

**Summary of Changes to the Civil and Criminal ECF Procedure Guides  
and Civil Manuals for New Users  
December, 2012**

The District Court for the District of Minnesota amended its **Civil & Criminal ECF Procedure Guides** and **Civil Manual for New Users**. Provided below is a summary of the changes.

*Civil ECF Procedures Guide Changes by Section*

**Section II: ELECTRONIC FILING AND SERVICE OF DOCUMENTS**

**Subsection A: Filing**

**Subpart 2-New Cases (Complaints, Petitions, and Removals)**

Language was modified for initiating a new civil case to state:

Initiating documents (e.g., complaints, petitions, notices of removal, etc.) along with civil cover sheets should be filed electronically in ECF. Filers are responsible for entering all case information including the Nature of Suit, Cause of Action and named parties.

New cases filed electronically can be filed twenty four hours a day, seven days a week.

The filing fee is paid electronically through Pay.gov while filing the initiating document, e.g. Complaint, Notice of Removal, or Petition. If submitting an Application to Proceed in District Court Without Prepaying Fees or Costs, make this selection when prompted while filing the initiating document in ECF. The Application to Proceed in District Court Without Prepaying Fees or Costs should be filed as a separate entry after filing the initiating document.

Copies of state court records and proceedings removed pursuant to [28 U.S.C. 1446\(a\)](#) must be filed electronically in accordance with the Local Rules and these procedures. See [LR 5.2](#)

The court assigns a judge after the case is opened and notifies the filer through ECF, via the Notice of Electronic (NEF).

Sealed civil cases and miscellaneous cases cannot be opened electronically by attorneys and will be opened by the Clerk's Office. Submit the initiating documents on CD, to the Clerk's Office. The complaint, civil cover sheet, and exhibits must be separate PDF documents. Payment must be included at the time of submission.

Pro se filers (including prisoners) will not be able to open new cases electronically; they will submit initiating documents in paper.

Filers who are unable to open their cases electronically must submit the initiating documents on CD, to the Clerk's Office. The complaint, civil cover sheet, and exhibits must be separate PDF documents. Payment must be included at the time of submission.

If you are unable to file your case electronically on CM/ECF, then you may mail or deliver to the Clerk's Office, your initiating documents on CD. Please note the Clerk's Office is open 8:00 a.m. to 5:00 p.m. Central Time on regular business days.

If paying by check, the short case title should be typed or written directly on the memo line of the check.

If submitting a new case on CD, the new case is filed the day the Clerk's Office receives the initiating documents AND the required filing fee or the Application to Proceed in District Court Without Preparing Fees or Costs. If the Clerk's Office has initiating documents in its possession, but has not received the required filing fee, the case will not be opened and assigned.

### **Subpart 3-Summonses**

Language was modified to state:

Filers may request a summons be issued during the filing of the initiating document. If a summons was not initially requested when filing the initiating document, file the text only event, *Request to Clerk's Office to Issue Summons*.

The Clerk's Office will issue the summons electronically through ECF with access through the Notice of Electronic Filing (NEF) email hyperlink

The summons and complaint must be served in accordance with [Fed. R. Civ. P. 4](#).

### **Subsection D-Fees Payable to the Clerk**

Language was deleted regarding faxing a credit card authorization form. Language was modified to state:

Secure, online payments may be made by a checking or savings account or by a credit, or debit card as part of specific e-filing events through the U.S. Treasury's [Pay.gov](#) website.

ECF allows for electronic payment of fees in the following civil events: **Notice of Appeal to the 8th Circuit, Motion for Pro Hac Vice Admission (Resident and Non-Resident Movant), Complaint, Notice of Removal, Petition (in a Civil Case), Petition for Writ of Habeas Corpus, Prisoner Complaint under 42 U.S.C. 1983, and Petition re: Review of Naturalization Application.** Also, attorney re-registration fees may be made through CM/ECF (under the Utilities menu).

Electronic payment of appeal fees and pro hac admission fees through Pay.gov is mandatory.

When using these events, the e-filer is prompted for electronic payment of the required filing fee. The e-filer's browser is automatically directed to the secure [Pay.gov](https://www.pay.gov) website, and credit/debit card billing information is entered. The payment transaction is seamlessly integrated in the CM/ECF filing event, and a Pay.gov receipt number is automatically added to the filer's docket entry text.

The court does not maintain or have access to attorney credit card data through the CM/ECF system.

## **Section II: ELECTRONIC FILING AND SERVICE OF DOCUMENTS**

### **Subsection D: Filing Under Seal**

Language was added regarding two paper copies of sealed exhibits do not need to be separated; they can be placed in one envelope.



## *Criminal ECF Procedures Guide Changes by Section*

### **Section II: ELECTRONIC FILING AND SERVICE OF DOCUMENTS**

#### **Subsection D: Fees Payable to the Clerk**

Language was deleted regarding faxing a credit card authorization form. Language was modified to state:

Secure, online payments may be made by a checking or savings account or by a credit, or debit card as part of specific e-filing events through the U.S. Treasury's [Pay.gov](https://www.pay.gov) website. Pay.gov will not maintain credit card numbers or debit accounts for future billing.

ECF allows for electronic payment of fees in the following criminal events:

**Notice of Appeal to the 8th Circuit, Motion for Pro Hac Vice Admission (Resident and Non-Resident Movant).** Also, attorney re-registration fees may be made through CM/ECF (under the Utilities menu).

Electronic payment of appeal fees and pro hac admission fees through Pay.gov is mandatory.

When using these events, the e-filer is prompted for electronic payment of the required filing fee. The e-filer's browser is automatically directed to the secure [Pay.gov](https://www.pay.gov) website, and credit/debit card billing information is entered. The payment transaction is seamlessly integrated in the CM/ECF filing event, and a Pay.gov receipt number is automatically added to the filer's docket entry text.

The court does not maintain or have access to attorney credit card data through the CM/ECF system.



***CM/ECF Civil Manual for New Users Changes***

**Section on Filing a New Civil Case (e.g. Compliant, Removal)**

Instructions were modified on the new process of filing civil cases electronically in CM/ECF.