

U.S. DISTRICT AND BANKRUPTCY COURTS FOR THE DISTRICT OF COLUMBIA



Supplemental Instructions

How to File Amended Complaints, Crossclaims, Counterclaims and Third-Party Complaints

Clerk's Office – U.S. District Court for the District of Columbia

06/01/2013

These supplemental instructions will provide registered ECF users with the guidelines to follow to successfully file amended complaints, crossclaims, counterclaims and third-party complaints electronically.

AMENDED COMPLAINTS

Before filing an amended complaint, be sure to review FRCvP 15 which details when an amended complaint is permitted to be filed.

If an amended complaint is permitted to be filed as of right or pursuant to a scheduling order or other previously determined deadline, **follow these instructions to file the *Amended Complaint***:

1. Log in to ECF.
2. Select **CIVIL** on the blue menu bar.
3. From the **Complaints and Other Initiating Documents** menu, select ***Amended Complaint*** and click **[SUBMIT]**.
4. Select the plaintiff(s) filing the amended complaint.
 - a. To select more than one filer, hold the **<Ctrl>** key down and click on each appropriate name until all are highlighted.
 - b. If a new plaintiff is being added to the amended complaint, click **[New Filer]** and add the new party.
 - c. **REMEMBER:**
 - i. Party names are entered in **ALL CAPS**.
 - ii. **SEARCH** first before adding a new party to the database.
 - iii. **Change the role of the party to PLAINTIFF.**
 - iv. **DO NOT** add an address for the party.
 - v. Add party text, if applicable.
 - vi. To review the tutorial and instructions on Entering Party Names, go to our website: <http://www.dcd.uscourts.gov/dcd/AttyCivilCaseOpeningInfo>
 - d. Continue to add as many new plaintiffs as needed.
 - e. Once the appropriate filers have been selected, click **[Next]**.
 - f. **Note:** If a party is no longer named as a plaintiff in the amended complaint, do not select it as one of the filers. The Clerk's Office will follow up and terminate that plaintiff from the case.
5. Select the defendant(s) named in the amended complaint.
 - a. To select more than one defendant, hold the **<Ctrl>** key down and click on each appropriate name until all are highlighted.
 - b. If a new defendant is being added to the amended complaint, click **[New Party]** and add the new party. Continue to add as many new defendants as needed.
 - c. **REMEMBER:**
 - i. Party names are entered in **ALL CAPS**.
 - ii. **SEARCH** first before adding a new party to the database.
 - iii. **Change the role of the party to DEFENDANT.**
 - iv. **DO NOT** add an address for the party.
 - v. Add party text, if applicable.
 - vi. To review the tutorial and instructions on Entering Party Names, go to our website: <http://www.dcd.uscourts.gov/dcd/AttyCivilCaseOpeningInfo>
 - d. Once the appropriate defendants have been selected, click **[Next]**.

- e. **Note:** If a party is no longer named as a defendant in the amended complaint, do not select it. The Clerk's Office will follow up and terminate that defendant from the case.
6. **[Browse]** and add your PDF document(s) to the docket entry, including any summons to be issued; click **[SUBMIT]**.
7. When asked, "Does this Complaint include a Jury Demand?," select **Yes** or **No** and click **[SUBMIT]**.
8. Modify/add docket text, if applicable. You may choose **First, Second, Third**, etc., from the drop-down menu in the docket text to accurately reflect what you are filing.
9. Submit the docket entry and receive the Notice of Electronic Filing (NEF).

If consent was obtained from the defendant(s) to file the amended complaint, **follow these instructions to file the *Consent to the Filing of an Amended Complaint* BEFORE filing the amended complaint:**

1. Log in to ECF.
2. Select **CIVIL** on the blue menu bar.
3. From the **Other Documents** menu, select ***Consent to the filing of an Amended Complaint*** and click **[SUBMIT]**.
4. **[Browse]** and add your PDF document(s) to the docket entry and click **[SUBMIT]**.
5. Select the plaintiff(s) as the filer(s) of the notice of consent; click **[Next]**.
6. Submit the docket entry and receive the NEF.
7. File the amended complaint following the instructions in the previous section.

If leave of court is required to file an amended complaint, **follow these instructions for filing a *Motion to Amend*:**

1. Log in to ECF.
2. Select **CIVIL** on the blue menu bar.
3. From the **Motions** menu, select ***Amend/Correct*** and click **[SUBMIT]**.
4. Follow the prompts of the event, entering the case number and selecting the appropriate filer(s).
5. Add your motion as the main document of the docket entry, then **attach your proposed amended complaint as an exhibit to the motion**.
6. When asked "Should the document you are filing link to another document in this case?," add a checkmark to the box on the left and click **[SUBMIT]**.
7. Select the original complaint or a previous amended complaint as the document you want to amend and click **[SUBMIT]**.
8. Continue through the event until you receive the NEF.
9. Once the motion is granted, the Clerk's Office will follow up and docket the amended complaint as a new and separate docket entry.

CROSSCLAIMS

To file a crossclaim **filed separately from an answer**:

1. Log in to ECF.
2. Select **CIVIL** on the blue menu bar.
3. From the **Complaints and Other Initiating Documents** menu, select ***Crossclaim*** and click **[SUBMIT]**.
4. Select the defendant(s) filing the crossclaim; click **[Next]**. (**Note:** To select more than one defendant, hold the **<Ctrl>** key down and click on each appropriate name until all are highlighted).
5. Select the defendant(s) the crossclaim is being filed against; click **[Next]**.
6. **[Browse]** and add your PDF document(s) to the docket entry; click **[SUBMIT]**.
7. Modify/add docket text, if applicable.
8. Submit the docket entry and receive the NEF.

COUNTERCLAIMS

To file a counterclaim **filed separately from an answer**:

1. Log in to ECF.
2. Select **CIVIL** on the blue menu bar.
3. From the **Complaints and Other Initiating Documents** menu, select ***Counterclaim*** and click **[SUBMIT]**.
4. Select the defendant(s) filing the counterclaim; click **[Next]**. (**Note:** To select more than one defendant, hold the **<Ctrl>** key down and click on each appropriate name until all are highlighted).
5. Select the plaintiff(s) the counterclaim is being filed against; click **[Next]**.
6. **[Browse]** and add your PDF document(s) to the docket entry and click **[SUBMIT]**.
7. Modify/add docket text, if applicable.
8. Submit the docket entry and receive the NEF.

THIRD-PARTY COMPLAINTS

To file a third-party complaint **filed separately from an answer**:

1. Log in to ECF.
2. Select **CIVIL** on the blue menu bar.
3. From the **Complaints and Other Initiating Documents** menu, select *Third Party Complaint* and click **[SUBMIT]**.
4. Select the defendant(s) filing the third-party complaint; click **[Next]**.
5. Click **[New Party]** and add the new third-party defendant(s) named in the third-party complaint.
 - a. **REMEMBER:**
 - i. Party names are entered in **ALL CAPS**.
 - ii. **SEARCH** first before adding a new party to the database.
 - iii. **Change the role of the party to THIRD PARTY DEFENDANT.**
 - iv. **DO NOT** add an address for the party.
 - v. Add party text, if applicable.
 - vi. To review the tutorial and instructions on Entering Party Names, go to our website: <http://www.dcd.uscourts.gov/dcd/AttyCivilCaseOpeningInfo>
 - b. Continue to add as many third-party defendants as needed.
 - c. Once the third-party defendant has been added, select it as the party the third-party complaint is being filed against, then click **[Next]**. (**Note:** To select more than one party name, hold the **<Ctrl>** key down and click on each appropriate name until all are highlighted).
6. **[Browse]** and add your PDF document(s) to the docket entry and click **[SUBMIT]**.
7. Modify/add docket text, if applicable.
8. Submit the docket entry and receive the NEF.