

CM/ECF CIVIL MOTION ATTORNEY TRAINING

Docketing a Motion to Dismiss in a Civil Case

1. Log in to CM/ECF. Locate the **CM/ECF Main Menu Bar** at the top of the screen. Click on the **Civil** option on the **CM/ECF Main Menu Bar** (see Figure 1).

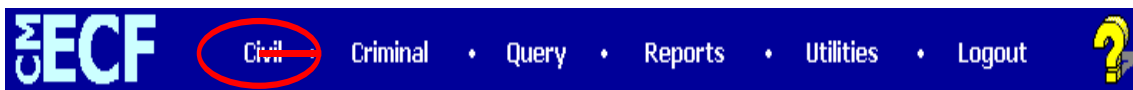


Figure 1 - CM/ECF Main Menu bar

2. The system will display the **Civil Events** screen. Click on **Motions** in the Motions and Related Filings section (see Figure 2).



Figure 2 - Civil Events screen

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3. The system will display the **Motions Relief** selection screen.
 - a. The system will display a list of various motion reliefs. Click on the down-arrow or scroll down to select **Dismiss** from the list. Click on the word **Dismiss**. Once the **Dismiss** relief appears highlighted, click on the [**Next**] button to continue (see Figure 3).

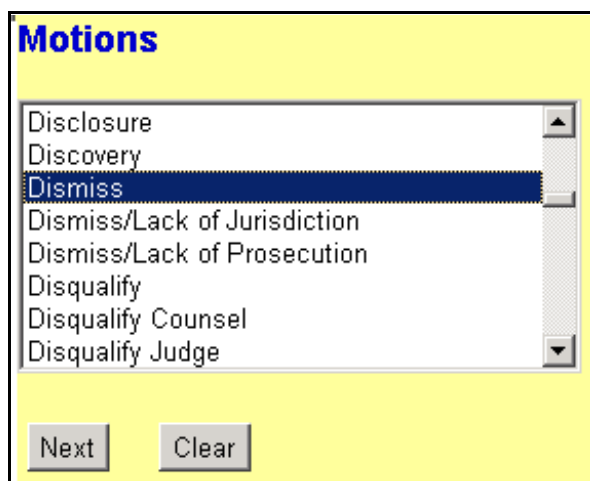


Figure 3 - Motion Relief Screen

NOTE: If the motion is asking for more than one relief, click on the first relief, find the second relief in the list, then hold down the Control **<Ctrl>** key on your keyboard while you click on the second relief. Repeat this process until all of the motion reliefs are selected..

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4. The system will display the **Case Number** screen. Enter the case number in the **Case Number** box, using one of the formats displayed. For example: **99-12345**, **1:99-cv-12345**, **1-99-cv-12345**, **99cv12345** or **1:99cv12345**. Click the **[Next]** button to continue (see Figure 4).

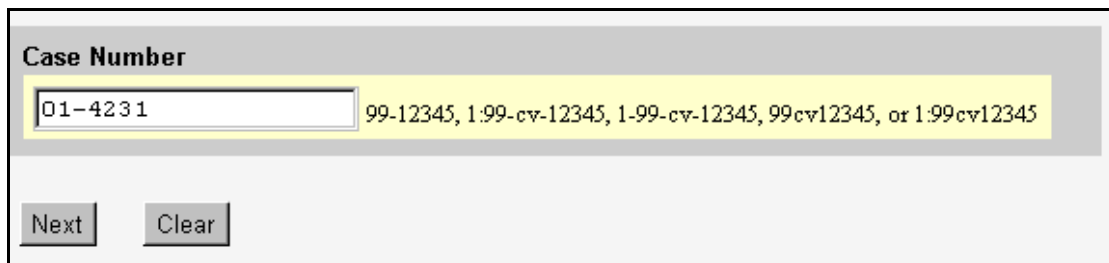


Figure 4 - Case Number screen

- a. If the case number entered is **not** a valid case number, the system will display the following message:

1:yy-cv-nnnnn is not a valid case. Please enter a valid value.

Click the **[Back]** button. The system will return you to the **Case Number** screen. Enter a valid case number, using one of the formats outlined in Step 4.

5. The system will display the **Case Number Verification** screen (see Figure 5). The purpose of the **Case Number Verification** screen is for you to verify the case number entered in Step 4.

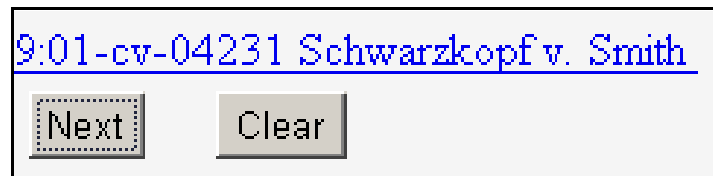
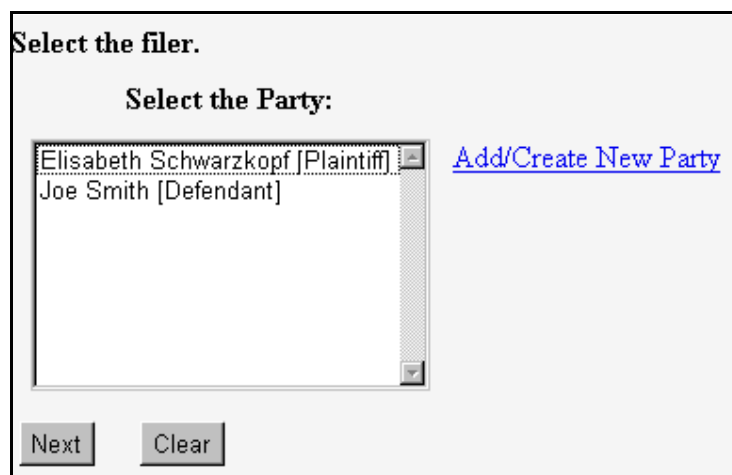


Figure 5 - Case Number Verification screen

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- a. If this is the correct case, click the **[Next]** button.
 - b. If this is **not** the correct case, you **must** return to the **Case Number** screen in Step 4. To return to the **Case Number** screen, click the **Back** button of your browser until you reach the **Case Number** screen (see Figure 4 in Step 4). Once you reach the **Case Number** screen, repeat Steps 4 and 5.
6. The system will display the **Party Selection** screen (see Figure 5).



Select the filer.

Select the Party:

Elisabeth Schwarzkopf [Plaintiff]
Joe Smith [Defendant]

[Add/Create New Party](#)

Next Clear

Figure 6 - Party Selection screen

- a. A list of the parties in the case will be displayed for you to select the party(ies) who is filing the motion. To select the party(ies) who is filing the motion, click on that party's name to highlight it, then click the **[Next]** button.

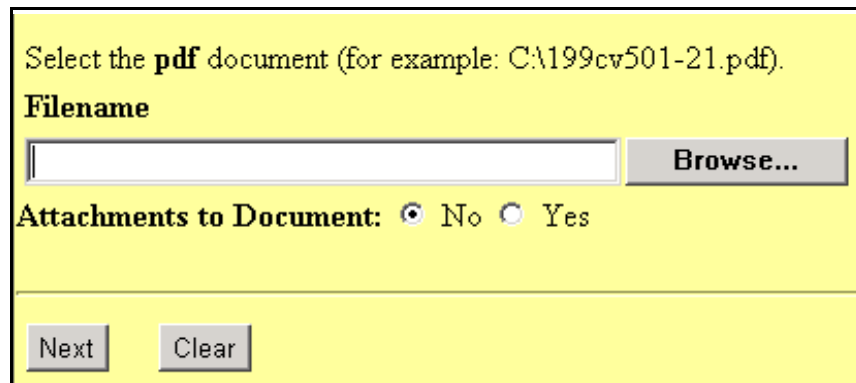
NOTE: If the party's name is **not** on the list, i.e., the motion is adding movants to the case, click the [Add/Create New Party](#) hyperlink. Please refer to the **U.S.D.C. Southern District of New York's Standardized Procedures for Creating New Party Information in CM/ECF**. After you have added/created new party information return to the **Party Selection** screen. Select the party(ies) who are filing the motion, click on the party's name to highlight it, then click the **[Next]** button.

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NOTE: If the motion is being filed by more than one party, click on the first party to highlight it, find the second party in the list, then hold down the Control <Ctrl> key on your keyboard while you click on the second party's name to highlight it. Repeat this process until all the parties who are filing the amended answer are selected.

7. The system will display the **pdf document** screen. The **pdf document** screen is used to associate a PDF file/document with the docket entry being docketed (see Figure 6).



Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename

Browse...

Attachments to Document: No Yes

Next **Clear**

Figure 7 - PDF Document Screen

- a. To associate a PDF Document with this docket entry, and if the PDF Document has any attachments, click the **[Browse...]** button and refer to the **Procedures For Uploading a PDF Document and Attaching an Attachment in CM/ECF**. After attaching the PDF Document, click the **[Next]** button to continue.

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8. The system will display the **Response Deadline / Return Date** screen (see Figure 8) and prompt the user to Enter the Response Deadline and the Return Date if Applicable.

Enter the Response Deadline and the Return Date if Applicable.

Response Deadline

Date

Return Date

Date Time AM PM

Location Judge

Figure 8 - Response Deadline / Return Date screen

- a. If a response deadline is applicable, then enter the response deadline in the **Date** box, using the format **mm/dd/yyyy** or **mm/dd/yy**, including forward slashes. Enter the time, if given, in the **Time** box in the format **hh:mm**. If a time is entered, be sure to click the **AM** or **PM** radio button. If applicable, select a Location by clicking the down arrow next to the **Location** box.
- b. If a response deadline is **not** applicable, then leave the **Date** box and **Time** box blank.
- c. If a return date is applicable, then enter the return date in the **Date** box, using the format **mm/dd/yyyy** or **mm/dd/yy**, including forward slashes. Enter the time, if given, in the **Time** box in the format **hh:mm**. If a time is entered, be sure to click the **AM** or **PM** radio button. If applicable, select a Location by clicking the down arrow next to the **Location** box.
- d. If a return date is **not** applicable, then leave the **Date** box and **Time** box blank.

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- e. Click the [**Next**] button to continue.

NOTE: If seeing a calendar would help you determine the deadline date, click on the [**Calendar**] button. The system will display a calendar of the current month (see Figure 8a). Using this calendar, you can quickly determine the date for 10-day or two-week deadline, for example. If you need to see a display of the next month, click the “greater than” symbol (>), and the system will display the next month. To display the previous month, click the “less than” symbol (<). To select the deadline date, just click on that date in the calendar. You will be returned to the deadline screen. with that date entered into the appropriate box. When you have the correct dates entered into the deadline box, or have left them blank as appropriate, click the [**Next**] button to continue.



Figure 8a - Calendar window

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9. The system will display the **Modify Docket Text** screen (see Figure 9).

Docket Text: Modify as Appropriate.

. Document filed by John Smith .

Return Date set for 4/24/2003 before Judge Kimba M. Wood. (Smith, John)

Next Clear

Figure 9 - Modify docket text screen

- a. If the motion has a document prefix (e.g., **First**, **Second**, **Amended**, **Third**, etc.), then click on the down arrow next to the first box. Highlight the prefix and click on the prefix to select it. If the motion does **not** have a document prefix, then leave the first box blank.
 - b. If additional docket text need to be added to the motion, then insert the additional text in the box next to the **MOTION to Dismiss** text.
 - c. Thoroughly check the docket text for accuracy. Make sure that it reflects the correct complaint(s) and filer(s). If it does **not**, click your browser's **Back** button to correct any error.
 - d. Click the **[Next]** button to continue.
10. The system will display the **Docket Text: Final Text** screen. The docket text from the previous screen will be displayed again. The system will display the following message:

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

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NOTE: CHECK THE DOCKET TEXT CAREFULLY HERE. THIS IS THE LAST CHANCE FOR YOU TO GO BACK AND CORRECT ANY ERRORS IN THE TRANSACTION OR TO LEAVE THE TRANSACTION AND START OVER BY CLICKING THE CIVIL OPTION ON THE CM/ECF MAIN MENU BAR.

When you click the [**Next**] button on this screen, you are submitting this transaction to the CM/ECF database. If there is a mistake in the transaction, you will **not** be able to click the **Back** button of your browser to make any corrections.

If you are completely satisfied with the transaction, click the [**Next**] button to complete the docketing of this transaction.

11. The system will display the **Notice of Electronic Filing** screen (see Figure 11). The **Notice of Electronic Filing** screen is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
 - a. To print a copy of this notice, click the browser **Print** icon.
 - b. To save a copy of this receipt, click the **File** option on the browser menu.

NOTE: When you arrive at the **Notice of Electronic Filing** screen, you are finished with the filing/docketing of your transaction. You can select a choice from the **CM/ECF Main Menu Bar** at the top of the screen. For example, you can click on **Civil** or **Criminal** to file/docket another transaction.

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Notice of Electronic Filing

The following transaction was received from Leslie LeFord on 10/29/2001 at 2:42 PM CST

Case Name: Schwarzkopf v. Smith

Case Number: [0-01-04231-RB](#)

Document Number: [19](#)

Docket Text:

MOTION to Continue by Joe Smith. (Ledford, Kerry)

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

Document description:Main Document

Original filename:R:\TRAINING\ECF\Docs_PDF\ECF docs\Motion.PDF

Electronic document Stamp:

[STAMP dcstdStamp_ID=981407491 [Date=10/29/2001] [FileNumber=50855-0]
[3f9f4f49836ae59be00306477b777c2dbc6dc6f8b64b9530ad63962089ccd394dc735
12a16b3c4e11ef754e17e46a53ccdc5d5eb14d5f549179dbc3da4ad03a7]]

0-01-04231-RB Notice will be electronically mailed to:

0-01-04231-RB Notice will not be electronically mailed to:

Dale P. Jones
Jones and Associates
129 Main Street
San Antonio, TX 78209

Leslie LeFord
Courthouse Steps
271 Main Plaza
San Antonio, TX 78201

Figure 11 - Notice of Electronic Filing screen