

FAQ: Electronic Complaints and Petitions

Q: Should I file all motions and documents related to my complaint/petition along with my complaint/petition or should I wait until a case number has been assigned?

A: You should file all motions, notices, and documents associated with your complaint/petition (e.g., motion to seal document, notice of directly related case(s), motion for preliminary injunction, notice of intent to file) as attachments to your complaint/petition. **DO NOT**, however, file any motions, notices, or documents as separate entries in the shell case, 55-1000. Doing so will run the risk of the documents not being associated with the correct complaint/petition.

Q: How should I handle voluminous attachments to my complaint/petition?

A: See paragraph 9 of Appendix E or paragraph 9 of the Supplement to Appendix B for information on alternative methods of filing.

Q: What if I forgot my attachments?

After your case has been processed, that is, assigned a case number and a judicial officer, you should file a motion for leave to file, and then attach the attachments to the motion.

Q: How do I satisfy the signature requirement of RCFC 11(a)?

A: A Filing User, as defined in Appendix E, may satisfy the signature requirement by typing an “s/[name of Filing User]” in the space where the signature would otherwise appear or scan a document containing a written signature. **DO NOT** use digital signatures.

Q: When will my complaint/petition be deemed filed?

A: If submitted on a Saturday, Sunday, or legal holiday as defined in RCFC 6, your complaint/petition will be deemed filed on the next day that is not a Saturday, Sunday, or legal holiday. Otherwise, your complaint/petition will be deemed filed on the date submitted in CM/ECF.

Q: When will my complaint/petition be assigned a case number and a judicial officer?

A: The court will assign a case number and a judicial officer during Clerk’s Office business hours as defined in RCFC 77.1. You will receive a Notice of Electronic Filing once your complaint/petition has been processed.

Q: Can I file my complaint under seal?

A: Yes, you may file your complaint under seal. Be sure to add a “FILED UNDER SEAL” header to the PDF version of your complaint and, as an attachment to your complaint, include a motion for leave to file the complaint under seal. Once a case number and a judicial officer have been assigned to your case, your complaint will be filed under seal. **Please Note:** Only court users can access the documents that are filed in the shell case, 55-1000. Those documents **are not** available to the public.

Q: What if I need to amend my complaint/petition?

A: After your case has been processed, that is, assigned a case number and a judicial officer, you may file an amended complaint/petition in accordance with RCFC 15.

Q: Do I have to file my complaint/petition electronically?

A: No. You may file your complaint/petition and pay the filing fee in the traditional manner.

Q: What if I have CM/ECF problems after hours and need help filing my complaint/petition?

A: The court's CM/ECF Help Desk is available during regular court business hours (Monday through Friday, 9am – 5pm EST) at 1-866-784-6273 (toll free) or 202-357-6402 (local). If you need assistance outside of those hours, you may check our FAQ page on the CM/ECF Resources page on the court's website at www.uscfc.uscourts.gov. To avoid missing a filing deadline, we suggest that you do not wait until the last minute to file your complaint/petition.

Q: If I file my petition electronically, am I still required to serve HHS with a copy of the petition and related records pursuant to the statute?

A: Yes, you are still responsible for serving HHS.

Q: Am I required to supply the court with a courtesy copy of my complaint/petition?

A: Not unless you are directed to do so by the assigned judicial officer.

Q: Is it best to scan paper documents or to convert them from word processor format to PDF-A?

A: Whenever possible, converting documents directly from a word processor to PDF-A format, without scanning, will create the smallest possible file and will also make the file text searchable.

If that is not possible, scan paper documents at low resolution. In the Adobe Acrobat program, on the Scan Manager screen, adjust the settings to black and white and 200 dpi (dots per inch). If the file is still too large you can separate it into 2 or more parts. Limit the size of exhibits by only filing relevant excerpts.

Q: Can I find a history of payments I have made through CM/ECF?

A: Yes. Go to Utilities, Internet Payment History (below the Miscellaneous heading), input date range, and run report.

Q: How quickly will my credit card payment be processed?

A: Credit card payments submitted by midnight Eastern Standard Time will be posted to your account the next business day.

Q: Who do I contact at Pay.gov for assistance regarding my account?

A: Federal Reserve Bank of Cleveland
ATTN: eGov Customer Service (Pay.gov)
P.O. Box 6387 Cleveland, OH 44101
(800) 624-1373 or (216) 579-2112
Fax: (216) 579-2813
Email address: pay.gov.clev@clev.frb.org

Q: Is Pay.gov secure?

A: Yes. Pay.gov is a convenient and fast way to make secure electronic payments to federal government agencies. Many common forms of payment are accepted, including credit cards, debit cards, and direct debit.

Q: How can I correct a payment error?

A: The court's Electronic Filing Fee Refund Policy is available on the CM/ECF Resources page on the court's website at www.uscf.uscourts.gov.