

# Commonwealth of the Northern Mariana Islands (CNMI) Superior Court

## Special Instructions

**1. Phase I (starts April 24, 2006) Case Types:**

Damages, Negligence, Personal Injury, Torts, Wrongful Death.

**2. Scope**

Mandatory e-filing; all new cases, and filings in current pending cases, must be e-filed.

**3. Current affected cases and service party data currently on File & Serve**

The newly loaded case data in File & Serve may not accurately reflect all of the pending cases, or the case party data may have errors. If you cannot find your case online, contact Customer Support at 1-888-529-7587. If case party data is missing or incorrect, you can correct the data either by using the 'Add Party/Attorney' function, or call the Customer Support number for assistance.

**4. New case filings**

Complaints and any supporting documents (Summons, Demand for Jury Trial, if applicable) are required to be e-filed. Service of process is to be done traditionally. Ensure to include the notice letter to served parties of the e-filing requirement (a sample letter for use is attached below).

The CNMI Superior Court will recognize an e-filed summons (one containing the electronic court stamp) as being an effective summons that is ready to use for service of process.

A step-by-step guide on how to file a new case online is attached below.

**5. Service to unsubscribed attorneys and unrepresented parties**

All attorneys of record in a case are required to be signed up for File & Serve. If an attorney is not yet subscribed, the 'Method of Service' will show as 'Fax' (look to the right of the table that appears when you are on the 'Service/Notice' tab in the Filing & Service area).

If a party is unrepresented (pro se party), until further notice do not select the party for electronic service and proceed to serve traditionally. File & Serve is working on an alternative to U.S. Mail for effecting service to unrepresented parties. Counsel will be advised of any developments on this issue.

**6. Court appointed attorneys and government department attorneys**

Court appointed counsel have the ability during the 'Review & Submit' process to select the court appointed counsel indicator so as to avoid transaction charges. Please be advised, however, that any non-electronic service is subject to charges (see 5, above).

Government agency attorneys, such as the Attorney General's office are not subject to transaction charges in online civil cases, except for service that is non-electronic (see 5, above). Until a functionality is applied to notify you qualify as a government attorney, utilize the court appointed counsel option on the 'Review & Submit' page.

**7. Courtesy copies of documents**

The Court may require a courtesy copy be provided directly to the Court for any e-filed documents requiring judicial action which are a certain length. The Court will let you know.

**8. Electronic Signature**

The appropriate Electronic Signature must be included in all pleadings. The court recognizes the electronic signature format of '/s/ John Doe'

**9. Uploading Documents**

Upload pleadings in an editable, word processing format (i.e. .rtf, .doc or .wpd). You do not need to upload pleadings in .pdf format. The File & Serve system automatically converts them to .pdf for you. Filings to the court need to be in either .rtf, .doc or .wpd format so they can have access to the filed document in its original format.

**10. Metadata concerns**

If metadata is a concern, save the document as an .rtf instead of a .doc or .wpd.

**11. Linking documents**

Use the Linking feature in the Attached Documents list when submitting responses to previously filed documents. (If the previously filed document is unavailable to 'link to', reference the previous documents Transaction Id in the "Document Title.").

**12. Electronic invoices vs. paper (mailed) invoices**

Your firm administrator can select (under 'Preferences' and then 'Firm Profile,' then click the 'Firm' tab) whether to receive a paper invoice or an emailed invoice. In light of the U.S. Mail delay for delivery to Saipan, you may want to select the electronic (email) delivery option.

## **Attachment: How to file a new case online with File & Serve**

### **How to e-file a new complaint on File & Serve**

If you have any problems during the process below, remember there is a person who can help you via our 24-hour, 7-day-a-week Customer Support number: 1-888-529-7587.

1. Sign on
  2. Click the 'Filing & Service' tab
  3. Click the middle button 'File a New Case'
  4. Select 'MP CNMI Superior Court' from the Court drawdown menu, then click 'Find'
  5. Click the red arrow to the left of 'MP CNMI Superior Court'
  6. Click the 'Case Type' drawdown menu to select the appropriate case type
  7. Type in a case name (e.g., Mary Smith vs. Memorial Hospital), then click 'Submit'
  8. Click the Document Type drawdown menu to select the 'Complaint' document type  
-Note that \$100 appears as a statutory fee; File & Serve will pay this fee on your behalf, and you will pay back File & Serve with the monthly invoicing
  9. Click 'Browse,' which will open up a window so you can double-click on your prepared document
  10. Type in a case name title and click 'Attach Document'
  11. To attach additional documents with the complaint filing (such as a Demand for Jury Trial or a Summons), repeat steps 8 to 10 above. Then make sure to use the 'Main/Supporting' drawdown on any attachments to click on the ID number of the main document (which is the complaint; look to the left of the complaint to see this number). This way the filing has the complaint as the main document, and any attachments as supporting documents.
- Note: the e-filed summons, after undergoing clerk review, will have an electronic court stamp affixed. You will be able to print this document with the court stamp and use it for service of process without having to go to the court to have the summons stamped.
12. When you are done adding your documents, click the 'Case Parties' tab at the top
  13. Starting with 'Initiating Party' (for Plaintiff), enter in the data fields that have an asterisk and are in red print. Use the drawdown menus as appropriate. Click 'Add Party' when fields are entered. You will see the party information appear to the right. Click on the name if you need to edit or remove the information.
  14. After you've entered all your plaintiffs, click the button for 'Additional Party' and then enter the defendant information, using the drawdown menus as appropriate. Click 'Add Party' after you enter information for each defendant party.
  15. When you are finished entering your party information, click the 'Review & Submit' tab and finish the filing as you would any other filing.