

Filer's Guide to Appendix K Rule 3.5 Filing Requirements

The filing will be rejected if these guidelines are not followed.

Case Initiation

1. The Document caption and case number must relate to the correct county.
2. The filing fee must be included with document/proceedings that require a filing fee. The filer must submit with the filing code that includes the proper fee.
3. Exhibits to pleadings must be filed as separate documents.
Explanatory Note: When filing multiple documents, be sure to file them separately (e.g. Complaint – doc. 1; Exhibit in support of complaint – doc. 2; Summons – doc. 3; Affidavit of Service – doc. 4; Affidavit of No Answer – doc. 5).
4. All party information, i.e., names of parties and addresses (including attorneys), must be entered within the “Parties” section of File & Serve.



- a. If the information is unknown, specify what is unknown in the filing comments field within the filing details. For example, “Defendant address unknown.”

A screenshot of a web interface showing a navigation bar with four tabs: '1 Parties', '2 Filings', '3 Service Contacts', and '4 Summary'. The '2 Filings' tab is highlighted in yellow. Below the tabs, a red arrow points to the '2 Filings' tab. Underneath the tabs, the text 'Enter Filing Details' is displayed in blue. Below this text is a blue button labeled 'Add Another Filing'. The main form area contains several fields: 'Select Filing Code*' (a dropdown menu), 'Filing Description*' (a text input field), 'Reference Number' (a text input field), 'Documents' (a text input field), 'Filing Comments' (a text input field, highlighted in yellow), and 'Courtesy Copies' (a text input field with a help icon). At the bottom of the form, there is a note: 'Please enter only complete and accurate email addresses (ie. Test@testemail.com)'. There are also checkboxes for 'E-File' (checked) and 'Service' (unchecked).

- b. Failure to provide or update a party's address may result in a party not receiving notices from the Court, which could result in a delay or possible dismissal of your case.

*Note – Attorney address information must be updated with the State Board of Law Examiners.

5. Aliases, such as AKA, DBA, etc., should be included in the caption of the document and must be entered as separate parties in File & Serve. In order to achieve accurate search results in Public Search and Odyssey, when entering a party name, put in only the name of the person or business – do not include “AKA,” “FKA,” “DBA,” “Assignee of ___” as part of the name. The Clerk of Court will update the record to reflect the use of “AKA,” “FKA,” etc.

Explanatory Note: 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.

6. The initiating documents must be filed using the correct case type.
7. The data entry fields for descriptions, party, and attorney information may not be entered in all capital letters.

Event Codes/Service

8. Correct event codes must be used. See [“What Filing Code Do I Use?”](#) on the File & Serve website for a list of Event Codes and description of when to use them.
9. The Service Document must indicate who was served in the additional filing description. If serving more than three persons, a brief summary of those being served may be used, e.g. all plaintiffs, all defendants, all parties.
10. The Proof of Service documents must be filed as separate documents with complete case heading and case number.

Documents

11. Individual documents must be filed separately. For example, documents may not be combined such as Motion & Service Document, Stipulation & Proposed Order, Brief & Exhibits, and Plea Agreement & Proposed Order.
12. The Notice of Entry of Judgment must identify the docket number and the date the judgment was signed. A copy of the judgment may be attached to the notice of entry of judgment (as one document). See N.D.R.Civ.P. 58(b).
13. The signature line may not be blank. See N.D.R.Ct. 3.5(a)(6).
14. The document must be legible, complete, of adequate quality, and in black and white. Colored or shaded documents may be filed as paper documents if necessary to ensure legibility. See N.D.R.Ct. 3.5(a)(4).

Explanatory Notes:

- a. When documents containing any color are converted in the filing process, the new TIFF file created is sometimes illegible.
 - b. After reasonable efforts have been made to make the document legible, it may be filed along with an Affidavit of legibility. An Affidavit of legibility should outline the reasonable efforts made.
15. The case number must be on the document (leading zeroes are not required). See N.D.R.Ct. 3.1(g).
 16. The document description must correspond to the document filed. Avoid unnecessary abbreviations or acronyms.
 17. Correspondence requesting action from the clerk’s office (e.g., cover letters indicating documents are enclosed for filing, requests for certified copies, requests for executions, etc.) may not be included.
 18. The attorney signature block must include all of the following: the attorney’s individual name, address, phone number, service email address, and State Board of Law Examiners Bar identification number. See N.D.R.Ct. 3.1.
 19. A confidential information form must be filed when a redacted document is filed. See N.D.R.Ct 3.4(f).
 20. All pages in the document must be included and be in the proper sequence. See N.D.R.Ct. 3.1(a).
 21. All paragraphs must be numbered in documents. Paragraph numbering is not required in exhibits, documents prepared before the action was commenced, or in documents not prepared by the parties or court. See N.D.R.Ct 3.5(b)(2).

Exhibits

22. The Filing Description field must include a description of what each exhibit contains in addition to the word “Exhibit” and any enumeration such as A or 1. For example, “Exhibit A—Drug Laboratory Report.”