

2011



[OPENING A NEW MISCELLANEOUS CASE]

Directions on Opening a New Miscellaneous Case Electronically

Table of Contents

General Information	2
Adding Parties to Miscellaneous Case	4
Appointment of Receiver	4
Letters Rogatory.....	6
Motion/Petition to Quash.....	7
Registration of Judgment.....	8
Petition to Enforce IRS Summons (U.S. Attorney Only).....	11
Applications for Writs of Continuing Garnishment (U.S. Attorney Only)	13
Filing Initiating Document.....	15
Payment Information	15
Additional Information Required	16


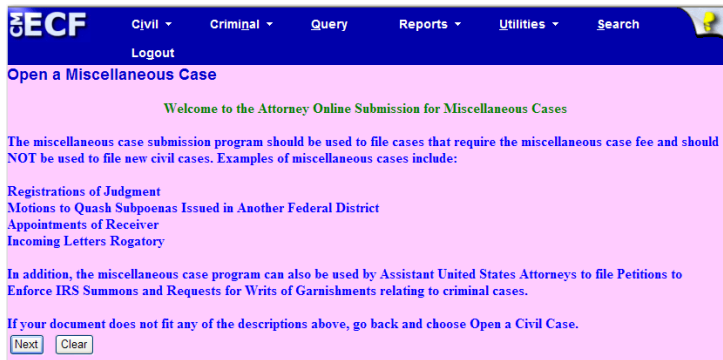
Opening a New Civil Miscellaneous Case

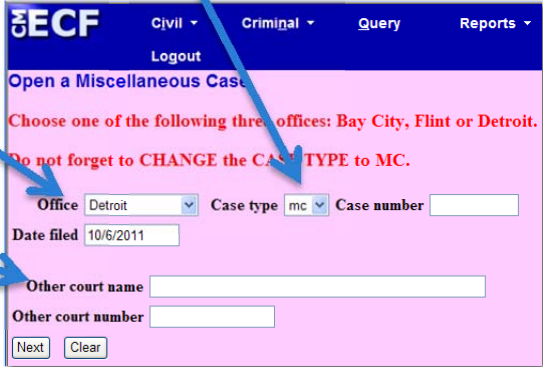
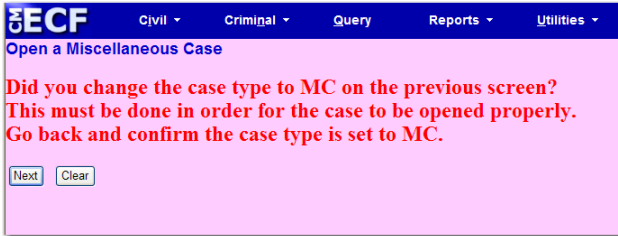
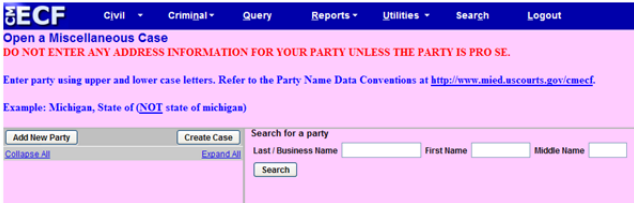
E-Filing users may now initiate a new civil miscellaneous case in the CM/ECF system. The following types of cases can be opened with this new event:

- Appointments of Receiver
- Incoming Letters Rogatory
- Motions/Petitions to Quash
- Registrations of Judgment
- Petitions to Enforce IRS Summons (U.S. Attorney Only)
- Applications for Writs of Continuing Garnishment (U.S. Attorney Only)

General Information

Generally, all miscellaneous cases are opened in the **Open a Miscellaneous Case** link in CM/ECF. Follow these steps to open a new civil miscellaneous case:

STEP	ACTION
1	Log into CM/ECF and click Civil from the Blue Menu Bar .
2	<p>Select Open a Miscellaneous Case from the <i>Open a Case</i> category.</p> 
3	<p>This screen describes the types of cases that can be filed using this event. If your case does not conform to these examples, you will need to use the Open a Civil Case link from the <i>Civil Menu</i>.</p> <p>Otherwise, Click [Next].</p> 

STEP	ACTION
4	<p>Click the Case Type drop-down menu and select “mc.”</p> <p>Change the Office to one of the following only:</p> <ul style="list-style-type: none"> • Detroit • Bay City • Flint <p>If this action is a result of another court action, enter that court information in the Other court name and Other court number fields.</p> <p>Click [Next].</p> 
5	<p>Click [Next].</p> 
6	<p>Add ALL PARTIES to the case as outlined in the section of this manual that describes your specific type of case. Do not add address information unless the party is Pro Se.</p> <p>For general information about adding parties, consult the ECF User's Manual.</p> 

Adding Parties to Miscellaneous Case

Depending on the type of case being opened, you may need to add specific parties and select different types of roles from the **Role** drop-down menu.

Open a Miscellaneous Case
DO NOT ENTER ANY ADDRESS INFORMATION FOR YOUR PARTY UNLESS THE PARTY IS PRO SE
 Enter party using upper and lower case letters. Refer to the Party Name Data Conventions at <http://www.mied>
 Example: Michigan, State of (NOT state of michigan)

Buttons: Add New Party, Create Case, Collapse All, Expand All

Party Information

Last name: First name:
 Middle name: Generation:
 Title:
 Role:
 Pro se:
 Prisoner Id:
 Office:
 Address1:


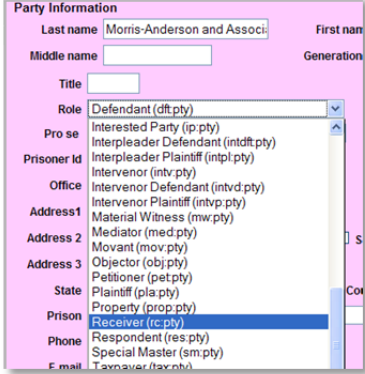
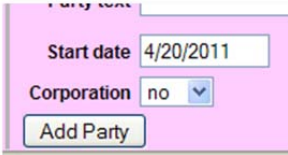
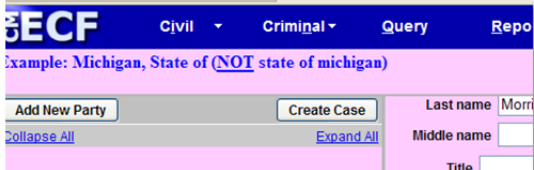
Appointment of Receiver

When filing an **Order Appointing Receiver**, **ALL** plaintiffs and defendants from the originating case in the originating court are added to the case. See the [ECF User's Manual](#) for more information on adding parties.

In addition, the **Receiver** is added as a party with a Role of "**Receiver**." Do not add address information for any parties, including the Receiver.

Example: Order Appointing Receiver was signed by a judge from the U.S. District Court in Missouri Eastern. The Receiver appointed is Morris-Anderson and Associates, Limited.

STEP	ACTION
1	Add the Plaintiffs and Defendants to the case. See ECF User's Manual for information on how to add a party to the case.
2	<p>In the Party Search Screen, enter <i>Morris-Anderson and Associates, Limited</i> in the Last/Business Name field.</p> <p>Click [Search].</p>


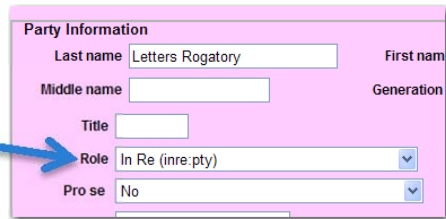

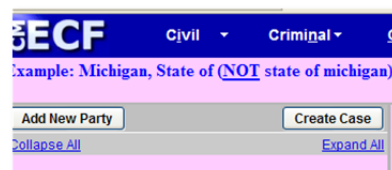
STEP	ACTION
3	<p>If the search produces a result, click on the name in the Search Results window and click [Select Party].</p> <p>If the name does not return any results, click [Create New Party].</p> 
4	<p>From the Role drop-down menu, click Receiver (rc:pty).</p> 
5	<p>Click [Add Party].</p> 
6	<p>Click [Create Case].</p> 
7	<p>Click the <u>Docket Lead Event link</u> and Select Misc. Case – Appointment of Receiver. Continue the filing. For more information see Filing Initiating Document and Additional Information Required sections.</p>

Letters Rogatory

When filing **Letters Rogatory**, **ALL** plaintiffs and defendants from the originating case in the originating court are added to the case. See the [ECF User's Manual](#) for more information on adding parties.

In addition, the **Letters Rogatory** the **party** is entered as an **"In Re:"** party type.

Example: Request by Italy pursuant to the treaty between the USA and Italian Republic on mutual assistance in criminal matters in the matter of Giuseppe D'Anna.

STEP	ACTION
1	Add the plaintiff and defendant in the traditional manner. (See ECF Filing User's Manual for more information).
2	<p>Enter in the Last/Business Name field: "Letters Rogatory."</p> <p>Click [Search].</p>  <p>The search will return a result. Click Letters Rogatory in the Search results and click [Select Party].</p>
3	<p>In the Role drop-down menu, select "In Re (inre:pty)."</p> 
4	<p>Click [Add Party].</p> 
5	<p>Click [Create Case].</p> 


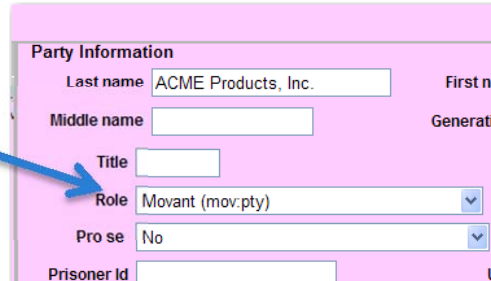
STEP	ACTION
6	Click the <u>Docket Lead Event link</u> and Select Misc. Case – Initiating Document, Other . Continue the filing. For more information see Filing Initiating Document and Additional Information Required sections.



Motion/Petition to Quash

When filing a **motion or petition to quash**, **ALL** plaintiffs and defendants from the originating case are added to the case. See the [ECF User's Manual](#) for more information on adding parties.

If the party filing the Motion to Quash is not a party to the case, add the moving party with a party role of “**movant**.”

Example: ACME Products, Inc. is served a subpoena requesting production of documents for a case in another district. ACME Products, Inc. is located in this district and files the Motion to Quash in this court. ACME Products, Inc. is not a party to this case.

STEP	ACTION
1	Add the plaintiff and defendant in the traditional manner. (See ECF Filing User's Manual for more information).
2	<p>Enter in the Last/Business Name field: “ACME Products, Inc.”</p> <p>Click [Search].</p> <p>Click [Select Party] or [Create New Party].</p> 
3	<p>Select “Movant(mov:pty)” in the Role drop-down men.”</p> 

STEP	ACTION
4	Click [Add Party]. 
5	Click [Create Case]. 
6	Click the <u>Docket Lead Event link</u> and Select Misc. Case – Initiating Motion . Continue the filing. For more information see Filing Initiating Document and Additional Information Required sections.


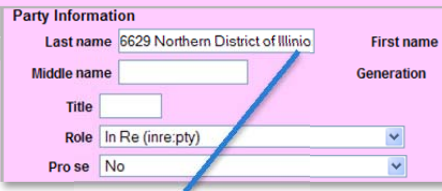

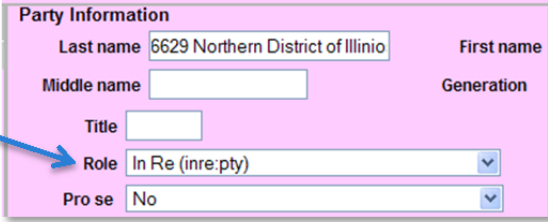

Registration of Judgment


When filing a **Registration of Judgment**, **ALL** plaintiffs and defendants from the originating case in the originating court are added to the case. See the [ECF User's Manual](#) for more information on adding parties.

In addition, the **Certification of Judgment** is added as a party with a Role of “**In Re.**” Do not add address information for any parties.

Example: Case Number 94-C-6629 Judgment from the Northern District of Illinois to be registered in the Eastern District of Michigan.

STEP	ACTION
1	Add the plaintiff and defendant in the traditional manner. (See ECF Filing User's Manual for more information).

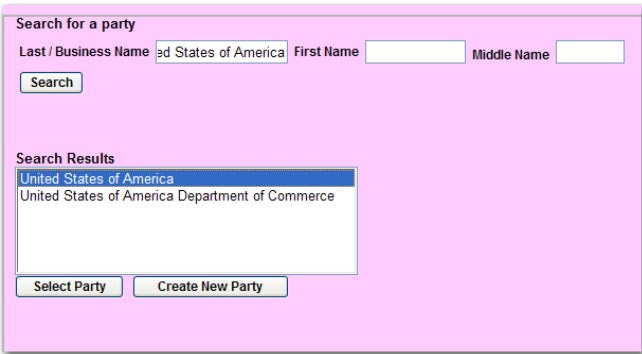
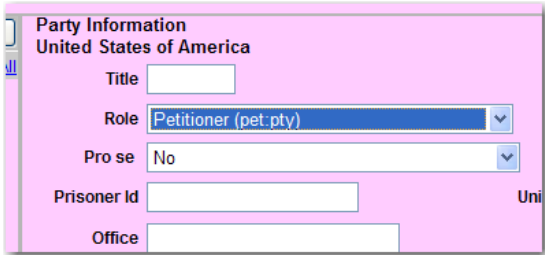

STEP	ACTION
2	<p>Enter in the Last Name Field: "Certification of Judgment" followed by the case number and name of the other court.</p> <p>Click [Search].</p> <p>Most of the time, the search will return no results or results that do not match your search.</p> <p>Click [Create New Party].</p> 
3	<p>Make sure the Last name field contains the entire information:</p> <p>Certification of Judgment + Case Number + Court</p> <p>For this example if the Last Name field could be expanded, it would look like this:</p>  
4	<p>Select "In Re (inre:pty)" from the Role drop-down menu.</p> 
5	<p>Click [Add Party].</p> 


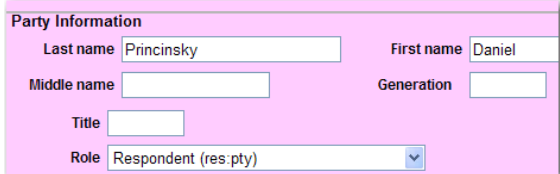

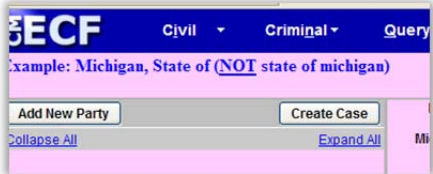
STEP	ACTION
6	<p>Click [Create Case].</p> 
7	<p>Click the Docket Lead Event link and Select Misc. Case – Registration of Judgment. Continue the filing. For more information see Filing Initiating Document and Additional Information Required sections.</p>

Petition to Enforce IRS Summons

(For use by United States Attorney's Office only) When filing a Petition to Enforce IRS Summons, the United States is added as a party with the role of "**Petitioner**" and the subject of the IRS Summons is added as the "**Respondent**."

Example: A Petition to Enforce IRS Summons is being filed against Daniel Princinsky. The United States initiates a Miscellaneous Case with the Petition as the initiating document.

STEP	ACTION
1	<p>Enter in the Last/Business Name field: "United States of America"</p> <p>Click [Search].</p> <p>Select the United States of America from the list.</p> <p>Click [Select Party].</p> 
2	<p>Set the Role to "Petitioner."</p> 
3	<p>Click [Add Party].</p> 

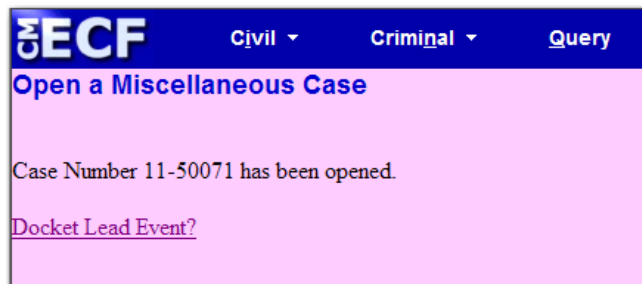
STEP	ACTION
4	<p>Enter the subject of the Summons in the Last/Business Name and First Name fields.</p> <p>Click [Search].</p>  <p>Click [Select Party] or [Create New Party].</p>
5	<p>Set the Role to “Respondent.”</p> 
6	<p>Click [Add Party].</p> 
7	<p>Click [Create Case].</p> 
8	<p>Click the <u>Docket Lead Event link</u> and Select Misc. Case – Petition to Enforce IRS Summons. Continue the filing. For more information see Filing Initiating Document and Additional Information Required sections.</p>

Applications for Writs of Continuing Garnishment

(For use by United States Attorney's Office only) When an Application for Writ of Continuing Garnishment is filed and relates to a previous criminal case, open the case as described in the General Information section. Add the parties as follows:

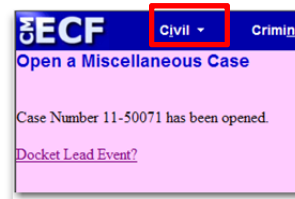

- Plaintiff: United States of America
- Defendant: Only the criminal defendant the garnishment pertains to


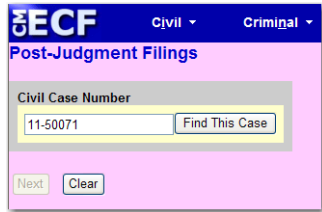

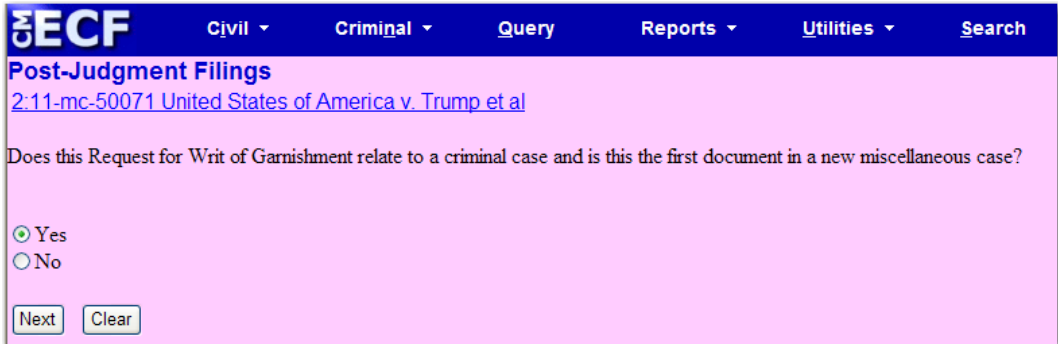
Once the parties have been added, the case is created and the following screen displays.

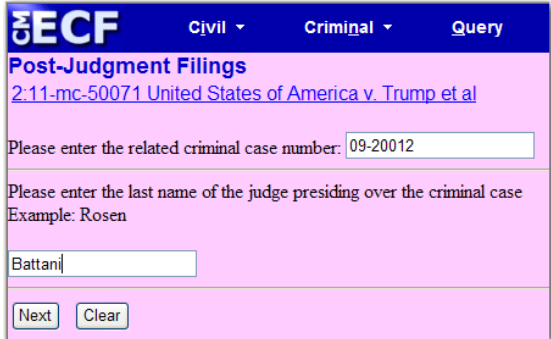


IMPORTANT!! When filing an Application for Writ of Continuing Garnishment that relates to a previous criminal case and is the FIRST document being filed, **DO NOT** click the Docket Lead Event link shown in the screen above.

Follow these instructions to docket the Application:

STEP	ACTION
1	After receiving the case number, instead of clicking "Docket Lead Event," click Civil from the main menu. 
2	Click Post-Judgment Collection Documents . 

STEP	ACTION
3	<p>Click Request for Writ of Garnishment by USA.</p> <p>Click [Next].</p> 
4	<p>Enter the case number that was assigned in Step 1. Click [Find this case] and then click [Next].</p> 
5	<p>Click [Next].</p> 
6	<p>Click the radio button next to “Yes.”</p> <p>Click [Next].</p> 

STEP	ACTION
7	<p>Enter the Criminal Number this case relates to.</p> <p>Enter the Judge assigned to the Criminal case.</p> <p>Click [Next].</p> <p>Note: The Clerk's Office will directly assign the new miscellaneous case to the same Judge that heard the criminal case.</p> 
8	Finish the filing as normal.


Filing Initiating Document

When filing a new miscellaneous case, you will need to select the appropriate event from the **Initiating Complaints and Other Pleadings** → **Available Events** window (pictured). All available miscellaneous case initiating documents are listed with “**Misc. Case**” before the title of the document.

DO NOT select a document with “Civil Case” before the title.

DO NOT select Petition to Enforce IRS Summons or U.S. Attorney Case Initiation, unless you are representing the United States of America.

When Filing a Petition for Writ of Continuing Garnishment DO NOT use any of these events. (See “Applications for Writs of Continuing Garnishment” for more information).



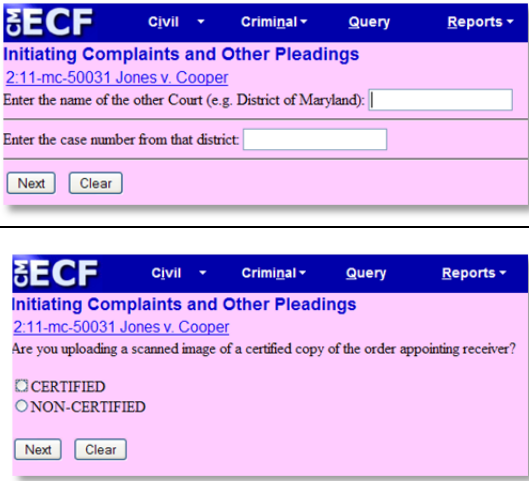
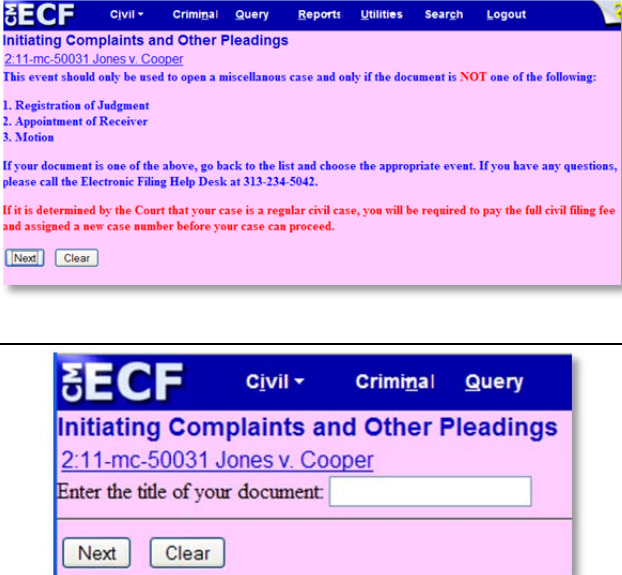
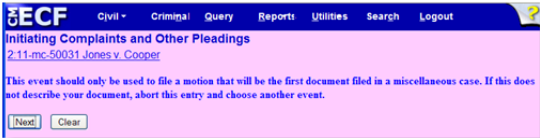
Click on the appropriate event and click [Next]. (See the **Additional Information Required** section for more specific information about each event and to determine which event to use).

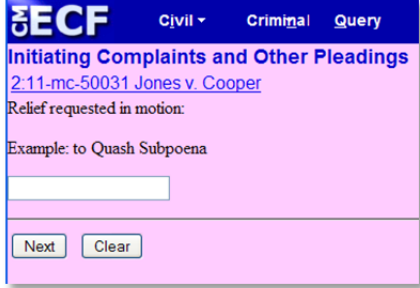
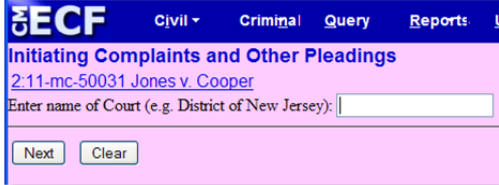
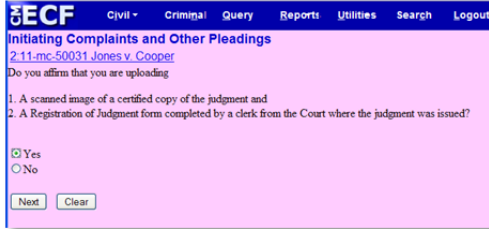
Payment Information

Miscellaneous cases have a fee of \$39.00. Effective November 1, 2011 the filing fee will increase to \$46.00. The fee is paid on-line during the filing process with a credit card. For more information on how the payment process works, see the [ECF User's Manual](#). Payment of the fee **MUST** be made during the filing unless the case is being filed by the United States Attorney's Office.

Additional Information Required

Depending on the type of document selected, there may be additional screens that require specific information. The table below will detail these screens and what information is required:

TYPE OF MISCELLANEOUS CASE	SCREEN SHOT AND EXPLANATION
<p>Appointment of Receiver:</p> <ol style="list-style-type: none"> 1. The name of the court the Receiver was appointed in must be entered in the first field. The case number must be entered in the second field. 2. Select whether the image of the Order Appointing Receiver is a Certified or Non-Certified image. 	 <p>The first screenshot shows the 'Initiating Complaints and Other Pleadings' screen for case 2:11-mc-50031 Jones v. Cooper. It prompts the user to 'Enter the name of the other Court (e.g. District of Maryland):' and 'Enter the case number from that district:', with 'Next' and 'Clear' buttons.</p> <p>The second screenshot shows the same case, asking 'Are you uploading a scanned image of a certified copy of the order appointing receiver?' with radio button options for 'CERTIFIED' and 'NON-CERTIFIED', and 'Next' and 'Clear' buttons.</p>
<p>Initiating Document – Other:</p> <ol style="list-style-type: none"> 1. This screen reminds the filer that this event is not to be used if the document being filed is a Registration of Judgment, Appointment of Receiver, or a Motion. 2. This screen requires that the title of the document be typed in the field. Example: Letters Rogatory 	 <p>The first screenshot shows the 'Initiating Complaints and Other Pleadings' screen for case 2:11-mc-50031 Jones v. Cooper. It includes a warning: 'This event should only be used to open a miscellaneous case and only if the document is NOT one of the following: 1. Registration of Judgment, 2. Appointment of Receiver, 3. Motion.' It also provides contact information for the Electronic Filing Help Desk and a note about civil filing fees. 'Next' and 'Clear' buttons are at the bottom.</p> <p>The second screenshot shows the same case, prompting the user to 'Enter the title of your document:' with a text field and 'Next' and 'Clear' buttons.</p>
<p>Initiating Motion:</p> <ol style="list-style-type: none"> 1. This screen advises the filer that this event should only be used when filing a motion that initiates a case. 	 <p>The screenshot shows the 'Initiating Complaints and Other Pleadings' screen for case 2:11-mc-50031 Jones v. Cooper. It includes a warning: 'This event should only be used to file a motion that will be the first document filed in a miscellaneous case. If this does not describe your document, abort this entry and choose another event.' 'Next' and 'Clear' buttons are at the bottom.</p>

TYPE OF MISCELLANEOUS CASE	SCREEN SHOT AND EXPLANATION
<p>2. This screen requires that the title after the word “Motion” should be entered; such as “to Quash Subpoena.” DO NOT include the word “Motion” in the text field.</p>	
<p>Registration of Judgment:</p> <p>1. This screen requires the user to enter the court from which the judgment was issued.</p> <p>2. This screen requires that the user indicate that “Yes” the document being uploaded is a scanned image of a certified copy of the judgment and a Registration of Judgment form completed by a clerk from the court where the judgment was issued.</p>	 

Notes:

Revision Date	Notes	By Whom
4/7/11	Completed First Draft, submitted for Review.	KC
4/20/11	Made revisions to draft, submitted for Review.	KC
8/2/11	Made additional revisions, submitted for review.	KC
9/23/11	Additional revisions based on new screen shots	KC
10/6/11	Further updates and combined AUSA and general atty instructions into one document.	KC
10/11/11	Further changes and updated Payment information.	KC
10/16/11	Changes to Adding Parties, Filing Fee	AT