

## **ELECTRONICALLY FILING CIVIL CASE INITIATING DOCUMENTS IN CM/ECF**

Beginning January 1, 2018, attorneys will have the option of electronically filing their civil case initiating documents in CM/ECF. At the same time, attorneys can pay any applicable filing fee by credit card using Pay.gov.

When an attorney electronically files an initial pleading or other civil case initiating document in CM/ECF, he or she does not actually e-file the documents in a new civil case. Instead, the attorney e-files them in one of four divisional “shell” cases. These shell cases are holding places for civil case initiating documents that technically are only electronically delivered to the Clerk’s Office. The documents are not considered filed for statute of limitation purposes until after they are delivered to the Clerk’s Office and the filing fee (if any) is paid or an appropriate motion to proceed in forma pauperis (ifp) is filed. When both of these requirements are met, the Clerk’s Office will open a new civil case, assign a district judge, and re-file the documents in the new civil case as of the date the documents were electronically delivered to the Clerk’s Office.

When a civil filing fee is required and it is not appropriate to file a motion to proceed ifp, the filing fee should be paid by credit card utilizing Pay.gov when the initial civil pleading is e-filed in the shell case. Otherwise, the filer should contact the Clerk’s Office and make arrangements to manually pay the filing fee prior to when the initial civil pleading is filed in the shell case so as not to unnecessarily delay opening of the new civil case.

When a document is filed in a shell case using any of the events specifically designated for that purpose the docket entry will be sealed and will not be visible to the public. This means the filing attorney will not receive an NEF e-mail when the document is filed. Since the filing attorney will not receive an NEF e-mail, filers are encouraged to print or save a copy of the NEF receipt screen when they are finished e-filing a document in a shell case as evidence the document was delivered to the Clerk’s Office on the date stated on the NEF receipt. The filing attorney will receive NEF e-mails when the civil case initiating documents are re-filed in the new civil case (as of the date they were e-filed in the shell case) and be advised of the new case civil number and the district judge assigned to the case at that time.

For more information about electronically filing civil case initiating documents in CM/ECF, see the updated [CM/ECF User Manual and Administrative Procedures](#) document located on the District Court’s website, specifically the [FILING CIVIL CASE INITIATING DOCUMENTS](#) and [STEP-BY-STEP GUIDE FOR E-FILING A CIVIL COMPLAINT IN A SHELL CASE](#) sections.