



United States District Court
Southern District of New York

Frequently Asked Questions: FILING INSTRUCTIONS

These questions are intended to address common questions that arise when filing a complaint. The statements in this guide do not constitute legal advice and may not be cited as legal authority. This document does not take the place of the Federal Rules of Civil Procedure, this court's Local Civil Rules, or the individual rules of practice and orders of the judges of this court. Parties consulting this document remain responsible for complying with all applicable rules of procedure.

How do I sue someone in federal court?

A lawsuit is commenced by the filing of a complaint. [Instructions for starting a new action](#), as well as other helpful guides and forms may be found in the [Forms](#) section of this website.

How do I file a complaint?

Complaints, as well as all other papers submitted by *pro se* litigants, must be submitted to the Pro Se Intake Unit, located on the second floor of the Daniel Patrick Moynihan courthouse located at 500 Pearl Street courthouse. The complaint must include a caption, a statement of facts, the name and address of the person submitting the complaint (the "plaintiff"), the plaintiff's signature, and the names of the individuals or entities being sued (the "defendants") and their addresses (*see* "FAQ The Complaint" for more information). Submissions can be made in person or sent by regular mail to Manhattan or White Plains or by email to prose@nysd.uscourts.gov.

Daniel Patrick Moynihan Courthouse
Pro Se Intake Unit
500 Pearl Street, Room 205
New York, NY 10007

500 PEARL STREET | NEW YORK, NY 10007
300 QUARROPAS STREET | WHITE PLAINS, NY 10601

PRO SE INTAKE UNIT: 212-805-0175



Charles L. Brieant, Jr. Courthouse
Clerk's Office, Room 147
300 Quarropas Street
White Plains, NY 10601

Can I email my complaint and other documents to the courthouse?

Yes. You may email your complaint and any other document in your case to prose@nysd.uscourts.gov. All documents must be in PDF format, no larger than 15 megabytes. Courthouse staff do not respond to questions sent to this email address. If your document has not been scanned to the ECF system within two days, please call the Pro Se Intake Unit at (212) 805-0175 to follow up on your submission.

If you email your complaint to the court and intend to pay the fees (instead of applying for IFP status), you should indicate in the subject line that you intend to pay the fees, *e.g.*, "Fee Paid". After docketing your complaint, the court will issue an order providing 30 days to pay the fees.

How much is the filing fee and what do I do if I cannot afford the filing fee?

Please check the [Fee Schedule](#) for current fees. As of December 1, 2023, the filing fee is \$350.00 and the administrative charge is \$55.00, for a total cost of \$405.00 in fees to file a complaint. If you cannot afford to pay these fees, you may apply for *in forma pauperis* ("IFP") status. IFP status is generally granted to those who show that they do not have the resources to pay the fees.

To apply for IFP status, you must complete and sign the form [Application to Proceed Without Prepaying Fees or Costs](#). If a judge grants your IFP application and you are not incarcerated, you can proceed with your action without paying the fees. Proceeding IFP also allows for service of the complaint on the defendant(s), without paying the costs of service (*see* "FAQ Service" for more information). Proceeding IFP does not mean that you will not have to pay other costs, such as those associated with hiring an expert or transcribing a deposition.



What is a docket number?

The docket number is the court's case number or tracking number. Once a docket number is assigned to a case, it must appear on all papers submitted to the court. Typically, a docket number is made up of (1) a two-digit number (to signify the year), (2) the case type (either Civ. or CV for civil cases or Cr. or CR for criminal cases), (3) a case number, and (4) the judge's initials in parentheses. Thus, 24-CV-2345 (JDS) is the docket number for the 2,345th civil case filed in the year 2024 and assigned to the Honorable Jane Doe Smith.

How long does it take for a case to get a docket number?

If you submit your complaint and pay the fees in person, you will get a docket number assigned to your case immediately after you pay the fees. If you submit your complaint along with an [IFP application](#) in person, your case will be assigned a docket number within 48 hours. If you mail your complaint by regular mail or email your complaint to prose@nysd.uscourts.gov, the Clerk's Office will scan your documents to the ECF system. Within a week after the complaint is filed a copy of a Standing Order will be mailed to you; that order will include your docket number. If you do not receive this Standing Order within two weeks of submitting your complaint, please call the Pro Se Intake Unit at (212) 805-0175. Typically, cases are processed and reviewed in the order in which they are received by the court.

What is ECF and PACER?

All actions filed in the Southern District of New York are filed electronically on the court's electronic case filing ("ECF") system. The court's staff scan all papers submitted by *pro se* litigants on the ECF system. After a case is opened and assigned a docket number, litigants may ask the assigned judge for permission to file documents electronically by filing a [Motion for Permission for Electronic Case Filing](#).

PACER stands for Public Access to Court Electronic Records and is a database for federal cases. You may sign up for an account on PACER for free [here](#). If you want to file documents electronically, or consent to electronic service, you must create a free account on PACER. The account is free to create and to view a document



ONCE, without being charged any fees. You therefore should save the document if you want to view it again. You will not receive a hard copy of any documents in the mail if you consent to electronic service or are granted permission to file documents electronically. At any time, if you no longer want to receive documents electronically, you may ask the court to remove your email and to use regular mail for court filings.

Can I file my papers directly on ECF?

Yes. You may file documents directly on ECF, but you must obtain permission from a judge to do so. First, you must sign up for a training on using the court's ECF system. Dates and times for trainings are listed on the court's website [here](#). After you complete the course and receive an ECF training certification showing that you completed the course, you may complete, sign, and file a [Motion for Permission for Electronic Case Filing](#). You must attach your ECF training certification to your motion; if you cannot take the ECF training provided by the Court, you must affirm in your application that you can meet the requirements. If a judge grants the motion, then you must follow the instructions you learned in the ECF training class, including signing up for PACER.

How do I consent to electronic service?

To consent to electronic service, you may complete and sign a [Consent to Electronic Service](#) when you file your complaint, or at any time during the litigation of your case. If you consent to electronic service, you must provide an email address where you will receive notification by email that a document has been filed in your case. You must complete the Consent form to receive notifications by email.

What is electronic service and what are the advantages and disadvantages of consenting to it?

Electronic service means that docket entries will not be mailed to you by regular mail; instead, you will receive an electronic notification to your email of any docket updates – for example, court orders or letters filed by opposing parties.



The advantages of electronic service are that you receive more timely notification and that you do not need to update the court should you move and your address changes. One disadvantage is that you will need regular access to email, and you will need to print your own copies should you wish to have a hard copy of the docket entries.

I do not have a computer or a typewriter. Can I write my papers in long-hand?

Yes, you may handwrite any document, but the document must be legible.

Do my papers need to be in English?

Yes. All documents must be in English. If you submit documents in a language other than English, you will be required to resubmit them in English.

How many copies of the complaint do I need?

If you are submitting documents in person or by regular mail, you only need to submit the original. But you should make a copy for yourself.

Is there any type of information that I should not include in court filings?

Documents filed with the court will normally be available to the public at the courthouse and on the internet through PACER (Public Access to Court Electronic Records) and the court's ECF system. (In certain types of cases, such as those under the Social Security Act, remote access to electronic files is limited. See Fed. R. Civ. P. 5.2(c).) Certain personal identifying information therefore should be removed from documents before the documents are submitted to the court for filing. See [Notice Regarding Privacy and Public Access to Electronic Case Files](#).