GUIDELINES FOR E-FILING THROUGH ODYSSEY FILE AND SERVE

When filing documents with the Clerk of Court's Office through Odyssey File and Serve, please follow the below guidelines for best results:

1. Since cover letters do not get filed in the Court's file as a document, do not include them when filing legal documents with the Court. In the past, these cover sheets have come on colored paper with the documents in order to make them more identifiable and easier to locate in a paper file. They are no longer needed in electronic files and take up unnecessary space on the server.

2. When filing initiating documents, the Complaint must be the first document filed because the filing fee will be attached to that document (see #3 below for order of documents).

3. When filing multiple documents, be sure to file them separately (i.e. Complaint with attachments - doc. 1; Summons – doc. 2; Affidavit of Service – doc. 3; Affidavit of No Answer – doc. 4).
   - E-filing may be accepted when each document is submitted individually; documents may not be combined.

   - Exceptions –
     - Combined Motion documents may be accepted per N.D.R.Civ.P. 7(b); When a Motion and Notice of Motion are e-filed as one document, the document must be evented as a Motion MOT) with 'and Notice of Motion' added in the additional description field in File and Serve

     - Pleadings/Complaint may be accepted with certain attachments that are considered part of that pleading or complaint, and that are 10 pages or less (ex. copy of a bad check, copy of a credit card contract). If the attachment has a separate heading, it must be a separate filing.

   - E-filing will be rejected when each document is not submitted individually, with the exceptions named above.

4. The Complaint with attachments is considered 1 document.

5. When filing a document, other than the Complaint, that has attachments or exhibits, separate the attachments/exhibits and file them as individual documents.

6. Every Affidavit of Service is considered a separate document. Please use the code of service document instead of affidavit. Please include the name of the person served in Filing Description.

7. When filing a document, be sure to use the correct event code for each document e-filed (see "What Filing Code Do I Use?" on the File and Serve website for a list of Event Codes and description of when to use them). For example…
   a. Service Document (SER) should not be used in lieu of Service of Motion (SOM)
   b. Criminal Filings (CRF) should not be used in lieu of Pre-trial Diversion (PDA)
   c. Civil Filings (CVF) should not be used in lieu of Jury Instructions (INS)
   d. Civil Filings (CVF) should not be used in lieu of Interrogatories (INT)

8. No document filing can exceed 20 megabytes. If a document is more than 20 megabytes, separate the document at a logical point close to the maximum allowed and file each section separately. For the 1st section, select the appropriate code for the document and add "Volume 1" in the comments. For the remaining pages of the document, separate them into sections of no more than 20 megabytes and select the same document code as the initial section, adding "Volume 2", "Volume 3", etc. in the comment field.

9. When filing a Proposed Findings, Order and/or Judgment, be sure to use the appropriate code for a proposed document (PF – proposed findings; PJ – proposed judgment; PO – proposed order). Select the security code of proposed.

10. Statement of Costs and Disbursements must be filed as Proposed Statement of Costs and Disbursements (PSCD). Select the security code of proposed.

11. Any document that is sent to the Clerk's Office requesting action from the Clerk's staff, such as a request for certified copies, request for an execution, etc., should not be filed through the e-filing system. Only legal documents can be e-filed – all other documents will have to be sent to the Clerk's Office by other means.

12. When filing a document through Odyssey File and Serve, be sure to key in the exact party name as shown on the document being filed – names on all subsequently filed documents should be the same as the initiating document. The only exception to this rule is commas – do not use commas in the party name when e-filing. Odyssey is sensitive to every character in the name – when doing a name search in Odyssey, the results of the search will be impacted if commas are used, not used, or placed in a different sequence for the same party name.

13. When entering a party name, put in only the primary name – do not include "aka", "fka", "dba", "Assignee of ____" as part of the name. Odyssey File and Serve recognizes these name add-ons as separate names and you must add them as an additional party to the case. When these add-ons are included, a name search is very difficult because Odyssey will recognize the entire text as all part of one name.

14. Subsequent filings in a case must have a case number on the document. Be sure to enter/use the case number accurately on each document filed – the correct format for Odyssey cases is:
    - XX(county #)
    - 20XX(Year filed. Can be either 2 or 4 digits depending upon exact year filed.)
    - CV(Case type. Can be either 1 or 2 characters depending upon year filed.)
    - Five digit file number assigned by Odyssey. For example, sample case numbers for Cass County would be 09-2010-CV-01405 or 09-97-K-00001.

15. In cases that involve money judgments, please enter in the party addresses – these are not easily located in electronic documents when received in the Clerk's Office.

16. Avoid using abbreviations whenever possible. If they are needed, be sure they are understandable to others who are reading them.

17. Documents being filed with the Court must be signed. Attorneys, Probation Officers, or Court Reporters/Court Recorders can either sign or use the /s/ symbol if it is followed up with a typed first and last name.

18. Documents signed by attorneys must include all of the following: the attorney's individual name, address, telephone number, service e-mail address, and State Board of Law Examiners Bar identification number. (N.D.R.Ct. 3.1)

19. Be sure to use proper case when filing. Every word should be capitalized, with the rest of the letters in lower case.
    Correct: "Motion For Vacation"
    Incorrect: "motion for vacation" or "Motion for vacation" or "MOTION FOR VACATION"

20. When a Service Document is e-served on a party, the actual Service Document must also be e-filed so that it is indexed and imaged in Odyssey.

Please do not hesitate to call the Clerk of Court's Office for the particular county you are filing into with any questions regarding e-filing/Odyssey File and Serve – by asking questions we will all learn the most effective way to use e-filing.

11-03-2014