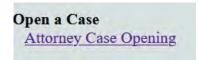
Electronic civil case opening is a two-part process: 1) enter the case data, and 2) file the initiating documents. This guide describes the procedures for opening a new civil case in CM/ECF in the U.S. District Court, District of Wyoming. For assistance during electronic civil case opening or other filing matters, please contact the CM/ECF Help Desk at 307-433-2120 or 307-232-2620.

PART I: ENTER the CASE DATA

 After logging into CM/ECF with the filing attorney's CM/ECF account, select Civil from the menu bar at the top of the ECF screen.

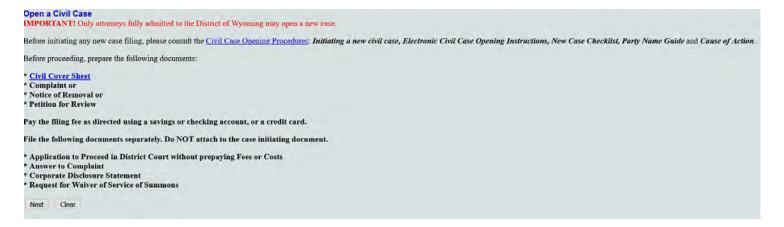


2. Click Attorney Case Opening under Open a Case!

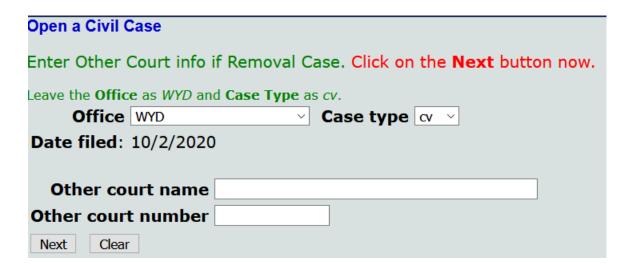


3. A window will appear with important instructions on the case opening process. Reviewthis information, and then click **Next**.

Please note: only attorneys fully admitted to the District of Wyoming may open a new case.



4. If this is a removal case enter the Other Court information. Leave office as WYD and Case Type as CV. Click **Next**.



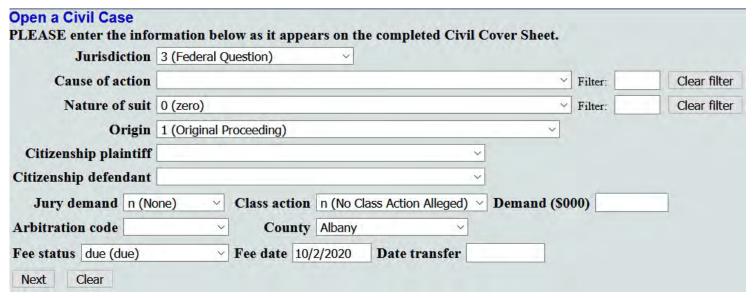
5. Enter the Case Data:

The Case Data Screen may be completed using the information provided on the Civil Cover Sheet. The Civil Cover Sheet (JS44) is available in fillable form on the court's website at https://www.wyd.uscourts.gov/forms/civil-cover-sheet-js044. A completed Civil Cover Sheet must be attached in PDF format when filing the case initiating document in PART II of the Electronic Civil Case Opening process.

Selections made on the Case Data Screen are very important. If an error message appears on the screen, double-check the accuracy of the information entered, which must be corrected before case opening may continue.

HELPFUL HINTS

- 1. Please enter the information as it appears on the completed Civil Cover Sheet
- 2. Only when selecting *Diversity* as the basis for the **Jurisdiction**, enter the citizenship of the principal plaintiff and principal defendant in the fields provided.
- 3. Change **Fee Status** to *due* if paying through pay.gov
- 4. Change **Fee Status** to *fp(In Forma Pauperis)* if filing an *Application to Proceed in District Court without Prepaying Fees or Costs.*
- 5. Change Fee Status to wv (waived) if filing on behalf of the United States of America.



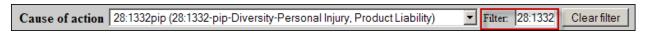
Jurisdiction

Jurisdiction is a term that refers to whether a court has the power to hear a given case. "Federal Question" jurisdiction means that federal courts will hear cases that involve issues regarding the Constitution or other federal laws. "Diversity Jurisdiction" is where the opposing parties are citizens of different states. "Diversity jurisdiction" enables a federal court to hear cases where there is not a federal question. The federal law governing diversity jurisdiction states that a case must have an "amount-in-controversy" of \$75,000 or more before a federal court can hear a case.

Jurisdiction defaults to 3 (Federal Question). The drop down list displays additional options for jurisdiction, including 1 (U.S. Government Plaintiff), 2 (U.S. Government Defendant), 4 (Diversity), 5 (Local Question).

Cause of Action

Available statutes, which are also referred to as Causes of Action, are listed in numerical order. To enter the applicable Cause of Action, click the drop down list and scroll down to find the appropriate selection. Or, use the Filter field by entering a full or partial statute number or text description. CM/ECF will narrow the drop down list to only the items that match the statute number or description entered. If you cannot locate a specific Cause of Action, select a generic statute, e.g. 28:1332 Diversity, 28:1441 Petition for Removal.



Nature of Suit

Nature of suit codes are listed in numerical order. To enter the Nature of Suit, click the drop down list

and scroll down to find the appropriate selection. Or, use the Filter field by entering a full or partial number or text description. CM/ECF will narrow the drop down list to only the items that match the number or description entered.

Nature of suit 367 (Personal Injury: Health Care/Pharmaceutical Personal Injury Produc ▼ Filter: 367 Clear filter

Origin

A Complaint originating in Federal Court is classified under Origin 1 (Original Proceeding). A Notice of Removal is classified under origin code 2 (Removal from State Court). Use the drop down box to select the appropriate origin code for the case.

Citizenship

The citizenship of the parties must be provided <u>only</u> for cases in which <u>Diversity</u> has been selected as the basis for jurisdiction. When filing a diversity case, select the appropriate citizenship statement for the plaintiff and the defendant.

Jury Demand

Jury demand should be selected only if there is a jury demand contained within the case initiating document(s). The jury demand status may be entered by the plaintiff when filing a Complaint or the defendant when filing a Notice of Removal. *N (none)* should be selected if none of the parties have formally demanded a jury trial.

Class Action

If the Complaint alleges a class action, select "y" in the **Class Action** field. To request class certification, a separate motion must be filed after the case has been opened.

Demand

If a monetary demand is included in the Complaint, enter the amount to the nearest thousand dollars. For example, if the demand is \$1,500,000 enter *1500*, without a dollar sign, comma or decimal.

Arbitration Code

Leave this field blank.

<u>County</u>

Click the **County** drop down list to display a list of all counties in the District of Wyoming. From the list, select the county of residence of the first listed plaintiff. If the U.S. Government is the plaintiff, select the county of residence of the first listed defendant or the county the suit originated from.

Fee Status

Unless filing on behalf of a U.S. governmental agency or if filing an *Application to Proceed in District Court without Prepaying Fees or Costs*, the fee status should be set to *due (due)*. If an *Application to Proceed in District Court without Prepaying Fees or Costs* is being filed, *fp (In Forma Pauperis)* should be selected. Attorneys for the United States or agencies of the United States government should select *wv (waived)* as the fee status.

Fee date

Leave this date defaulted. Do NOT modify.

Date Transfer

Leave this field blank. Click Next

6. Enter Party Names

Perhaps the most critical component of electronic civil case opening is the entry of party names. It is important that this be done correctly because it impacts not only the case being filed, but the general records of the court. The **Wyoming Party Name Style Guide** is available on the court's <u>website</u> to provide assistance in adding party names. **IMPORTANT:** Please consult the guide before entering a new party into the court's CM/ECF database. If filing a Notice of Removal, enter the parties from the Complaint. **Do not** enter John Doe parties, these can be added as they are identified and/or the Complaint is amended to reflect these parties

Searching for a Party

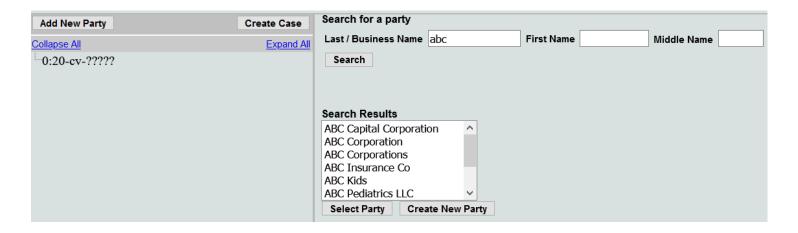
The Party Search screen is divided into two panels. The left panel contains controls to **Add New Party** and **Create Case**. The search fields in the right panel allow users to search the CM/ECF database for party names.

To enter a party name, <u>first</u> search existing names in the CM/ECF database by entering at least two letters of the party's last name in the **Last/Business Name** field. If the party is a business, enter the first two letters of the business name. Omit articles such as A, An, and The. **Please do NOT enter parties in all CAPS.**

Click the Search button to view a list of available party names.

Open a Civil Case HELPFUL HINTS: 1. Please consult the Electronic Case Opening/Party Name Guide BEFORE entering parties. 2. Use the fields below to search for/create party name and select party type role for each party. 3. When finished and all parties appear on the left side of the screen, click the CREATE CASE button to complete case opening. 4. Leave ALL party contact fields blank. Search for a party Create Case Add New Party Last / Business Name First Name Middle Name Collapse All Expand All 0:20-cv-????? Search

As the system searches for a party name match, CM/ECF will display a list of existing party names. Scroll through the list to review the potential party name matches. If the name of the party appears in the list, click on the party name to highlight it, and then click the **Select Party** button. If there are multiple parties with the same name, double click on the party name to determine if there is address information entered. **Do not pick a party with address information.** If the name of the party does not appear in the list, consult the *Creating a New Party* instructions below.



Creating a New Party

If the system does not find a match after performing a party name search; click the **Create New Party** button to create a new party record in the CM/ECF database.

CM/ECF will display the Party Information screen. Although several data entry boxes appear on the Party Information screen, only the following fields should be completed.

Last name;
First name;
Middle name or initial (If applicable);
Generation (If applicable);
Title (If applicable);
Role; (Plaintiff or Defendant) and

Party text (If Applicable)

Note: The **Corporation** field does not need to be modified.

Do **NOT** enter any additional information (address, phone, email, etc.).

Douby Nome

Party names must be entered as they appear on the case caption. For businesses, the entire company name must be entered in the **Last/Business Name** field. For individuals, the Last name, First name, and Middle name fields are used. The Generation field (e.g., Jr. Sr.) and Title field may also be completed, if applicable. Do not enter John Doe parties, these can be added as they are identified and the Complaint is amended to reflect these parties.

<u>Role</u>

The Role type defaults to defendant. Important: modify this field to the correct party role from the drop down list.

Party Text

The Party text field should be used to add descriptive information about the party as it appears in the caption of the case initiating document. Examples of party text are: A Wyoming Corporation, Individually and in the Official Capacity, as Trustees of, etc.

When all required information is entered, click the **Add Party** button at the bottom of the screen to add the party to the case.

As each party is added, the party name will appear in the panel on the left side of the screen. The information in the left side panel is referred to as the Case Participant Tree.

An alias may be entered for a party only if the party alias appears in the caption of the complaint. For example, if the complaint reads: "COMPANY X, formerly known as BUSINESS Q." In this situation, BUSINESS Q should be entered as the alias for COMPANY X.

Never enter a corporate parent or attorney for a party. Instead, file a Rule 7.1 Disclosure Statement after filing the initiating documents.

The following chart provides a description of the icons and functions that are available in the left side panel of the Case Participant Tree.

Icon	Description
×	Delete this party or alias from the case.
**	Add a new alias in the case.
1	Edit this party or alias in the case.
+ or -	Expands or collapses the party menu.

The <u>Expand all</u> hyperlink displays all party information in the case, including aliases. The <u>Collapse all</u> hyperlink displays only the names of the parties in the case, with all other information collapsed in the tree.

Each branch of the case participant tree may be expanded or collapsed individually by clicking on the + and – icons.

After entering all parties in the case, expand the Case Participant Tree to review the party names for accuracy. If necessary, click the appropriate icon in the Case Participant Tree to add or correct information.

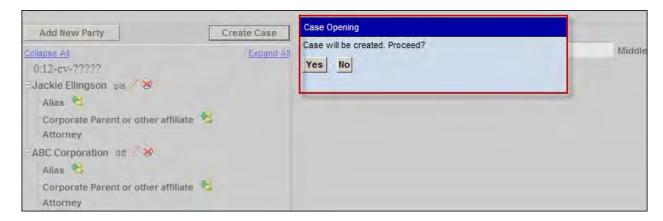
Important: do not click the back button when entering parties as you will lose any parties already entered on the case.

7. Create Case

When all parties have been added and appear correctly in the Case Participant Tree, click **Create Case** on the left panel.



CM/ECF provides one last opportunity to make changes to case opening information. Clicking **No** will allow you to add, delete or modify parties. If all of the information is correct, click **Yes** to create the case and obtain a case number.



The case data is now entered in CM/ECF and a case number has been assigned. Please make a note of the case number.

Open a Civil Case Case Number 20-261 has been opened. Docket Lead Event?

Click on the hyperlink, Docket Lead Event? to continue with PART II of the case opening process.

All case initiating documents (e.g., Complaint, Notice of Removal, civil cover sheet) <u>must</u> be filed <u>immediately</u> after the case has been opened.

IMPORTANT: If a case has been opened incorrectly, **STOP** and contact the Clerk's Office for assistance at 307-433-2120 or 307-232-2620. **Do NOT** open the case a second time.

NOTE: <u>After</u> the initiating documents (e.g., Complaint, Notice of Removal) have been filed, the Clerk's Office will randomly assign a district judge and/or magistrate judge to the case. A Notice of Judge Assignment and Consent to Proceed will be docketed and the judge information will be displayed on the Notice of Electronic Filing.

PART II FILE INITIATING DOCUMENTS

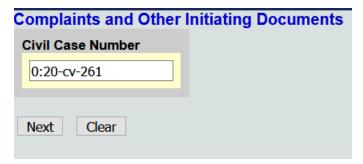
IMPORTANT: Filing a Complaint or Notice of Removal in CM/ECF requires the electronic payment of a \$400 filing fee or \$5 for a Petition for Writ of Habeas Corpus. <u>Before</u> filing the initiating document(s), it is important to obtain relevant financial account information in the form of either:

- 1) the routing number and account number for a firm savings or checking account; or
- 2) the account number, expiration date, and 3-digit security code for a firm credit card.

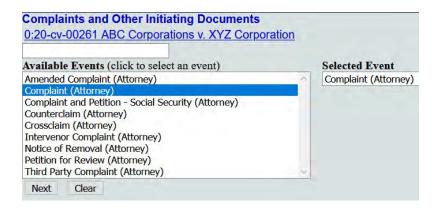
NOTE: When filing a new case on behalf of the USA or with an *Application to Proceed in District Court Without Prepaying Fees or Costs*, it is not necessary to submit a filing fee payment with the initiating document(s).

To complete **PART II** of the electronic civil case opening process, click on the hyperlink to docket the complaint or other initiating document after obtaining the case number, or click on the *Complaints and Other Initiating Documents* menu on the Civil Events screen.

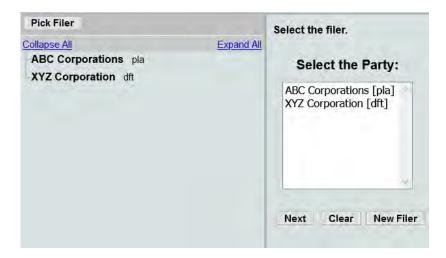
1. The civil case number will populate, click Next.



- 2. A window will appear showing your case number and case name. Please verify you are in the correct case, click **Next**.
- 3. Make the appropriate selection of the case initiating document, e.g. *Complaint or Notice of Removal* from the list of available events, click **Next**.



4. Select the Filer

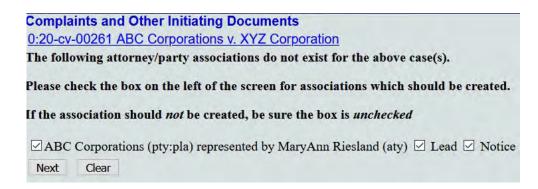


First, select the filing party from the list of parties in the case. When filing a Complaint, select the plaintiff(s). When filing a Notice of Removal, select the filing defendant(s). Once a selection has been made, click **Next.**

Note: If a party was not added on Part 1 of the case opening process, select the **New Filer** button and add additional parties listed in the initiating document.

5. Create Attorney/Party Association

CM/ECF will prompt the filing attorney to add himself/herself as counsel for the filing party(ies). Place a check in the box(es) to the left of the party name(s) to create an attorney/party association. Click **Next.**



6. Select the Parties that the filing is against. If selecting individual parties under Select the Party, each party name will carry over into the final docket text. Note: if there are more than ten parties select All Defendants under Select a Group. If selecting a group, the final docket text will display "filed against all Defendants".

For Removals, select the filer(s) of the state court Complaint, e.g. plaintiff(s). Click Next.



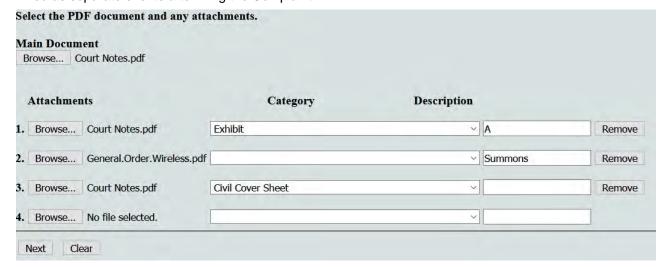
7. Upload PDF Documents

When prompted to attach PDF documents to the filing, attach the initiating document (e.g., Complaint or Notice of Removal) in the **Main Document** field using the Browse button to locate the PDF file.

When filing a Complaint:

- 1. Upload the Complaint as the Main Document.
- 2.Any exhibits to the *Complaint* must be filed as attachments. Exhibits can be attached as one PDF or separately, starting at **Attachment 1**. Select **Exhibit(s)** from the category drop-down list and list the exhibit number(s) or letter(s) in the **Description**.
- **3.** Following any exhibits and/or Summons, attach the *Civil Cover Sheet* as the last Attachment. Select *Civil Cover Sheet* from the *Category* drop-down list

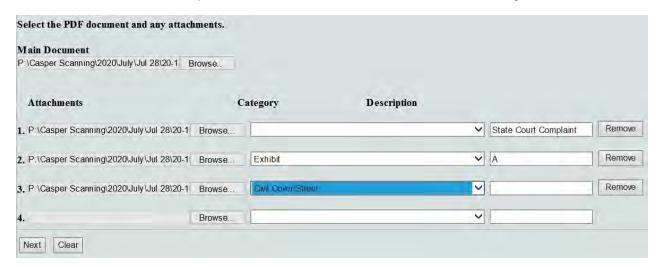
NOTE: All other documents, including a *Notice of Appearance* or an *Application to Proceed in District Court Without Prepaying Fees or Costs*, should NOT be filed as attachments to the Complaint instead filed as separate events after filing the Complaint.



When filing a Notice of Removal:

Upload the *Notice of Removal* as the Main Document. Attach the *State Court Complaint* as Attachment 1. Then attach the *Civil Cover Sheet* as Attachment 2.

NOTE: All other documents, including any other pertinent State Court Documents or Answer to Complaint, may <u>not</u> be attached to the initiating document and instead included in the Transmittal of State Court Record as a separate event AFTER the Order of Removal has been granted.



8. Only when filing a Notice of Removal, the following window will appear:

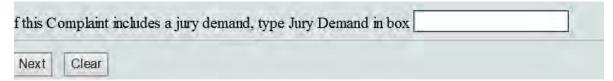


Enter the name and court number from state court. Click Next

9. Update the Jury Demand in the next screen by changing to the appropriate party. Click Next.



If your Complaint includes a Jury Demand type in the box. Click Next



10. Pay the Filing Fee

CM/ECF will inquire about the payment of fees. If the case fits any of these criteria listed in the screen shot, select the "Yes" option to bypass the fee payment screen.

Otherwise, leave the "No" option selected and click Next.



11. CM/ECF will display the filing fee amount, which is \$400 for a complaint or removal and \$5 for a petition for writ of habeas corpus. click **Next**.



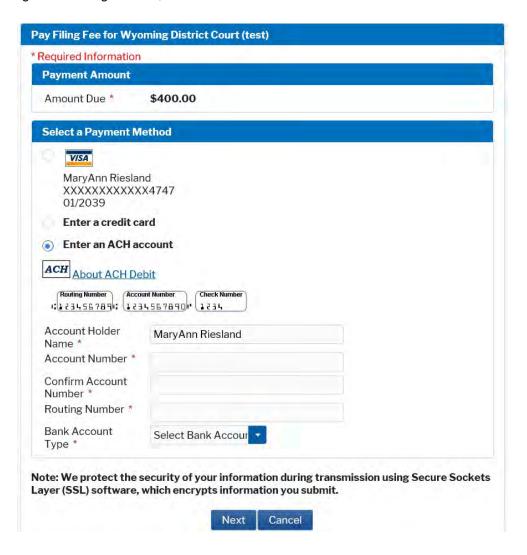
12. **NOTE:** CM/ECF will temporarily route the filer to the government's **Pay.Gov** website for collection of fees.

IMPORTANT: Do <u>not</u> use the internet browser's back button from this point forward in the transaction.

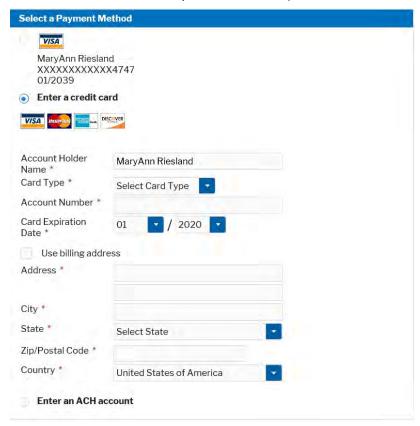
When transferring the filer to Pay.gov, CM/ECF also transmits the filing attorney's name as well as the amount of the filing fee which is \$400 for a civil case. If the filing attorney is not the holder of the bank account, the information should be changed to accurately reflect the name of the individual or entity to whom the account belongs.

The pay.gov fee payment screen provides three options for payment of the filing fee:

1) Bank Account (ACH) payment using the routing number and account number for a firm savings or checking account; or



 Plastic Card payment using the account number, expiration date, and 3-digit security code (VISA, Mastercard, American Express, or Discover); or

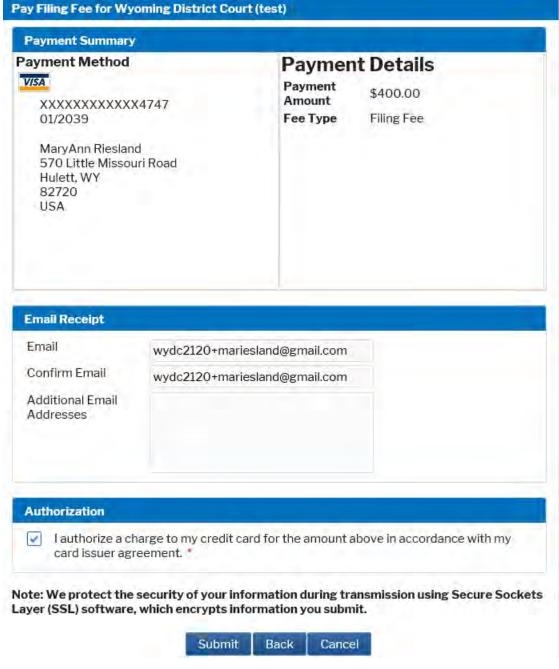


3) Card information that had been entered on the PACER account



After selecting the type of payment and entering the appropriate information, click on the **Next** button to advance to the payment authorization screen. If the financial information provided is incorrect, pay.gov will prompt the filer to resubmit the account number(s).

On the authorization screen, enter the email address(es) to which pay.gov should send a receipt for the transaction, this will auto-populate to the e-mail address from PACER. Put a check in the box at the bottom of the screen to authorize payment of the filing fee. Click the **Submit** button to complete the transaction.

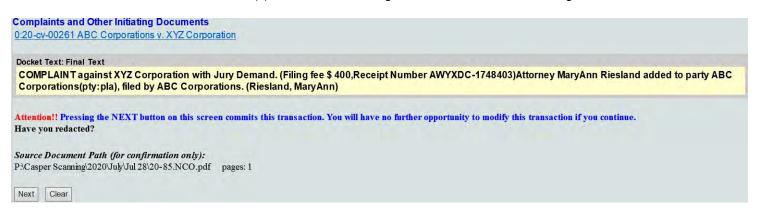


13. After accepting the filing fee payment, the pay.gov website will return the filer to CM/ECF for completion of the document filing process. A window will appear allowing the user to append text to the docket:

Complaints and Other Initiating Docum 0:20-cv-00261 ABC Corporations v. XYZ	
Docket Text: Modify as Appropriate. COMPLAINT ABC Corporations. (Riesland, MaryAnn)	against XYZ Corporation with Jury Demand. (Filing fee \$ 400, Receipt Number AWYXDC-1748403) Attorney MaryAnn Riesland added to party ABC Corporations(pty:pla), filed by
Next Clear	

Click Next.

14. The final docket text and attachment window will appear. The source document path is solely a marker to list the document(s) attached to the filing, click **Next** to commit the filing to ECF.



15. The *Notice of Electronic Filing (NEF)* screen will appear. This is confirmation that the initiating document has been submitted to ECF. The docket text will indicate if a summons was requested.



IMPORTANT: If a case has been opened incorrectly or if you have further questions, contact the CM/ECF Help Desk for assistance at 307-433-2120 or 307-232-2620.

Judge Assignment

After the filing of the initiating documents in a civil case, the Clerk's Office will make a random judge assignment in ECF. A **Notice of Judge Assignment and Consent to Proceed** will be docketed, and the judge information will be displayed on the *Notice of Electronic Filing (NEF)*. Please make a note of the district and magistrate judge assignments for future reference. Subsequent filings should include the judges' initials in the case number within the document caption.

Notices 0:20-cv-00261 ABC Corporations v. XYZ Corporation U.S. District Court - TEST District of Wyoming - TEST Notice of Electronic Filing The following transaction was entered on 10/5/2020 at 2:50 PM MDT and filed on 10/5/2020 Case Name: ABC Corporations v. XYZ Corporation Case Number: 0:20-cv-00261 Notice of Judge Assignment and Consent to Proceed before a Magistrate Judge. The case has been assigned to the Honorable Nancy D. Freudenthal referred to Magistrate Judge Kelly H. Rankin. (Court Staff, scat) 0:20-cv-00261 Notice has been electronically mailed to: MaryAnn Riesland wydc2120+mariesland@gmail.com 0:20-cy-00261 This document has NOT been electronically delivered - you must serve it manually to the following people: The following document(s) are associated with this transaction: Document description: Main Document Original filename:n/s Electronic document Stamp: STAMP deecfStamp ID=1043181152 [Date=10/5/2020] [FileNumber=1756504-0 [b29d3f7ee5a8d64e2a5a37d517000b5540a7d7497400a55a839e66c055ec2d94b32 De121edbb6f1d76beb2180c9701d02fc2c74ea3736f161d37b415e3dd2092]]

Summonses

If the filer attached summons be issued while docketing the initiating document, the Clerk's Office will issue the summons electronically through ECF. The summons can be accessed by the filer via the NEF email hyperlink. The filing attorney must serve the summons and complaint in accordance with <u>Fed. R. Civ. P. 4</u>.

If a summons was not initially requested during the filing of the initiating document, a Praecipe must be filed.

NOTE: After filing the initiating documents, submit any additional filings separately, using the appropriate filing events, such as an *Application to Proceed in District Court Without Prepaying Fees or Costs*, *Answer to Complaint*, or a *Rule 7.1-Disclosure Statement*.

If you have further questions, contact the CM/ECF Help Desk for assistance at 307-433-2120 or 307-232-2620