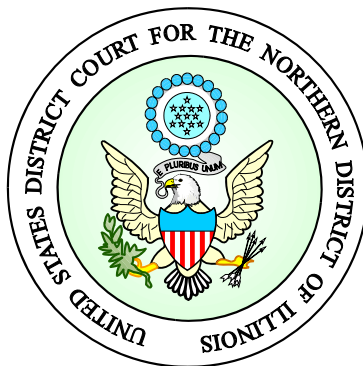


**FILING A CIVIL CASE
WITHOUT AN ATTORNEY:
EMPLOYMENT DISCRIMINATION
FORMS & INSTRUCTIONS**



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

(07/13/16)

Personal Identifiers in Paper Filings

Federal Rules of Civil Procedure 5.2 addresses privacy and security concerns over public access to electronic court files. Under this rule, papers filed with the court should not contain anyone's full social-security number or full birth date; the name of a person known to be a minor; or a complete financial-account number. A filing may include only the last four digits of a social-security number or taxpayer identification number; the year of someone's birth; a minor's initials; and the last four digits of a financial-account number. Please review the rule for a complete listing and exceptions.

Filing a Complaint of Employment Discrimination

A blank copy of the employment discrimination complaint form has been included in the packet. Additional forms are available on the Court's [website](#) under On-line forms and on the Court's kiosk located on the 20th floor outside the Clerk's Office.

The remainder of this section tells you how to complete the employment discrimination complaint form. If you need additional room for your answer to any of the items on the form, you may enter the extra information on a plain piece of paper that is the same size as the employment discrimination form. If you add an extra page for one of the items in the form, write "see additional page" in the place on the form where you run out of room to write. On your additional page, write the number of the item and the word "continued" (For example, "Item 13 continued").

Identifying the Parties

At the top of the form, write your name in the lined space above "(Name of the plaintiff or plaintiffs)." On the lines above "(Name of the defendant or defendants)," write the name of the party or parties you want to sue. If you need more space to list plaintiff or defendants, use an extra sheet of paper, and indicate on the original form that the list of parties continues to another page. Identify each party as a plaintiff or defendant.

Numbered Items in the Employment Discrimination Complaint Form

- 1) This item simply identifies the complaint as a legal action involving a claim of employment discrimination. You do not need to write anything here.
- 2) Item 2) tells the court who you are. Complete this item by entering your name and the county and state where you live. If there are more than one plaintiffs, you need to add the counties and states where each plaintiff lives.
- 3) Item 3) identifies the defendant. Complete this item by entering the name, address, and (if available) the telephone number of each defendant. Please note that, in general, the defendant named in the complaint filed in this Court must be the same person or company that was named in the EEOC proceeding.
- 4) Item 4) identifies the place of business where you believe the employment discrimination happened. Complete this item by entering the address of the business.
- 5) Item 5) describes your employment relationship with the defendant at the time you are filing your complaint. Complete this item by putting an "X" or a "✓" in the box that describes your current status.
- 6) Item 6) indicates when you believe the employment discrimination occurred or—if you believe the discrimination is still going on—when the discrimination started. Complete this item by entering the date. If you do not know a specific date, complete item 6 by

entering the date that is your best estimate of when the discrimination happened or started.

- 7) Item 7) indicates whether you have or have not previously taken your employment discrimination complaint to either the Equal Employment Opportunity Commission (EEOC) *or* the Illinois Department of Human Rights. Record your response by entering an “X” or a “✓” in the box labeled “has not” or the box labeled “has.”

If you indicated in 7)(a) that you *have* filed your complaint with the EEOC or the Illinois Department of Human Rights, complete items 7)(a)(i) or 7)(a)(ii) to indicate which of these agencies you have been before and the date you filed your complaint with them.

In item 7)(b), enter an “X” or a “✓” in the box labeled “Yes” or “No” to indicate whether you have attached a copy of the charge you brought before the EEOC and/or the Illinois Human Rights Commission.

- 8) If the EEOC has not issued you a document called a “Notice of Right to Sue,” enter an “X” or a “✓” in box 8)(a).

If the EEOC *has* issued you a “Notice of Right to Sue,” enter an “X” or a “✓” in box 8)(b). Complete the rest of item 8)(b) by entering the date on which you received the EEOC notice. Attach a copy of your “Notice of Right to Sue” to the complaint form.

- 9) Item 9) indicates the type of discrimination covered by your complaint. Read the list of discrimination types, then enter an “X” or a “✓” in the boxes or boxes that you believe apply to your situation.
- 10) If the defendant in your complaint is a state or local government agency *and* you are claiming discrimination on the basis of race, color, or national origin, complete item 10) by entering an “X” or a “✓” in the box labeled “YES.” For all other complaints, enter an “X” or a “✓” in the box labeled “NO.”
- 11) This item lists the laws that give the District Court jurisdiction over the case. You do not need to write anything here.
- 12) Use item 12) to indicate what action or actions you believe the defendant took that affected your employment. Read the list of six actions, then enter an “X” or a “✓” in the boxes or boxes that you believe apply to your situation. Note that this item 12)(f) allows additional space for you to write more if you believe that items 12)(a) through 12)(e) don’t apply to your complaint. Please note that a plaintiff is generally permitted to proceed in this Court *only* on claims that have been presented to the EEOC.

- 13.) Use item 13) to briefly describe the facts that lead you to believe that you have been discriminated against by the defendant.
- 14) Item 14) consists of specific language that is required in employment complaints that claim discrimination on the basis of age. You do not need to write anything here.
- 15) Use item 15) to indicate whether or not you want your case to be tried by a jury. If you want a trial by jury, enter an “X” or a “✓” in the box labeled “YES.” If you do not want to demand a jury trial, enter an “X” or a “✓” in the box labeled “NO.”
- 16) Use Item 16) to tell the Court what you want to happen as a result of your employment discrimination complaint. Read the list of kinds of relief, then enter an “X” or a “✓” in the boxes or boxes that indicate the result you want. Note that item 16)(f) allows additional space for you to write more if necessary.

Signature, Date, Name, and Address

You must sign the employment discrimination complaint. Do this on the last page of the form. You must also enter your name, address, and telephone number.

Completing the Civil Cover Sheet for an Employment Discrimination Complaint

The civil cover sheet is a form that you need to complete and submit along with your complaint. The civil cover sheet records basic information about your civil case. There are instructions on the reverse side of the civil cover sheet describing how the cover sheet should be completed. However, a brief summary for employment discrimination complaints may be helpful.

- Identifying the parties. Record the names of the parties in the spaces labeled “plaintiffs” and “defendants” at the top of the civil cover sheet.
- Basis of jurisdiction. Unless you are suing the federal government, enter an “X” or a “✓” in the box labeled “federal question.” If you are suing the federal government enter an “X” or a “✓” in the box labeled “U.S. Government Defendant.”
- In an employment discrimination case you do not need to enter anything in the section of the civil cover sheet labeled “Citizenship of Principal Parties.”
- In the section labeled “Origin,” enter an “X” or a “✓” in the box labeled “Original Proceeding.”

- In the part of the civil cover sheet section labeled “Nature of Suit,” find the section labeled “Civil Rights.” Next, enter an “X” or a “✓” in the box labeled “442 Employment.”
- In the section labeled “Cause of Action,” enter “complaint of employment discrimination.”
- In the part of the civil cover sheet labeled “Requested in Complaint,” find the section labeled “Demand \$.” If you are asking that the court order the defendant to pay you a specific amount of money, enter that amount next to “Demand \$.” If you are *not* requesting an award of money, enter “0” next to “Demand \$.”

In the same section of the civil cover sheet, enter the same information about your request for a jury trial that you entered in item 15) of your employment discrimination complaint form.

- Refiling a Previously Dismissed Case. If you have previously filed a complaint involving the same claim of discrimination by the same defendant, enter the name of the judge and the case number in the space provided in this section of the civil cover sheet.
- Date and signature. Record the date and sign the civil cover sheet in the space labeled “signature of attorney of record.”

Summary of Instructions for Filing a Civil Case

Document	General Information	Number of Copies Required
Complaint	<ul style="list-style-type: none"> • List all plaintiffs and defendants in the caption, the top left of the complaint. • State your case in your own words, using additional pages if you need them. • Your signature, address, and telephone number must appear on the last page of your complaint. • Exhibits may be attached to your complaint. 	<ul style="list-style-type: none"> • You must provide an original, one copy for the assigned judge, and one copy for <i>each</i> defendant named in your complaint. • If you are suing the federal government or federal agency, you need to provide three extra copies.
Civil Cover Sheet (JS-44)	<ul style="list-style-type: none"> • This is a form used by the Court in preparing the docket for your case. • Instructions for completing this form appear on the reverse side of the form. 	<ul style="list-style-type: none"> • Only the original is required.
Appearance Form for Pro Se Litigants	<ul style="list-style-type: none"> • The appearance form, which must be filed, provides your name and address information. It is listed on the case docket. It also identifies where notices of orders and filings in your case are sent. If you have access to email, you should indicate on your appearance form that you wish to receive notices electronically rather than in paper form. • If you do not have an attorney and will be proceeding without counsel, fill in the appearance form in accordance with the instructions found on the reverse side of the form, supplying your name and address. 	<ul style="list-style-type: none"> • Only the original is required.
Filing fees	<ul style="list-style-type: none"> • There is a fee for the filing of a civil case other than a writ of habeas corpus. • If you are unable to afford the fee, see the information below about in forma pauperis application. • See the Court's current fee schedule for filing fee information. 	
In Forma Pauperis Application	<ul style="list-style-type: none"> • This petition is used by a plaintiff who requests approval by the Court for a civil case to proceed without the prepayment of the filing fee. • Complete all appropriate sections of the application, sign and date. 	<ul style="list-style-type: none"> • You must provide an original and one copy for the assigned judge.
Motion for Attorney Representation	<ul style="list-style-type: none"> • This motion is a request that the Court appoint an attorney. • Complete the motion form in accordance with the instructions attached to the form. 	<ul style="list-style-type: none"> • You must provide an original and one copy for the assigned judge.
Summons	<ul style="list-style-type: none"> • Complete the original and one copy for service to each defendant. • Your own name and address should appear under the heading labeled "Plaintiff's Attorney." 	<ul style="list-style-type: none"> • You must provide an original and one copy for <i>each</i> defendant named in your complaint. • If you are suing the federal government or federal agency, you need to provide three extra copies.

USM-285

- This form is designed as a control document for process served by a U.S. Marshal.
 - Complete all appropriate sections of the form.
 - Submit a completed copy of the form for each defendant named in your complaint.
- You must provide an original for *each* defendant named in your complaint.
 - If you are suing the federal government or federal agency, you need to provide two extra copies.