United States District Court
Northern District of Texas

Opening a Miscellaneous Case

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Opening a Miscellaneous Case

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A. Introduction

This document is intended to guide a licensed attorney who is a registered user of ECF through the process of opening a public miscellaneous case in ECF. It also explains how to docket the miscellaneous case initiating document, during which you will pay the filing fee (if one is due).

For questions concerning electronic miscellaneous case opening, please contact your local clerk's office or ECF Help Desk.

Here are the most common examples of miscellaneous case initiating documents:

- Motion to Quash Subpoena;
- Motion to Compel (compliance with a subpoena);
- Registration of Appointment of Receiver;
- Registration of Judgment From Another Court

WARNING: **A sealed case may not be electronically filed at this time.**

B. Opening a Miscellaneous Case

Before you begin, have the following available:

1. The miscellaneous case initiating document saved in Portable Document Format (PDF). Any accompanying document(s), including exhibits, should be saved as separate PDF documents. A 5 MB size limit applies to each PDF file;

2. A valid credit or debit card (VISA, MasterCard, American Express, Discover, Diner's Club) to pay the required filing fee (if one is due).

To file a new miscellaneous case using ECF, log into the system and select "Civil" on the main menu bar. See Figure 1.

Figure 1

Click on the link Open a Civil or Miscellaneous Case. See Figure 2.

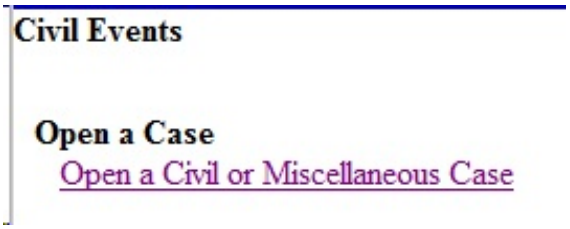

Figure 2

Select Miscellaneous (mc) and click the **[Next]** button. See Figure 3.

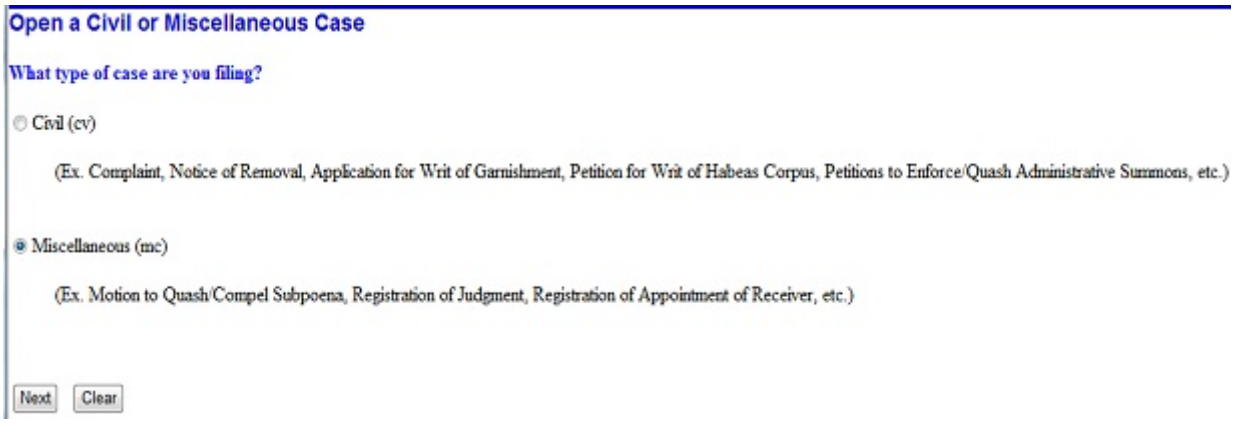

Figure 3

Review the message and click the **[Next]** button. See Figure 4.

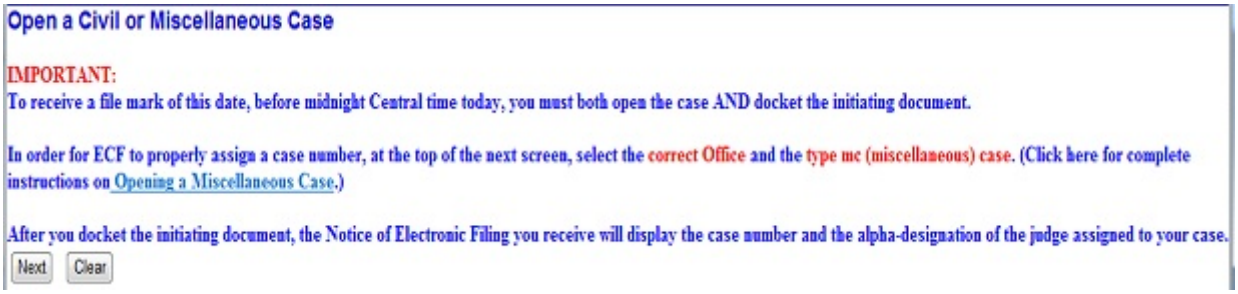

Figure 4

The Open a Civil or Miscellaneous Case screen appears. See Figure 5.

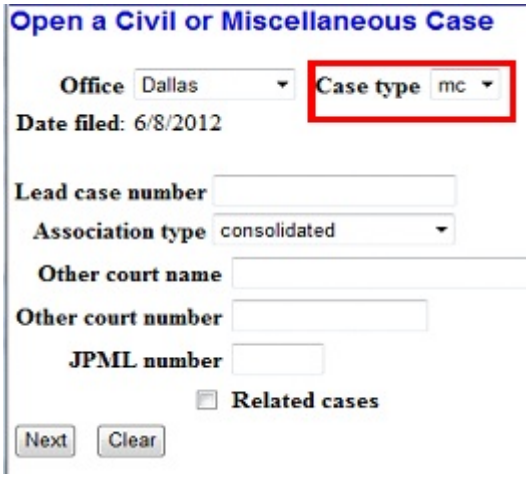

Figure 5

- Select the appropriate divisional **Office** for this case from the drop-down list.

WARNING: **It is critical that you select the appropriate divisional office, as an error will delay your case.**

- Select the appropriate **Case type**, which is "mc" for Miscellaneous.

- The **Lead case number**, **Association type**, **Other court name**, and **Other Court number** fields are for internal use only. Do not enter anything in these fields.

- The **JPML number** is a 1-4 digit number assigned by the Judicial Panel on Multidistrict Litigation. The JPML creates an MDL docket number when it determines that civil cases involving the same issue, but filed in different courts, should be consolidated in one court for pretrial proceedings. Enter the JPML number, if applicable.

- Do not check the **Related cases** box, and click **[Next]** to continue.

The procedure for adding parties in a miscellaneous case differs from that in a civil case. Please use the guidance from this screen as you complete party addition on the next screen.
Click **[Next]** to continue. See Figure 6.

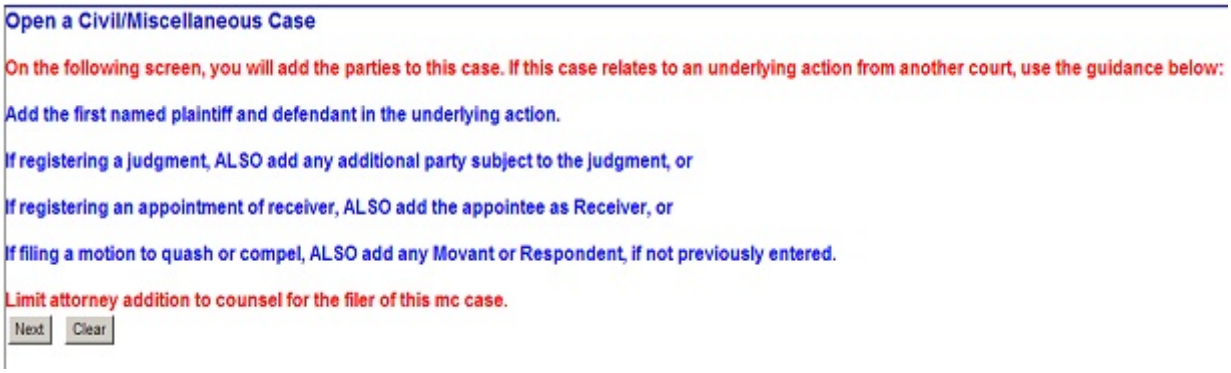

Figure 6

C. Adding Party Information

The Party Search screen appears. Notice the screen is divided into two sections. The left pane displays the case participant tree. The right pane displays the search for a party function. If the party has previously been involved in litigation in this district, the name will already exist in the ECF database. To minimize the number of duplicate names in the database, it is a best practice to search for and use an existing name, rather than automatically selecting **[Create new party]**.

To search for the name of a party, enter the last name of the individual or the business name in the **Last/Business Name** field. Using fewer search characters will give you more search results. For example, you may enter "Wi" to find "John Williams." If you get too many search results, use more letters. For example, "John Williams" will also be returned if you enter "Williams."

Enter the first few letters of the plaintiff's last name, and click **[Search]**. See Figure 7.

Figure 7

Party Name Search Hints:

- The search is not case sensitive.
- A wildcard (*) is not required at the beginning or end of a search string, but if it is used it will return different results. For example, entering "Wi" without a wildcard character in the **Last/Business Name** field will display John Williams and Wilson's Auto Parts, but will not display Willie Smith or John Switzer. Entering a wildcard (e.g., "*am") before (or after) the character string will search for the character string within the words. For example, entering "*am" will display Bob Cunningh**am** and the United States of **Am**erica.
- Try alternative searches if the first search was not successful.

If the name of the party is found in the **Party search results**, highlight the name and click on **[Select Party]**. See Figure 8.

Figure 8

Helpful Hint: Before selecting the name from the list, you may double click the name to see the party record information, including the party's address, if any. See Figure 9.

Figure 9

If the address is your party's address, or if there is no address, minimize the party record information, highlight the party name, and click **[Select Party]**.

If an address is already associated with the party name, but the address is not the address of your party, minimize the party record information and then click on **[Create new party]**. You must also click on **[Create new party]** if you do not find your party listed.

When creating a new party, be sure to add the complete name in the appropriate fields at the top of the page. The standard for capitalization in the Northern District of Texas is to capitalize only the first letter of each name. PLEASE DO NOT ENTER THE NAME IN ALL CAPS. If filing on behalf of a minor, enter only the minor's initials, not the minor's full name. See Fed. R. Civ. P. 5.2(a)(3). See Figure 10.

Figure 10

You must identify the role that the party has in the case. Click on the drop down arrow next to the **Role** field and select the appropriate party role (e.g., **Plaintiff (pla:pty), Movant (mov:pty), etc.)**. See Figure 11.

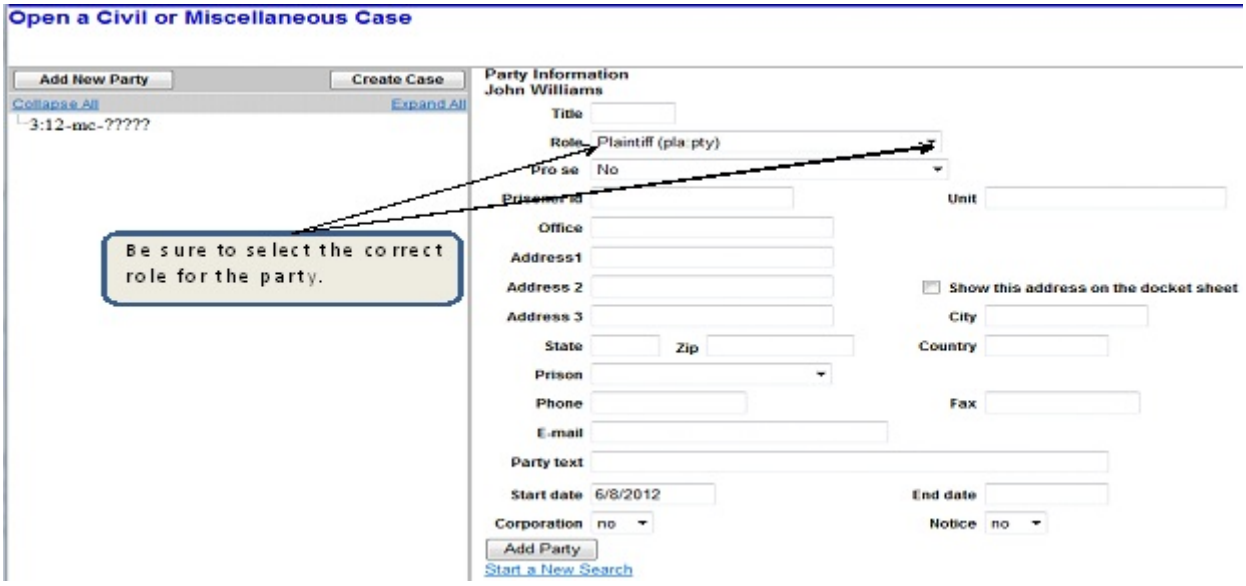

Figure 11

Do not add or modify address information. Do not add an email address for the party. Use the Party text field at the bottom of the Party Information screen if additional identifying information is needed (e.g., "Individually and in his official capacity," " A minor," "Estate of," "Trustee of"). Do not change the Start date field. Leave the Notice field set to its default of "No."

Click the **[Add Party]** button at the bottom of the screen to add the party or click the **Start a New Search** link to clear the screen and begin a new party search. See Figure 12.

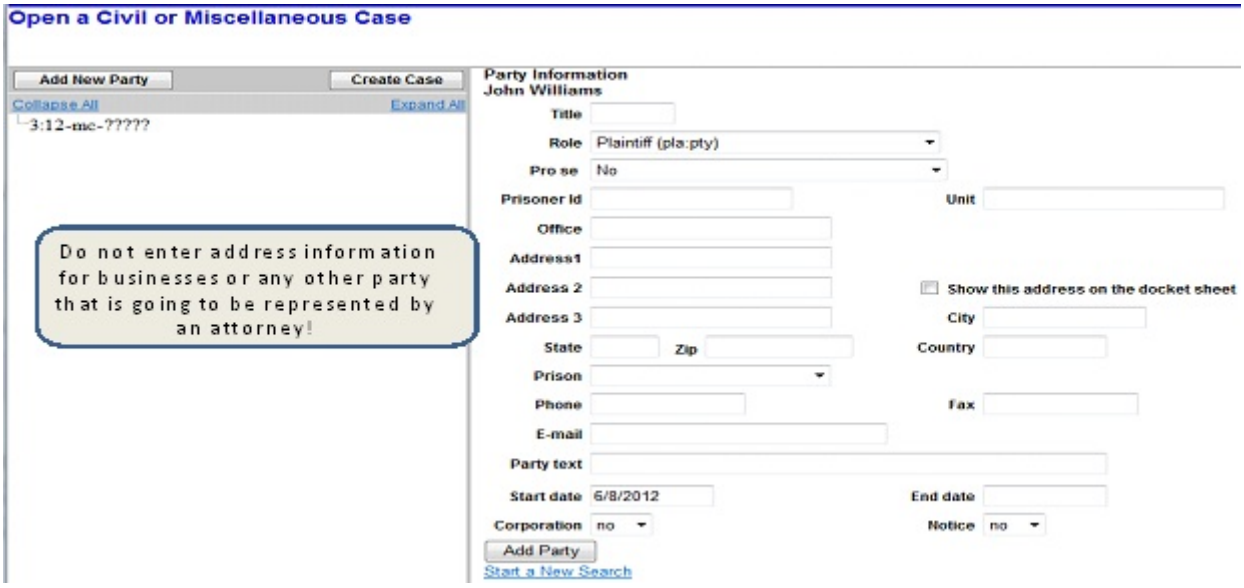

Figure 12

The Search for a party screen appears again and John Williams and his role type now appear in the participant tree. See Figure 13.

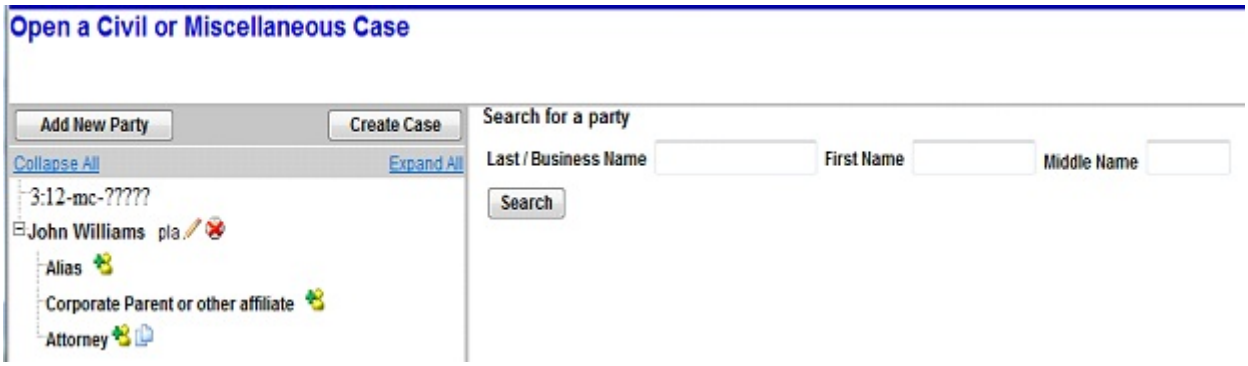

Figure 13

After searching for, selecting, and adding a filer, the filer's name appears in the participant tree and is added to the party pick list. You can either:

- edit the party information by clicking on the pencil "edit" icon;
- delete the party by clicking on the red X "delete" icon;
- add an alias by clicking on the "add alias" icon;
- add an attorney for this party by clicking on the "add attorney" icon, entering a name, and searching;
- copy attorney(s) from other parties in the case to another party by clicking on the “copy attorney” icon; or
- add a new party by clicking on the **[Add New Party]** button at the top left of the screen.

When a new party is added, he/she is added to the party pick list and to the participant tree in the left pane. Parties that are added to civil cases during docketing will have control icons in the participant tree so you can add aliases, corporate parents, or other affiliates for the party during this process.

Note: There are no icon controls for existing participants in the participant tree during docketing. If a new participant is added during the docketing process, then icon controls will be available for the new participant only.

Following is a table of showing the functional icons that allow you to delete a party; add an alias, corporate parent, or attorney; copy an attorney from one party to another in the case; or edit a party, alias, corporate parent, or attorney. See Figure 14.

Icon	Description
	Delete this party from this case.
	Add new alias, corporate parent, or attorney.
	Copy attorney(s) from other parties in the case to this party.
	Edit the party, alias, corporate parent, or attorney. Only displays beside actual names of participants, so if no participant has been added, this icon is suppressed.

Figure 14

Note: The participant tree is displayed during case opening, and during docketing if the screen allows you to add, select, or edit a case participant.

D. Entering an Alias

If a party has an alias that is identified in the complaint, (e.g., dba, aka) click the **Add Alias** icon and use the search techniques discussed under **Search for a party**. See Figure 15.

Figure 15

Search for an alias by entering part or all of the last name or business name. See Figure 16.

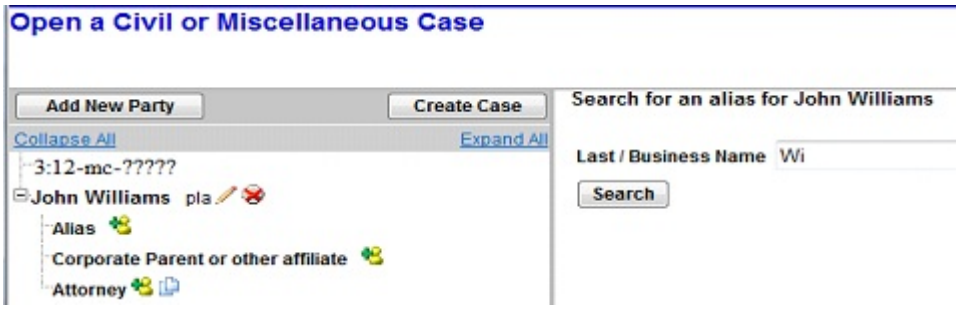

Figure 16

Review the Alias search results, highlight a name, and click **[Select Alias]**. If you do not find the alias you are seeking, click **[Create New Alias]**. See Figure 17.

Figure 17

After clicking on **[Create New Alias]**, enter the complete name of the alias on the Alias Information screen. Next, change the **Role** to the correct type. Choose from:

agent = agent of, one acts for another
aka = also known as
dba = doing business as
fdba = formerly doing business as
fka = formally known as
nee = born (placed before a married woman's maiden name)
obo = on behalf of
other = an alias of a role not otherwise listed
rpi = real property in interest
ta = trading as

After completing the Alias Information screen, click the **[Add Alias]** button. See Figure 18.

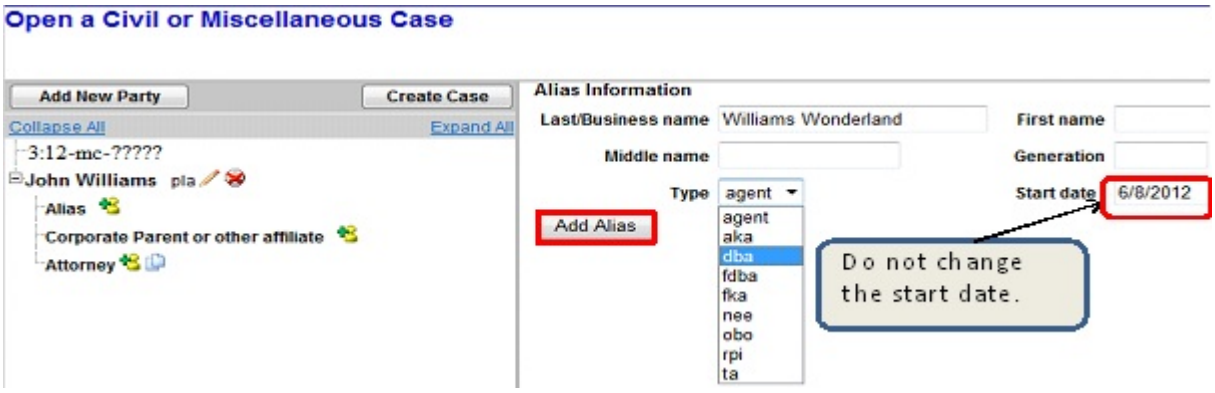

Figure 18

The Alias Information for John Williams now appears in the participant tree. See Figure 19.

Figure 19

Note: Do not add a corporate parent or other affiliate at this time. You will add these, if necessary, when docketing the certificate of interested persons.

Continue adding parties as appropriate using the steps outlined in Section C above. See Figure 20.

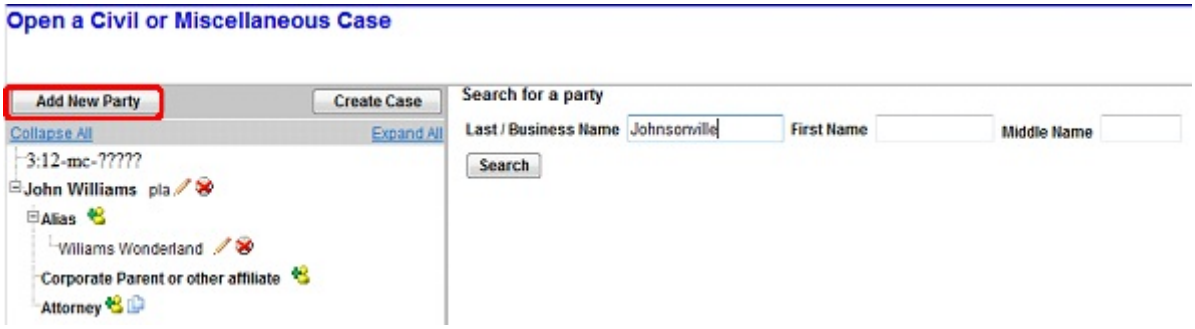

Figure 20

After completing the information screen for each party, click the **[Add Party]** button at the bottom of the screen.

Important: At this point, the parties and linked information listed in the participant tree are temporarily stored but are not saved in the database until the case is actually *created*. If you need to make modifications, use the appropriate functional icons to add, delete, or modify case participant information. You can collapse or expand the party tree information by toggling individual plus/minus symbols. Alternatively, you can collapse or expand the party lists by clicking on the **Collapse All** or **Expand All** hyperlink located at the top of the participant tree.

E. Adding an Attorney

For miscellaneous cases, please limit attorney addition to counsel for the filing party only. Click the **Add Attorney** icon to use the search techniques discussed under **Search for a party**, and, then enter your information. See Figure 21.

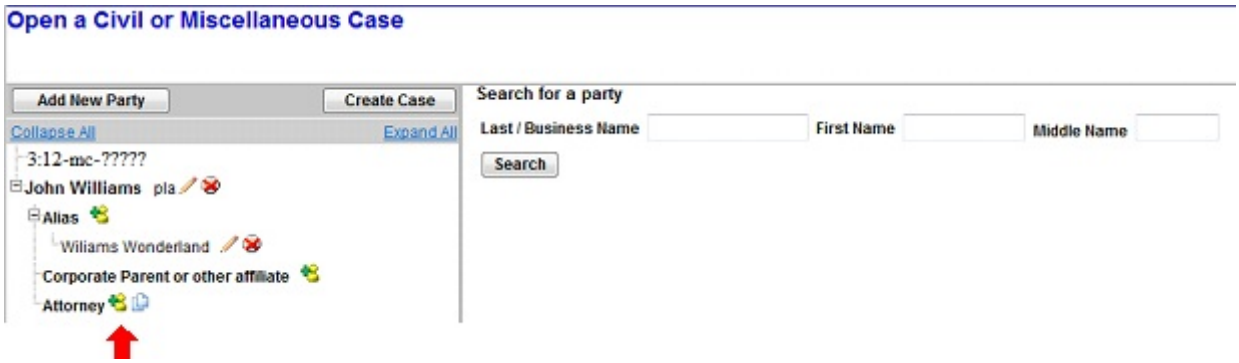

Figure 21

Search for an attorney by entering your Bar Id or part or all of your last name, and click **[Search]**. See Figure 22.

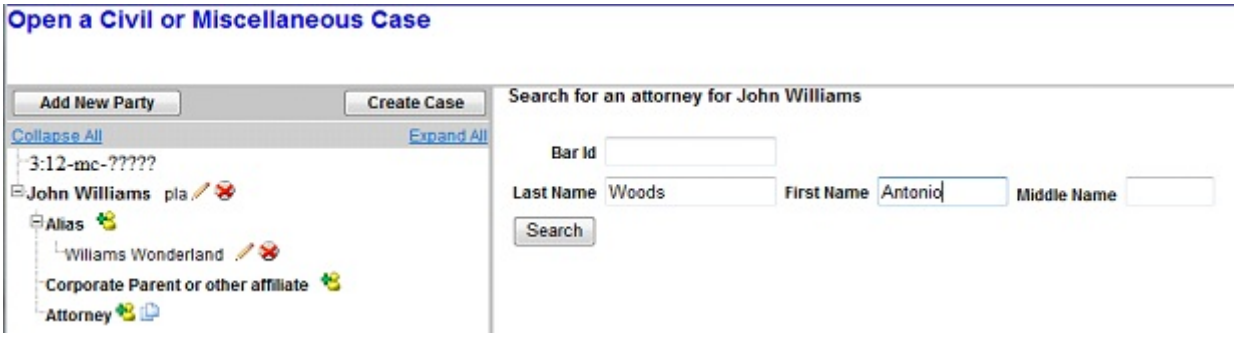

Figure 22

Review the Attorney search results, highlight your name, and click **[Select Attorney]**. See Figure 23.

Figure 23

The Attorney Information screen appears. If your address is incorrect, but you are confident the attorney record is yours, add yourself to the case with the incorrect address. (Do not edit your address in these fields. Immediately following case opening, correct your address information using the Maintaining Your Account instructions.)

Since you are opening the case under your login and password, leave the **Lead attorney** selection set to **Yes** to designate yourself as the lead attorney for the case. Only one attorney per party should be designated as lead attorney (see LR 77.1 (b)). Set the **Notice** field to **Yes** so that you will receive a Notice of Electronic Filing (NEF) each time a filing is made in this case. Do not change the **Start date** or the **Seal Flag**. These fields are for internal use only. Click the **[Add Attorney]** button. See Figure 24.

Figure 24

After you are satisfied with the party and attorney information in the participant tree, click **[Create Case]**. See Figure 25.

Figure 25

Click **[Yes]** to proceed with Case Opening. Click **[No]** to return to the case participant tree screen to add or modify case participant information, or, if necessary, to abort the case opening process. See Figure 26.

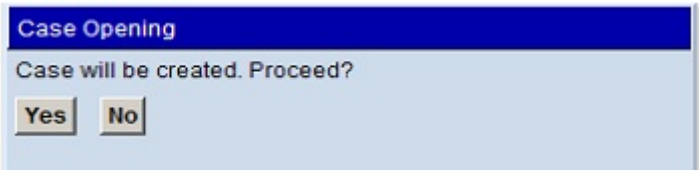

Figure 26

F. Filing Miscellaneous Case Initiating Documents

After creating the case, **write down or otherwise note the case number before continuing.** The case number displayed will show only the year and civil case number (e.g., "11-31). See Figure 27. It will not display the division in which the case was filed ("1" for Abilene; "2" for Amarillo; "3" for Dallas; "4" for Fort Worth: "5" for Lubbock; "6" for San Angelo; or "7" for Wichita Falls), nor the type of case (e.g., "mc" for miscellaneous).

WARNING: **Even though your case number has been assigned, you are not finished. The case opening process is incomplete until you docket your initiating document and pay any required filing fee.**

Note: After the case number is assigned, you may not use the back button to make corrections or additions. If you did not add all parties to the case before the case number was assigned, you may add additional parties while docketing the miscellaneous case initiating document. Even if you made a significant error that you cannot correct while docketing, it is best to proceed with the case, since the clerk will correct any errors by the end of the next business day.

Click on the Docket Lead Event? hyperlink to file your initiating document. See Figure 27.

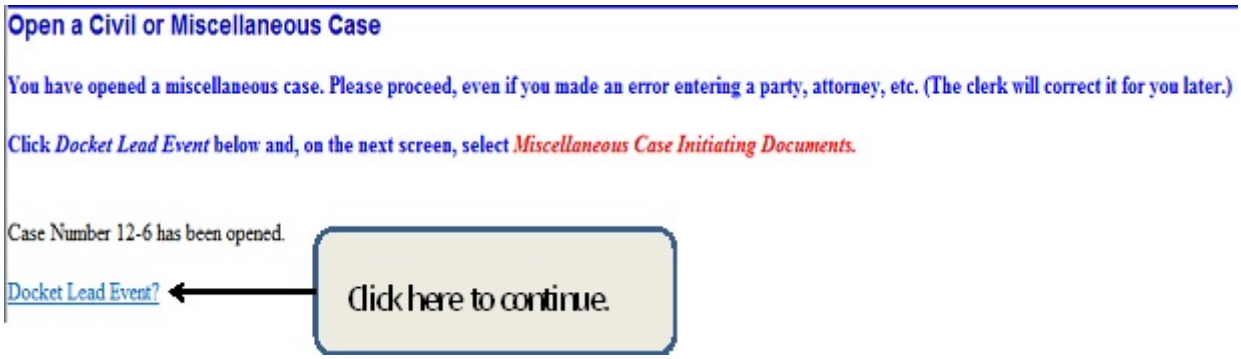

Figure 27

Select the Miscellaneous Case Initiating Documents event and click the **[Next]** button. See Figure 28.

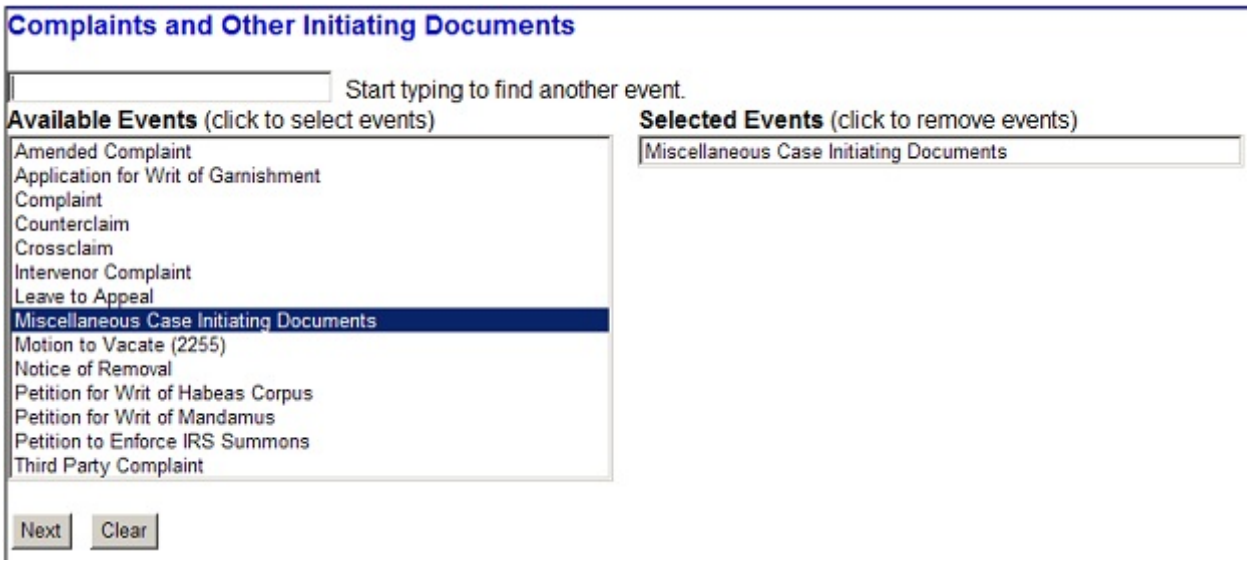

Figure 28

The system automatically displays the last case number accessed. See Figure 29.

Figure 29

Verify the case number before continuing. If this is not your newly assigned case number, use your back button to return to the previous screen and enter the correct case number. When you have verified that you have the correct case number, click **[Next]** to continue.

Select the party or parties filing the miscellaneous case initiating document. You may select multiple parties by holding down the "Ctrl" key on the keyboard and using the mouse to highlight more than one name. Click **[Clear]** to deselect the party or parties. See Figure 30. Click **[Next]** to continue.

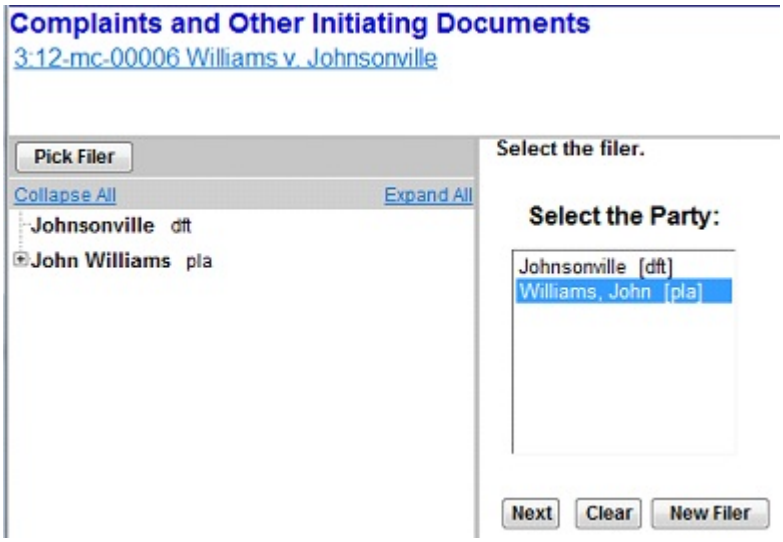

Figure 30

Select the party(ies) against whom the relief is sought. You may select multiple parties by holding the "Ctrl" key down and clicking to highlight more than one name. When all parties have been selected, click **[Next]** to continue. See Figure 31.

> NOTE: If any of the parties were not added previously, add them now by clicking **[New Party]**. Follow the procedure for adding or creating a new party explained in Section C above.

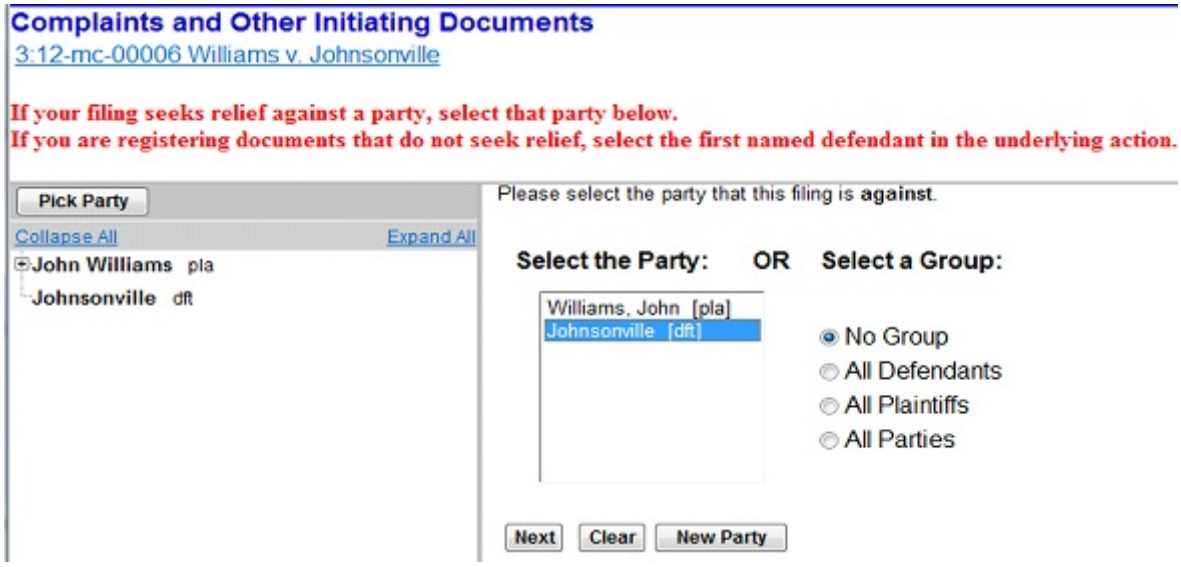

Figure 31

Attach the miscellaneous case initiating document. Click **[Browse...]**. See Figure 32.

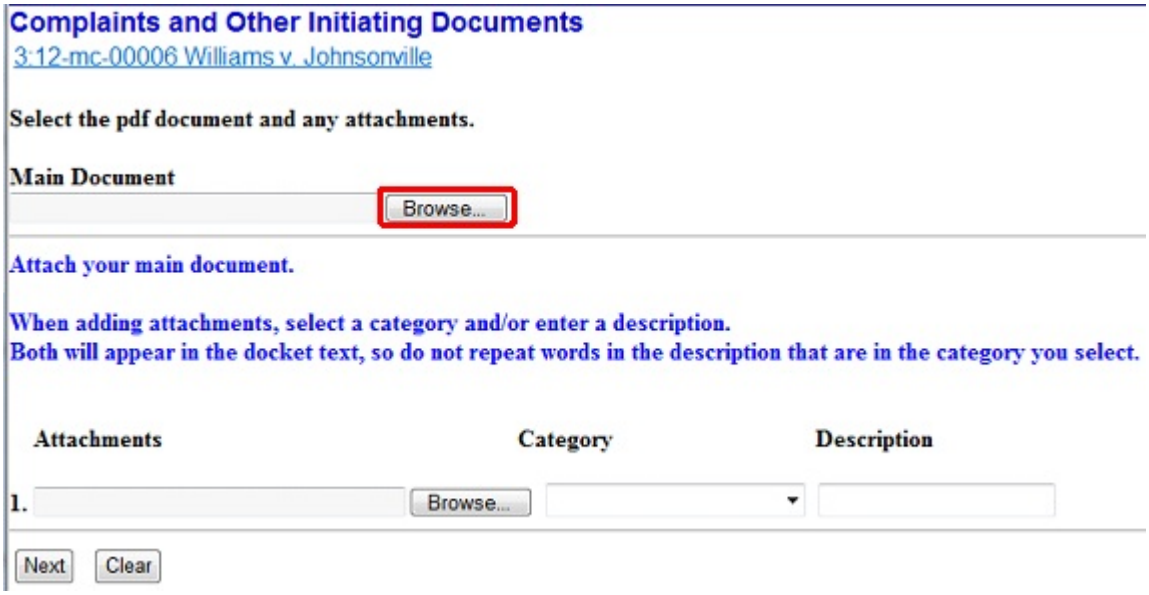

Figure 32

A pop-up box will appear. Navigate to the appropriate folder containing the PDF document(s) you wish to file. Right-click on the document and select the option to open the document in Adobe Acrobat. This allows you to preview the document to ensure you have selected the correct file. (Remember, once submitted, a document cannot be edited.) See Figure 33.

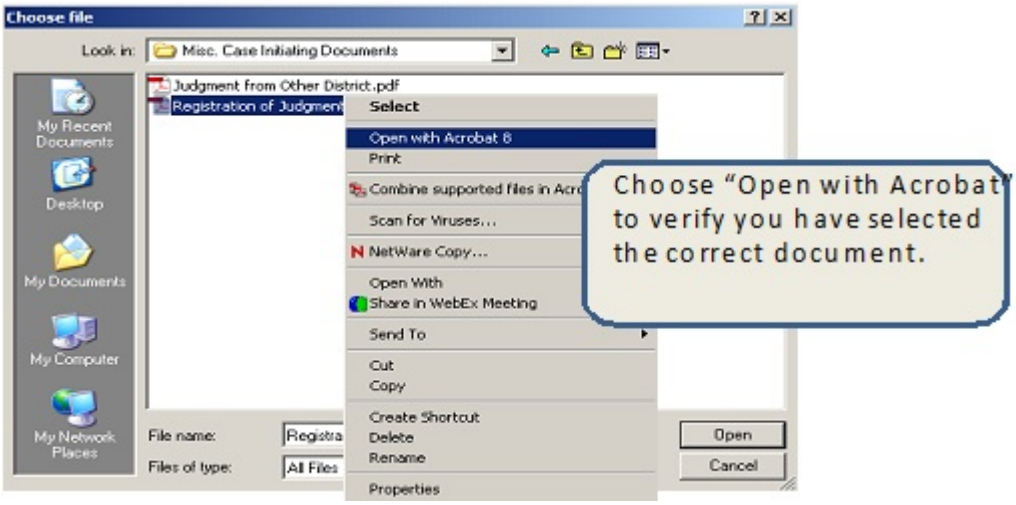

Figure 33

After verifying you have selected the correct PDF document, click **[Open]** to accept the PDF for filing. See Figure 34.

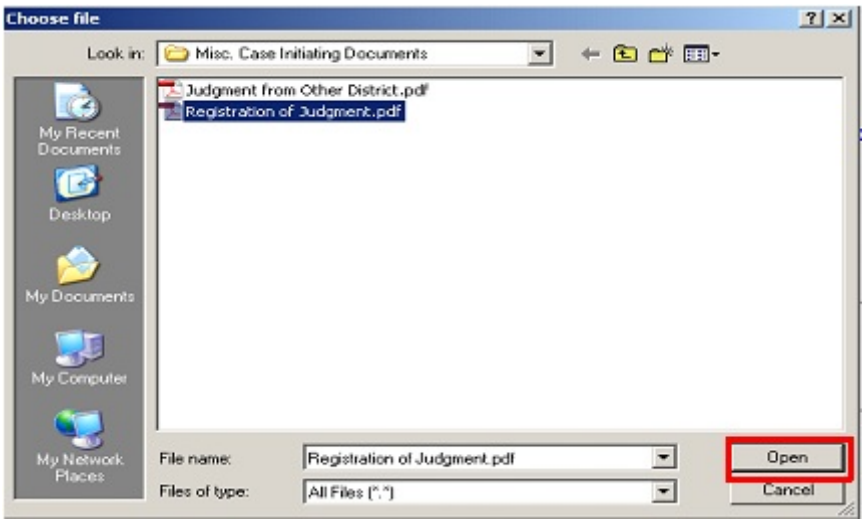

Figure 34

The path to the **Filename** will appear in the **Main Document** text field box. If you wish to attach additional PDF documents to the initiating document, click **[Browse]** under the **Attachments** section of the screen to add the first attachment. See Figure 35.

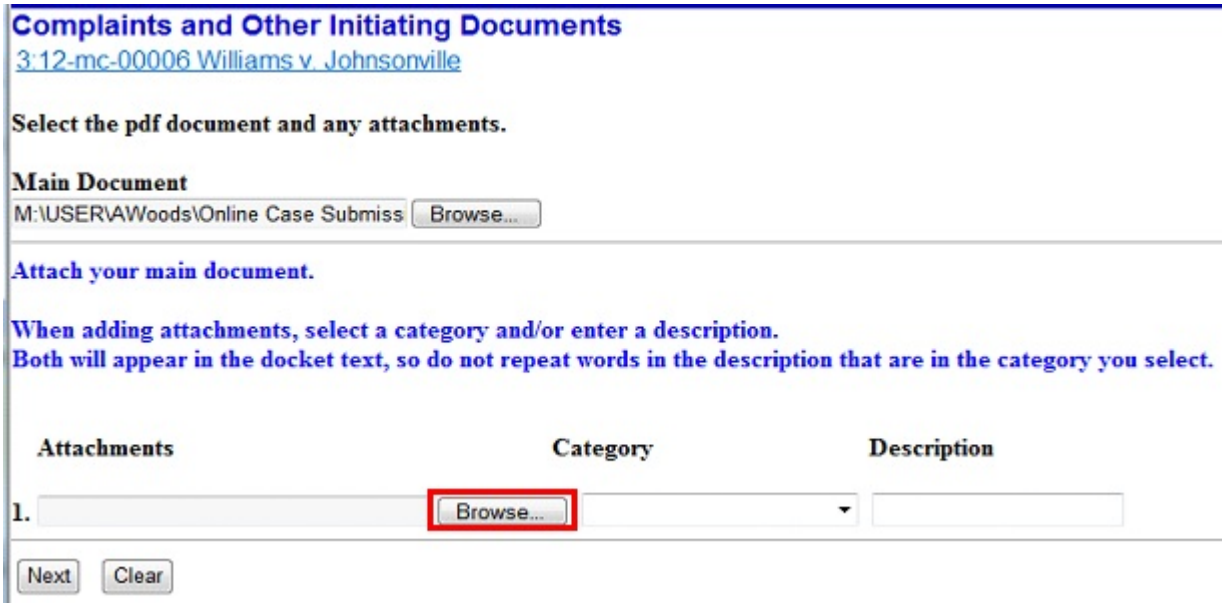

Figure 35

Navigate to the appropriate folder and select the next PDF document to be attached. View the document before attaching it. After attaching it, enter a **Category** and/or a **Description** for the attachment using the Category list and/or the Description field. Additional rows will be added as needed to attach the next PDF document. Click **[Browse]** to repeat the process until all attachments have been added.

When all of the documents are attached, click the **[Next]** button. See Figure 36.

Figure 36

G. Selecting the Case Type and Paying the Filing Fee

Once you have attached your document(s), you will be prompted to identify the type of miscellaneous case you are opening and make a selection that will determine if a filing fee is due at this time. Click **[Next]** to continue See Figure 37.

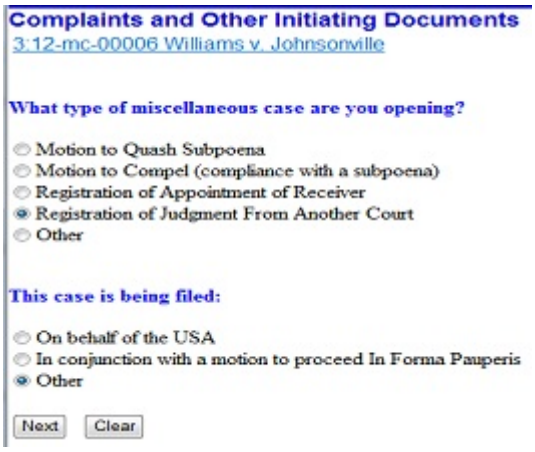

Figure 37

If you select **Other**, a filing fee is required, and the filing fee payment screen will appear. See Figure 38. Click **[Next]** to continue.

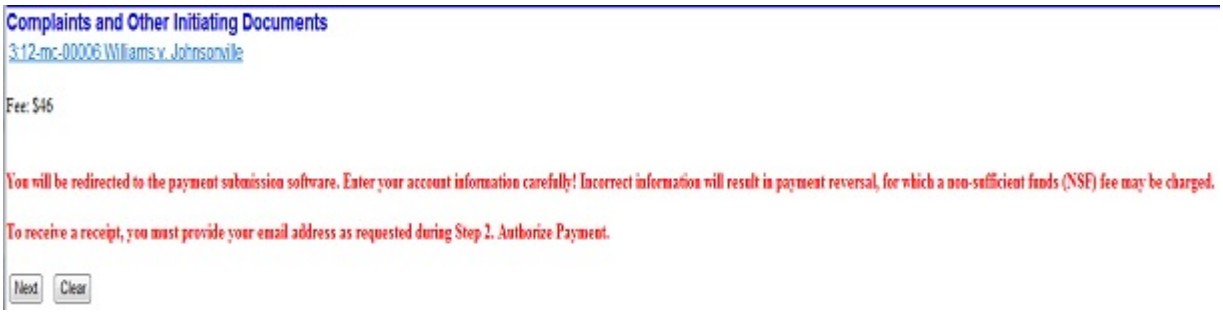

Figure 38

Note: Secure payment screens will guide you through paying the filing fee.
For additional instructions on how to electronically pay a filing fee, please see the Online Filing Fee Payment Guide.

H. Completing the Filing

The final docket text will be displayed. Complete the transaction by clicking the **[Next]** button. If you need to correct any errors (e.g., linking the initiating document to the wrong party), contact the clerk's office for assistance. See Figure 39.

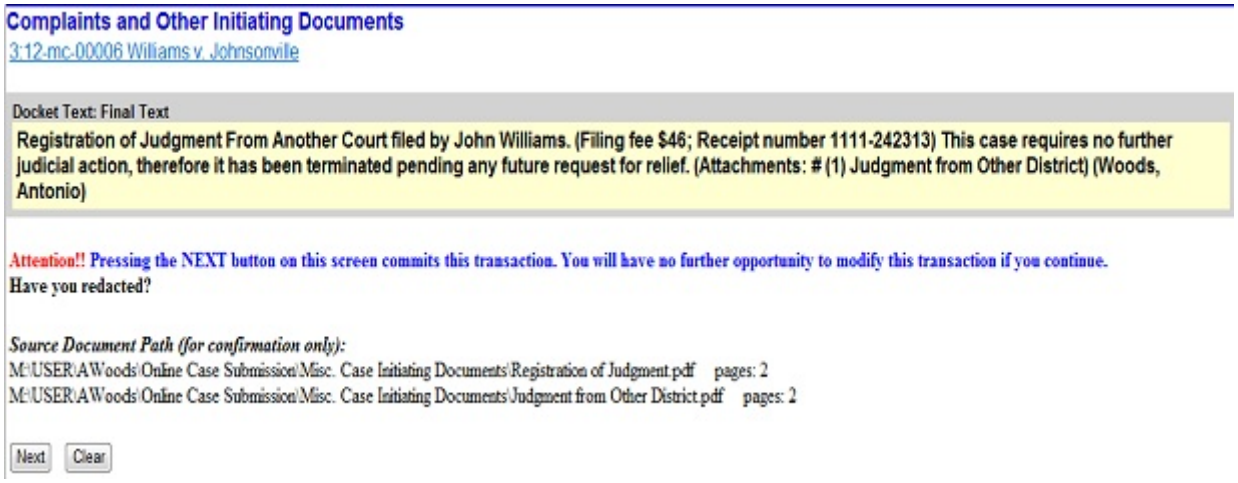

Figure 39

I. Determining the Judge Assigned to the Case

Review the Notice of Electronic Filing. In addition to serving as notification that the event was accepted by ECF, and providing document filing information and relevant hyperlinks, the NEF indicates who will and will not receive a "Notice of Electronic Filing" via email. The NEF also identifies the judge assignment. The presiding judge's alpha designation appears at the end of the case number, and the judge's name appears in the Judge Assigned section. In this illustration, case 3:12-mc-00006-P was randomly assigned to U.S. District Judge Jorge A. Solis. See Figure 40.

PLEASE NOTE: Certain miscellaneous cases require no further judicial action and are therefore closed immediately upon judge assignment (as illustrated in Figure 40).

WARNING: Only the filing attorney will receive a Notice of Electronic Filing when opening a new case, since no other attorneys have appeared. The filing attorney is responsible for service on all other parties.

Complaints and Other Initiating Documents
3:12-mc-00006 Williams v. Johnsonville

U.S. District Court

Northern District of Texas

Notice of Electronic Filing

The following transaction was entered by Woods, Antonio on 6/8/2012 at 3:50 PM CDT and filed on 6/8/2012
Case Name: Williams v. Johnsonville
Case Number: 3:12-mc-00006-P
Filer: John Williams
WARNING: CASE CLOSED on 06/08/2012
Document Number: 1
Judge Assigned: Jorge A Solis (presiding)

Docket Text:
Registration of Judgment From Another Court filed by John Williams. (Filing fee $46; Receipt number 1111-242313) This case requires no further judicial action, therefore it has been terminated pending any future request for relief. (Attachments: # (1) Judgment from Other District) (Woods, Antonio)

3:12-mc-00006-P Notice has been electronically mailed to:

Antonio Woods antonio_woods@txnd.uscourts.gov,

3:12-mc-00006-P Notice required by federal rule will be delivered by other means (as detailed in the Clerk's records for orders/judgments) to:

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

Document description: Main Document
Original filename:n/a
Electronic document Stamp:
[STAMP dcecfStamp_ID=1004035775 [Date=6/8/2012] [FileNumber=114120-0]
[d8b02dbb7d9ad0474058af48c2e5e032c280e58b051681d2d7993cb2351d507af5d55
c013cba71b331288c12f949e3746d57fba637fce4529d7b648fa83b6fe3]]
Document description: Judgment from Other District
Original filename:n/a
Electronic document Stamp:
[STAMP dcecfStamp_ID=1004035775 [Date=6/8/2012] [FileNumber=114120-1]
[5e5d63dd4b8f30b303ffa0483a95f14400d9a34c1eda3965f37e06bb55fbd17cc8598
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Figure 40