HOW TO BEGIN A CIVIL ACTION WITHOUT AN ATTORNEY

To begin a civil action in the Middle District of Tennessee, you must do the following:

- Complete and sign a complaint;
- Complete a Civil Cover Sheet form;
- Pay $402 ($350 filing fee and $52 administrative fee) **or** complete an Application to Proceed in District Court Without Prepaying Fees or Costs ("IFP Application");
- File these documents with the Clerk's Office.

All of the forms you need to start a civil lawsuit are available from the Clerk's Office and on the Court's website under the Pro Se/Self Representation tab. The Court's website is https://www.tnmd.uscourts.gov/.

What is a complaint?

A complaint is the document that a plaintiff files to begin a lawsuit. The complaint tells the Court and the defendant the reason for filing the lawsuit and what relief the plaintiff wants.

What is a Civil Cover Sheet?

The Civil Cover Sheet is a form provided by the Clerk's Office that is used to gather information about the nature of your lawsuit.

Is there a fee for filing a civil action?

Yes. A $402 fee ($350 filing fee plus a $52 administrative fee) is required when filing a civil complaint in federal court. The entire $402 is due at the time you file your complaint.

What if I can't afford the fee?

If you cannot afford to pay the full filing fee and administrative fee at the time you file your complaint, you can file a nonprisoner Application to Proceed in District Court Without Prepaying Fees or Costs, or an IFP application as it is often called. You can get this application on the Court's website or from the Clerk's Office.

The Court will review your IFP application, and you will be notified of the judge's decision by mail.

If the Court approves your IFP application, the Court will waive the $402 fee, and your case will proceed. That means you will not have to pay any part of the $402 filing fee.

If the Court denies your application, you must pay the $402 fee in full for your case to proceed.

What happens after the Court receives my documents?

Your case will be assigned a civil action number. Your case will be assigned randomly to two judges—a district judge and a magistrate judge. You cannot choose your judges.

The district judge to whom your case is assigned will review your complaint to make sure you have filed it correctly. If something is missing or not quite right, the Court will enter a deficiency order telling you what is wrong with your complaint and tell you how long you have to fix what is wrong.

In cases where the plaintiff has been given permission to proceed in forma pauperis, 28 U.S.C. § 1915 requires the Court to dismiss the plaintiff's case if, at any time, the Court determines that (1) the plaintiff's allegations of poverty are untrue; (2) the action is frivolous or malicious; (3) the plaintiff has failed to state

a claim upon which relief can be granted; or (4) the plaintiff is seeking monetary relief against a defendant who is immune from such relief.

Do I need to serve my complaint on the defendant(s)?

Yes. You are required to let the defendants know that you have filed a case against them in federal court. The way that you notify the defendants is through "service of process."

There are different service of process rules for plaintiffs who paid the filing fee and for plaintiffs who are proceeding in forma pauperis. These rules are complicated. The Court has prepared a Service of Process for Nonprisoners Information Sheet containing step-by-step instructions.

What if I want to change my complaint after I file it?

The Court may allow you to amend, or change, your complaint. Under certain circumstances, you must obtain permission from the Court. Follow Federal Rule of Civil Procedure 15(a) and Local Rule 15.01 if you want to amend your complaint.

How do I contact the Clerk's Office?

Clerk's Office
United States District Court, Middle District of Tennessee
719 Church Street, Suite 1300
Nashville, TN 37203

You can call the Clerk's Office at (615) 736-5498. Select Option 1 for case information. Select Option 0 to speak to the operator.