Job
　　　　　Training Trust Funds

Cities, Counties, and States:

Enter a city, county or state in the Last Name field as it appears on the complaint. Many cities, counties and state already exist as parties in ECF so be sure to conduct a thorough name search before creating a new party.

For example:

Name in Complaint Caption: State of New York
　　Last Name: State of New York

Name in Complaint Caption: Suffolk County
　　Last Name: Suffolk County

Name in complaint Caption: City of New York
　　Last Name: City of New York

Aliases:

If a party has an alias, enter the name using initial caps and follow the same guidelines as if entering a regular party name. Once the party has been added, click on the Alias icon in the participant tree. You will get a screen that allowing you to search for the alias. Enter the last/Business name and click on search. You may get possible matches. If one of the selections matches the alias, then click on it and then click on "Select Alias". If there are no search results or none of the results match exactly the party name, then click "Create New Alias". After either selecting or creating the alias you will get an "Alias Information Screen". On this screen you should select the type of alias from the "Type" drop down menu. The menu options are:

agent　= agent
aka　　= also known as
dba　　= doing business as
exrel　= on behalf of

fdba   = formerly doing business as
fka   = formerly known as
nee   = born
obo   = on behalf of
other = other
rpi   = real party in interest
ta   = trading as

For example:

Name in Complaint Caption: Michael Jones, also known as "Mikey Fingers"
    Last Name: Jones
    First Name: Michael
    Alias Last/Business Name : Mikey Fingers
    Alias Type: aka

Name in Complaint Caption: Joan Watson, doing business as Watson Investigations
    Last Name: Watson
    First Name: Joan
    Alias Last/Business Name: Watson Investigations

Multiple Names:

If a party has multiple names add the extra names in the Middle Name field.

For example:

Name in Complaint Caption: John Michael Roosevelt Smith

    Last Name: Smith
    Middle Name: Michael Roosevelt
    First Name: John

(Dated: 5/4/2016)