

# Proposed Documents in E-Filing

The filing type **Proposed Document** is replacing the filing type **Proposed Order** in E-Filing.

Use the filing type **Proposed Document** for any document you are asking a judge or clerk to sign or issue. Documents upload under the filing type Proposed Document will not receive a certificate of service or a file stamp. They will still be eServed on other parties who have the service method of eService.

## District Courts – Proposed Documents

Filing Type	Filing Subtype	Cases	Fee
Proposed Document	Arrest Warrant Proposed	DC, DD, DI, DJ, DN, DR, DV	
Proposed Document	Bench Warrant Proposed	DC, DD, DI, DJ, DN, DR, DV	
Proposed Document	Decree Proposed	DR, DV	\$50
Proposed Document	Decree Proposed (No Fee)	DA, DF, DG, DP	
Proposed Document	Entry of Default Proposed	DR, DV	
Proposed Document	Information Proposed*	DC	
Proposed Document	Judgment Proposed	DP, DR, DV	\$50
Proposed Document	Jury Instructions Proposed	DC, DJ, DV	
Proposed Document	Proposed Letters	DN, DG, DP	
Proposed Document	No Contact Order Proposed	DC	
Proposed Document	Petition Proposed*	DJ	
Proposed Document	Proposed Findings of Fact and Conclusions of law	DA, DC, DF, DG, DP	
Proposed Document	Proposed Order	All	
Proposed Document	Proposed Pre-Trial Order	DC, DJ	
Proposed Document	Subpoena Proposed	All	
Proposed Document	Summons Proposed	DA, DC, DD, DF, DI, DJ, DN, DP, DR	
Proposed Document	Verdict Proposed	DC, DJ, DV	
Proposed Document	Writ of Assistance Proposed	DR, DV	\$5
Proposed Document	Writ of Attachment Proposed	DR, DV	\$5
Proposed Document	Writ of Execution Proposed	DP, DP, DV	\$5
Proposed Document	Writ of Mandamus Proposed	DR, DV	\$5

\*Some county attorney offices submit a proposed information or petition for the judge to review.

Note: To file a Returned Writ (no fee) at a District Court use the filing type *Notice* and subtype *Return of Service*.

## Courts of Limited Jurisdiction – Proposed Documents

Filing Type	Filing Subtype	Cases	Fee
Proposed Document	Proposed Arrest Warrant	CR, TK	
Proposed Document	Proposed Default Judgment	CV	

Proposed Document	Proposed Judgment	CV	\$20
Proposed Document	Proposed Jury Instructions	All	
Proposed Document	Proposed Order	All	
Proposed Document	Proposed Order Entering Default	CV	
Proposed Document	Proposed Order to Show Cause	All	
Proposed Document	Proposed Subpoena	All	
Proposed Document	Proposed Summons	All	
Proposed Document	Proposed Verdict Form	All	
Proposed Document	Proposed Writ of Execution	CV	

The Montana Supreme Court does not have the option for Proposed Document types.

## Using the Proposed Documents

1. On the Upload Document page click **Add Another Lead Document**.

FILING PROGRESS Filing Information Upload Documents Service Information Filing Summary

Upload Documents ?

DOCUMENT

Name Motion - Motion to Continue File\* Choose File Motion.docx

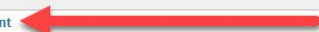
Document Filing Type\* Motion Document Filing Subtype\* Motion to Continue

Exclude from eService ? ☐

Comments

Request Confidential\* ☐

Confidential Reason\*

Add Another Lead Document 

Add Supporting Document

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2. Select the filing type **Proposed Document**.
3. Select your subtype.
4. Click **Choose File**. Upload your proposed document in MS Word or WordPerfect format. This allows the judge to make edits before signing, if necessary.

Upload Documents ?

DOCUMENT

Name Motion - Motion to Continue File\* Choose File Motion.docx

Document Filing Type\* Motion Document Filing Subtype\* Motion to Continue


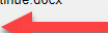
Exclude from eService ? ☐

Comments

Request Confidential\* ☐

Confidential Reason\*

DOCUMENT

Name Document Filing Type\* Proposed Document  File\* Choose File Order Continue.docx 

Exclude from eService ? ☐

Comments

Request Confidential\* ☐

Confidential Reason\*

Proposed Order  
Subpoena Proposed  
Summons Proposed  
Bench Warrant Proposed  
Arrest Warrant Proposed  
Writ of Execution Proposed  
Writ of Assistance Proposed  
Writ of Attachment Proposed  
Writ of Mandamus Proposed

Add Another Lead Document

Add Supporting Document

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## Uploading a Proposed Document with a Fee

Some of the proposed documents will require you to pay a filing fee, such as a proposed judgment. The fee is paid before the document is signed by the judge which is consistent with the best practice guide for e-filing judgments. Special instructions for submitting proposed judgments can be found on our website at <https://courts.mt.gov/external/efile/instructions/proposed-judgments.pdf>.

If you are submitting a proposed document with a fee, you need to choose the proposed document on the Create Filing screen and upload it as the first document on the Upload Document screen.

Example: Since a Writ of Execution Proposed has a fee associated with it, it needs to be selected on the Create Filing page and listed as the first document on the Upload document page. Any other accompanying documents can be added by clicking the link “Add Another Lead Document” on the Upload Document page.

The screenshot shows the 'Create Filing' form with the following fields:

- COURT SELECTION** (dropdown menu)
  - Court\***: Flathead County District Court
  - Filing Category\***: Existing Case
- EXISTING CASE** (dropdown menu)
  - Case Number\***: DV-15-2021-1130
  - Filing Type\***: Proposed Document
  - Filing Subtype\***: Writ of Execution Proposed

## Notes on Jury Instructions

Submit “Proposed Jury Instructions” under the filing type “Jury Instructions” so that they are file stamped when needed. In the same filing, also submit them using the filing type “Proposed Documents” so that the Judge may sign/edit that copy.