# ARWD CIVIL CASE OPENING PROCEDURES

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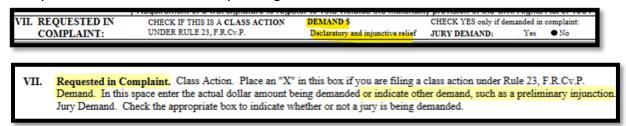
# CASE FILING INFORMATION

- Visit the <u>Civil Case Filing</u> page on our public website at <u>www.arwd.uscourts.gov</u> for additional case filing information such as the <u>Administrative Policies and Procedures Manual</u> for <u>Civil and Criminal Filings</u>, and <u>Guidelines</u> for <u>Filing Discovery Documents</u>.
- See Notice of Removal instructions below.

## **CIVIL COVER SHEET**

- Complete the Western District of Arkansas Civil Cover Sheet.
- All fields must be completed.
  - NOTE: If multiple plaintiffs and defendants are listed as parties to an action, the complete names, as they appear on the complaint must appear in the top boxes on the civil cover sheet OR be included on the second page.
    - Counsel of Record for all parties when known, should be included with the party information.
- Only one (1) Nature of Suit should be selected.
- Only one (1) Cause of Action should be listed.

- **Demand** Per the March 12, 2024 Judicial Conference Notice, "civil actions seeking to bar or mandate state or federal actions should be randomly assigned district wide."
  - o Notify the clerk of these actions by adding this information in the "DEMAND \$" section.



You must indicate the payment type on the bottom of the cover sheet.

## **Email Instructions**

- Once the Civil Cover Sheet is complete, send it via email to <u>FSM Info@arwd.uscourts.gov</u> for all divisions.
- Email
  - The subject line must contain the following text:
    - Plaintiff's name (one name is sufficient)
    - Civil Cover Sheet
    - Notice of Removal (if applicable)
    - Examples: Jane Doe Civil Cover Sheet, or Jane Doe Notice of Removal Civil Cover Sheet
  - If known, please include the applicable division name within the body of the email.
- Please only send one email with the Civil Cover Sheet.
  - Sending the cover sheet more than once may result in the case being opened more than once.

#### Clerk's Office Phone Number

- o Please call the Clerk's Office with any filing/docketing questions.
  - \*\*\*1-833-853-0345\*\*\*

## CLERK'S OFFICE FILING CIVIL COVER SHEET

When the Civil Cover Sheet is received during <u>business hours</u> (8am-5pm), the Clerk staff will assign a
judge and case number, then docket the Civil Cover Sheet.

- o **NOTE**: When the Civil Cover Sheet is emailed to the Clerk after business hours, the Civil Cover Sheet will be filed the next business day.
- Case participants with an active e-filing account will be added to the case and receive the Notice of Electronic Filing (NEF) when the cover sheet is docketed.
  - This entry will include the case number and direct the filer to proceed with docketing the initial pleadings.
    - NOTE: The civil action *is not* commenced with the filing of the civil cover sheet.
    - The civil action is commenced by the filing of a complaint with the Court and payment of the filing fee.

CIVIL COVER SHEET by Phillip Carl Edwards. Please proceed with filing your case initiating document(s).

If the case initiating documents are not filed by Close of Business the next business day, this file may be closed.

A civil action is commenced by filing a complaint with the Court (Fed.R.Civ.P.3).

## ATTORNEY FILING CASE INITIATING DOCUMENTS

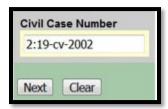
- All documents, including exhibits, *must be* in PDF format and conform to the current file size restrictions.
  - As of 2025, the maximum PDF file size is 50MB
  - The maximum merge document size is 250MB
- Docket the Case Initiating document using the Complaint event.
  - Civil Events → Initial Pleadings and Service → Complaints, Other Initiating Documents → Complaint



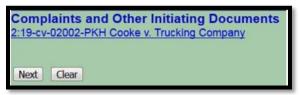
Enter the case number assigned and click Find This Case



The case number will be reformatted. Click Next



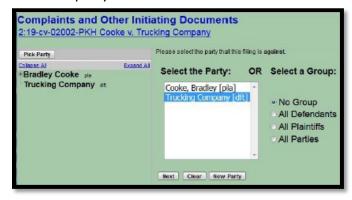
Confirm the case number and case short title. Click Next



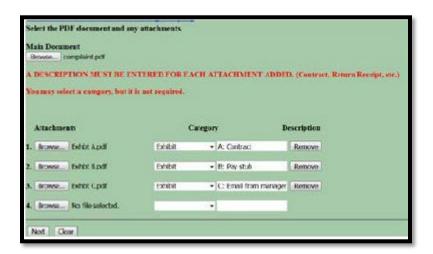
Select the filer(s) in the right pane. Click Next



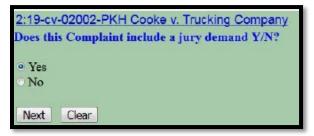
- Select the party that the filing is against in the right pane. Click Next
  - NOTE: You can select multiple parties by holding down the Control or Shift keys to select names.
  - NOTE: Although All Defendants, All Plaintiffs, and All Parties are options, it is recommended that these options are not used and that you should select the individual party instead.



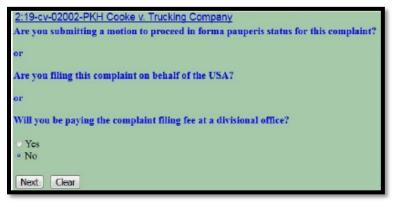
Upload Documents: Browse to select the complaint document and any attachments.
 Once all documents are attached and properly labeled, click Next.



 Respond to the system question regarding a jury demand by clicking the appropriate radio button.



• Respond to the system question regarding the filing fee status by clicking the appropriate radio button.



- NOTE:
  - o If you respond "**Yes**" to the system question, you will bypass the payment screens.

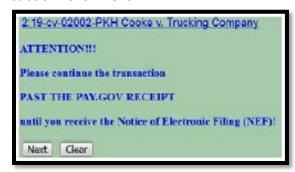
 If you respond "No" to the system question, you will be directed to PAY.GOV to pay the filing fee.

# Paying the Filing Fee While Filing the Complaint

o Review the system message regarding payment of the fee. **Click Next**.



• Review the system message regarding completing the payment transaction. **Click Next**.



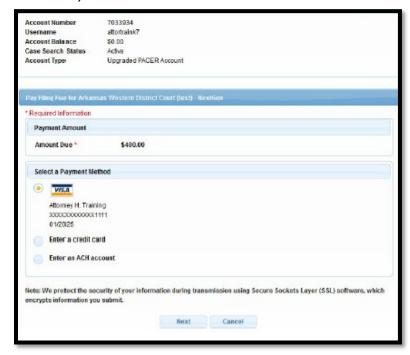
The payment amount will display. Click Next.



- A system message will display regarding loading the payment processing screen.
  - Once the "page" loads, the message will be replaced with the PACER login screen.
  - o Enter your INDIVIDUAL PACER information and click Login.



• You can choose to use the credit card on file with PACER or use a different credit card or ACH (Bank account) information. Once the Payment method is selected, **click Next**.

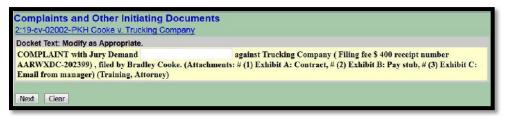


- Additional email addresses can be entered for electronic notification of the receipt.
  - o Confirm the information, click the Authorization box and click Submit.

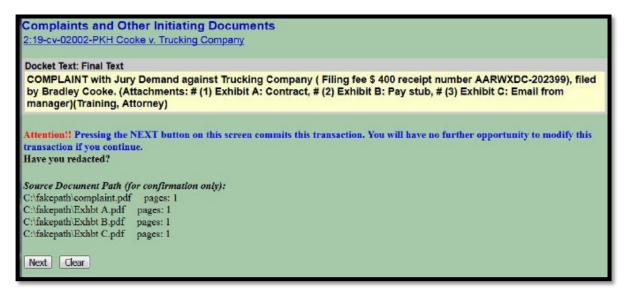


- A transaction authorization message will display.
  - When the payment transaction is authorized, you will return to the event entry in ECF. If any additional text is necessary, it can be added

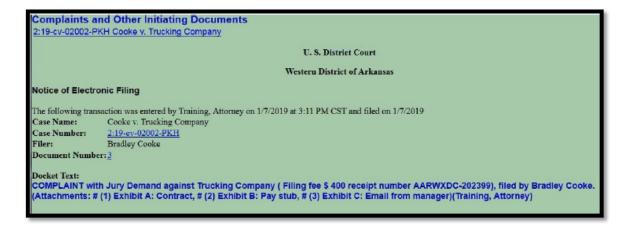
in the event box. Click Next.



 You will have one last opportunity to review the docket text and document selection. If everything is correct, click Next



You will receive the Notice of Electronic Filing (NEF)



NOTE: if the filing fee is waived or you are seeking IFP status, the final docket text will
not include the receipt information

# Complaints and Other Initiating Documents

2:19-cv-02002-PKH Cooke v. Trucking Company

**Docket Text: Final Text** 

COMPLAINT against Trucking Company, filed by Bradley Cooke.(Atty5, Training-5)

# DISCLOSURE STATEMENT(S) UNDER FED. R. Civ. P 7.1

- Please review <u>Fed. R. Civ. P. 7.1</u> regarding required Disclosure Statement filings.
  - Use the following events to file disclosure statements
    - Corporate Disclosure Statement(s)
      - Civil Events → Other Filings → Other Documents → Corporate Disclosure
         Statement.
    - Other 7.1 Disclosure Statements
      - Civil Events → Other Filings → Notices → Notice.
- NOTE: Parties are responsible for filing the Corporate Disclosure Statement(s)
  - o Do not include the Corporate Disclosure Statement in the case initiating email.

# SUMMONS REQUESTED (After the filing fee is paid or IFP is granted)

- Prepare your summons then publish it to PDF.
- Submit the summons to the Clerk to be issued by docketing the **Summons Requested** event.
  - Civil Events → Initial Pleadings and Service → Service of Process → Summons Requested or Summons Requested as to USA event.

## **SUMMONS ISSUED**

- The Clerk's office will confirm the filing fee has been paid or IFP has been granted before issuing the summons.
- The Clerk will issue and return the summons via the Summons Issued or Summons Issued as to USA
  event.
  - This document is restricted to case participants; therefore, you will be required to log into the ECF system before you can access the documents.

# SERVICE IN SOCIAL SECURITY ACTIONS UNDER 42 U.S.C. 405(g)

- In Social Security Actions under 42 U.S.C. 405(g), filing the complaint with the Clerk of the Court will be sufficient service upon the Social Security Administration and U.S. Attorney.
- Issuance and service of summons are **not** required in cases falling under this statute.
- December 1, 2022, Rules of Practice & Procedure Amendments

#### PAYING THE FILING FEE

- Attorneys may pay the civil filing fee using the Filing Fee Submitted event, if they did not pay the filing fee while docketing the complaint.
  - o Civil Events → Other Documents → Filing Fee Submitted

## PROCEED IN FORMA PAUPERIS (IFP)

- If a request is made to the Court to proceed without prepaying fees or costs, the <u>AO240</u> (short form) should be filed using the Motion events below.
  - NOTE: This request also includes service of the complaint without prepayment of those fees or costs.
  - NOTE: Service will no longer be required for Social Security actions that fall under 42
     U.S.C. 405(g). Do not select the motion for service event in these cases.
  - Select Civil Events→ Motions and Related Filings→ Motions event.
    - Select Both the Proceed In Forma Pauperis and Service motion types.



- Continue the docketing process, attaching only the <u>AO240</u> and any supporting documentation.
- Confirm that the final docket text includes both requests.



- Click Next to complete the transaction and receive the NEF.
- If the Motions are granted, you can request summons to be issued as directed above.
  - Except in Social Security actions under 42 U.S.C. 405(g).

## **NOTICE OF REMOVAL**

- Complete the civil <u>cover sheet</u> and email the cover sheet, Notice of Removal, last filed state court complaint/answer, and pending motions to the appropriate divisional office.
  - The following PDF documents are the *only* documents needed to open the case, and they
    must be submitted separately:

- Civil cover sheet,
- Notice of Removal,
- Last filed state court complaint and summons,
- Last filed state court answer (if applicable),
- Any pending state court motions (and related responses) that need to be filed in the Western District of Arkansas (if applicable).
  - Do not attach motions that have been ruled on in state court.
- All other state court documents should be filed as a **Supplement** to the Notice of Removal after you receive the Notice of Removal NEF.
  - Civil Events → Other Documents → Supplement
    - Link the documents to the Notice of Removal
- Notice of Removal Filing Fee
  - o The Clerk will docket the Clerk's Notice Regarding Filing Fee event.
    - Instructions on how to pay the Notice of Removal filing fee are provided on the notice.

CLERK'S NOTICE REGARDING FILING FEE. The following document was received and filed without the appropriate filing fee: 2 Notice of Removal.

You MUST pay the filing fee of \$405.00 or file a motion to proceed In Forma Pauperis, if appropriate, within 2 business days.

If the proper fees or motion are not received for case initiating documents, your case may be subject to dismissal.

Present your payment to the appropriate Divisional Office on Pay Online, using the Civil -> Other Documents -> Filing Fee Submitted event. Filing Fee due by 1/29/2024

\*\*\* Please call 1-833-853-0345 for any filing/docketing questions. \*\*\*