Bankruptcy Case Opening

For Attorneys

This process shows the steps and screens required for attorneys to open a bankruptcy case on CM/ECF. The case is a chapter 7, no asset, individual consumer, with deficiencies.

STEP 1 Click on the Bankruptcy hyperlink on the CM/ECF Main Menu Bar. **(See Figure 1.)**

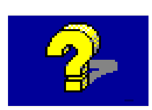
Figure 1

STEP 2 The **BANKRUPTCY EVENTS** screen displays. **(See Figure 2a.)**

Figure 2a

NOTE: **Because of differences between courts, your actual menu options may vary from this list.**

- For further information on each of these categories, click the **HELP** icon on the CM/ECF Main Menu Bar (the question mark, pictured below). That will bring up a help screen. **(See Figure 2b, next page.)**



Context Help - Netscape

Bankruptcy Events

Select one of the menu options available and subsequent screens will prompt you for the information required to:

Answer/Response	File an answer, response, or reply to a motion/application in a bankruptcy case.
Appeal	File an appeal to a case.
Batch Filings	File different documents to different (unrelated) cases at the same time. (See also Multi-Case Docketing).
Claim Actions	File documents related to claims that have already been filed.
Court Events	File documents or docket events (e.g., utility events) to which only court users have access.
Creditor Maintenance	Enter the names and addresses of creditors for a bankruptcy case, either individually or by uploading a creditor matrix. Also edit creditors' names and addresses.
File Claims	File a claim in a bankruptcy case.
Motions/Applications	File a motion or application to a bankruptcy case.

Figure 2b

- This screen gives you more information about the menu selections. Too see information for other options, scroll down using the arrows or scroll bar on the right. **(See Figure 2c.)**

Context Help - Netscape

File Claims	File a claim in a bankruptcy case.
Motions/Applications	File a motion or application to a bankruptcy case.
Multi-Case Docketing	File the same document to many unrelated cases at the same time (the user must make sure that there is no case-specific information in this document). (See also Batch Filings.)
Notices	File a notice to a bankruptcy case.
Open a BK Case	Open/Reopen a Bankruptcy Case.
Orders/Opinions	File an order or an opinion to a bankruptcy case.
Other	File a miscellaneous document to a bankruptcy case.
Plan	File a plan (e.g., Chapter 11 Plan) to a bankruptcy case.
Trustee/US Trustee	File a document related to the chapter trustee or the U.S. Trustee.
Trustee's 341 Filings	Allows the chapter 7 trustee to specify the action to be docketed for each 341 meeting on a given date.

Updated 08/30/00 (BankruptcyEvents.htm)

close

Figure 2c

- To close this help screen, click on the "X" in the top right corned of the screen, or click on the **[Close]** box at the bottom of the screen. This will return you to the Bankruptcy Events screen. **(See Figure 2a.)**

STEP 3 At the Bankruptcy Events screen, click on the Open a BK Case hyperlink. The Open New Bankruptcy Case screen will display **(See Figure 3.)**

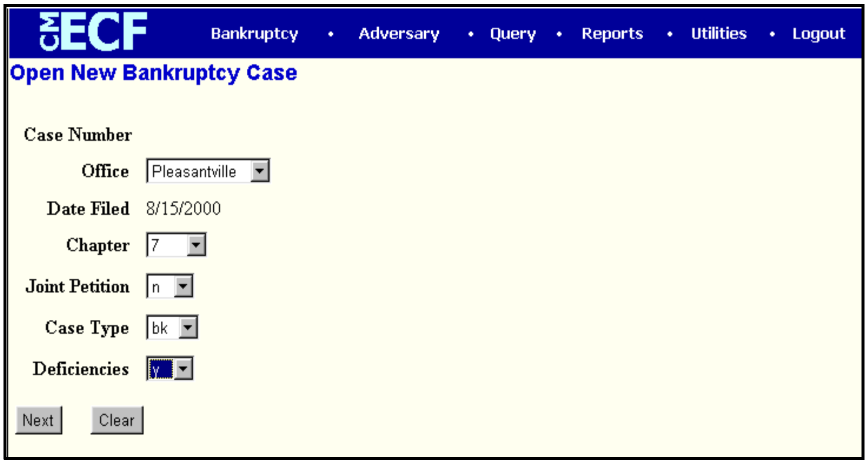


Figure 3

- The case number will be generated later in this process and will be displayed on the Notice of Electronic Filing.

- Select the **Office** from the pick list box.

  The office will be either Northern (Aberdeen), Central (Pierre), Southern (Sioux Falls) or Western (Rapid City).

  The county determines where the case is filed.

  Refer to LBR 1071-1 and Appendix 12.

LBR 1017-1 Appendix 12

NORTHERN (Aberdeen)	CENTRAL (Pierre)	SOUTHERN (Sioux Falls)	WESTERN (Rapid City)
Brown	Buffalo	Aurora	Bennett
Campbell	Dewey	Beadle	Butte
Clark	Faulk	Bon Homme	Custer
Codington	Gregory	Brookings	Fall River
Corson	Haakon	Brule	Harding
Day	Hand	Charles Mix	Jackson
Deuel	Hughes	Clay	Lawrence
Edmunds	Hyde	Davison	Meade
Grant	Jerauld	Douglas	Pennington
Hamlin	Jones	Hanson	Perkins
McPherson	Lyman	Hutchinson	Shannon
Marshall	Mellette	Kingsbury	
Roberts	Potter	Lake	
Spink	Stanley	Lincoln	
Walworth	Sully	McCook	
	Todd	Miner	
	Tripp	Minnehaha	
	Ziebach	Moody	
		Sanborn	
		Turner	
		Union	
		Yankton	

- The current date will always be displayed in the **Date Filed** field.
- Select the **Chapter** from the pick list box, or skip it if the default is correct.
- The default value for **Joint Petition** is **n** (no); for a Joint filing select **y** (yes).
- The Case Type will always be **bk**. Leave it as it is.
- There are required items missing from the petition, change the **Deficiencies** box from **n** to **y**. A deficiency list will then be presented on a later screen. See Step #11.
- When this screen is correct, click **[Next]** to continue.

STEP 4 The **PARTY SEARCH** screen displays. **(See Figure 4.)**

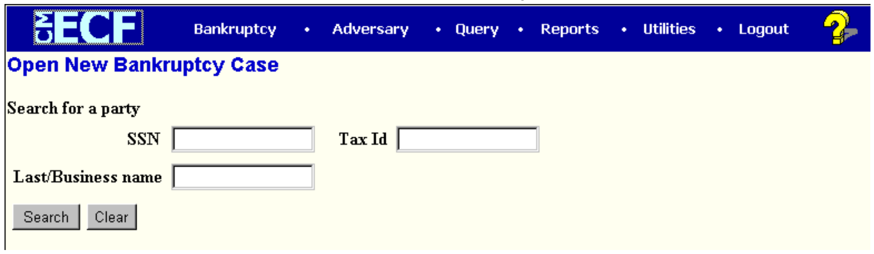


Figure 4

- This screen is for you to enter the debtor(s) on the case. Before you add the debtor(s), you should search the database to see if that party already exists in the database from another case, to eliminate duplicate records in the system. You can search by Social Security Number, Tax Identification Number, Last Name or Business Name.

  - You can enter the last name or the first few characters of the last name to search the database. If this is a business filing, enter the first word or significant words of the business name to search. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters.

  NOTE: Do not use the asterisk * by itself as search criteria. If just the asterisk is used, the entire database will be searched and required unnecessary systems resources and may degrade your response time.

  Use upper and lower case when searching by last name and/or business name. Example: “Schw” not “schw”.

- In this lesson, we will enter the debtor’s last name and click **[Search]**.

NOTE: The entire name of businesses resides in the **Last/Business** field. Therefore, for business filings, entering the first part of the name may be sufficient to find a match.

STEP 5 If there are no matches, the system will return a **No Person Found** message. **(See Figure 5.)**

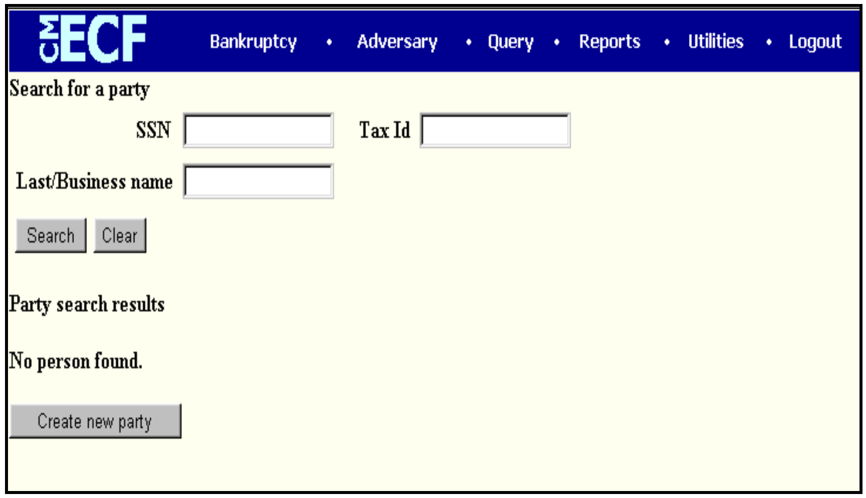


Figure 5

- Once you have tried alternative searches and determined that the party is not already on the database, you can add them to the database. Click **[Create New Party]**.

STEP 6 The **PARTY INFORMATION** screen displays. **(See Figure 6.)**

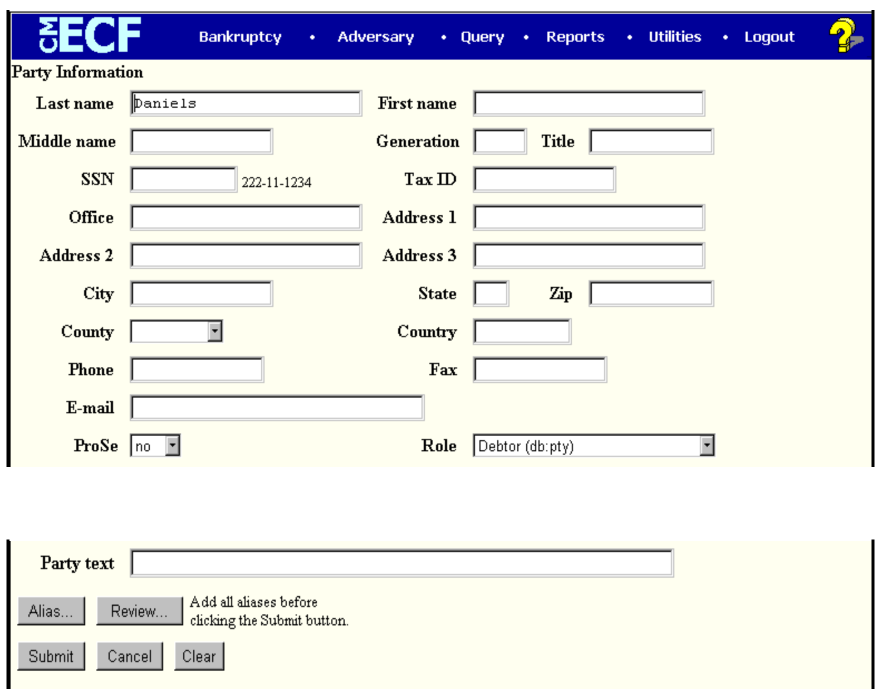


Figure 6

- Enter the debtor's **Name** and **Address** ***(note: always use the mailing address)*** information in the appropriate boxes . (For this lesson, our debtor is Dale Daniels.)

- Select the debtor's **County** of residence from the pick list box.

NOTE: Type the first letter of the county name for a faster search.

- For this lesson, leave ***ProSe*** as **no**.

- Expand the **Role Type** selection pick list box by clicking on the down arrow ▼, and select Debtor. (Note: The default is Debtor.)

- Enter further descriptive text for the debtor in the **Party text** field, if appropriate (such as A Connecticut Corporation, Guardian of the State, etc.)

- It is not necessary to add the attorney representing the debtor. Because you are an attorney, Your name will be linked to the party you are representing automatically at the end of this transaction. Your login will furnish your attorney information to the system.

- If the party has an alias, click the **[Alias]** button.

STEP 7 The **ALIAS** screen appears. **(See Figure 7.)**

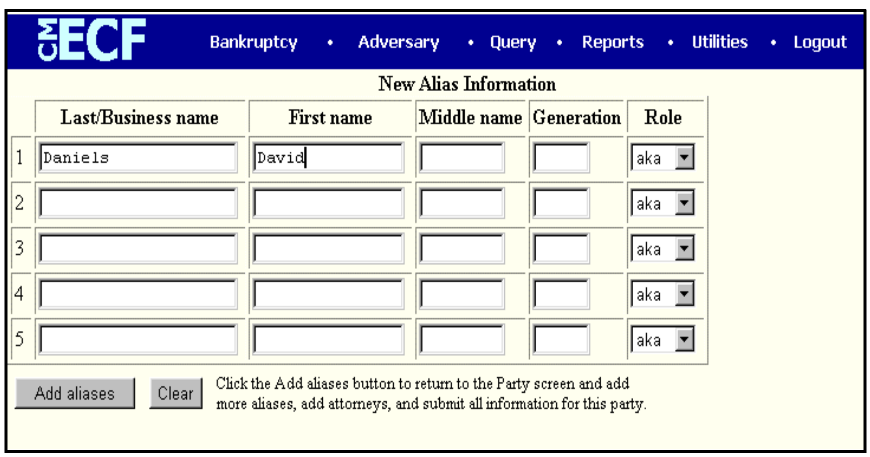


Figure 7

You can enter up to five alias names. **Alias Role** selections include aka, dba, fdba, and fka.

- Click **[Add aliases]**.

STEP 8 The **PARTY INFORMATION** screen reappears. **(See Figure 8a.)**

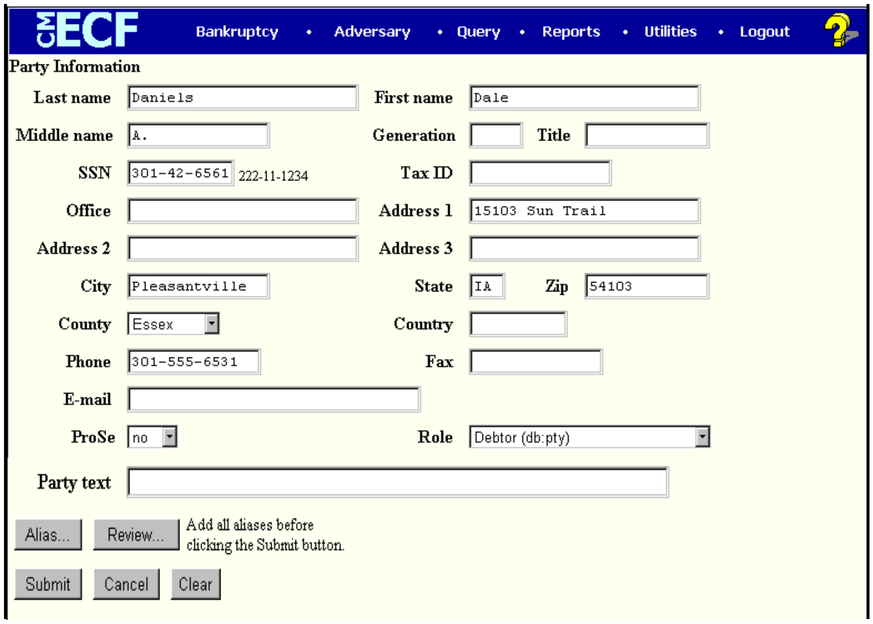


Figure 8a

- Clicking on the **[Review]** button at any time presents a screen summarizing the attorney and alias activity for this debtor. **(See Figure 8b.)**

Figure 8b

- Verify the information.

- Be careful about clicking the **[Clear]** button. You could accidently delete information.

- Click **[Return to Party Screen]**.

STEP 9 The **PARTY INFORMATION** screen will return again **(See Figure 8a)**. If you are finished adding information for this new party, click **[Submit]** to continue with Case Opening.

NOTE: If this were a joint debtor filing, a **JOINT DEBTOR PARTY** screen would appear next. ***NOTE: The role type will be DEBTOR.***

STEP 10 The **STATISTICAL DATA** screen appears next. **(See Figure 10.)**

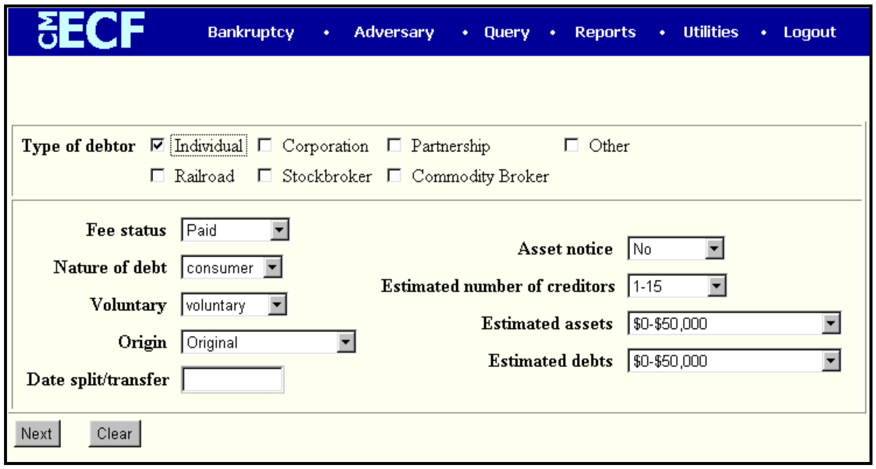


Figure 10

- Select the **Type of Debtor** by clicking in the appropriate box(es).

- The **Fee Status** values are Paid and Installment.   The value defaults to Paid. **ONLY if the petition is accompanied by an Application to Pay Filing Fees in Installments, you would select Installment from the pick list box.**

  NOTE: Because you are filing this case electronically, you will need to mail in your firm check for the filing fee due.

- Designate the **Nature of Debt** as Consumer or Business.

- The default value is for a **Voluntary** Petition. For Involuntary Petitions, select **Involuntary** from the pick list box.

- Enter the correct **Origin** code from the values Original, First Reopen, Second Reopen, Third Reopen, Split or Inter-District Transfer. No action is necessary if this is the first filing; the default value of Original is correct for this exercise.

- **Date Split/Transfer** is only necessary when a joint debtor splits from the original case or if this case was transferred in from another district. Otherwise leave this field blank.

- Choose Yes or No for **Asset notice** designation.

  Note:

  Chapter 7 cases are always NO ASSET cases.
  Chapters 11, 12 and 13 are always ASSET cases.

- Select the range of **Estimated Creditors** from the pick list box.

  - 1 -15
  - 16 - 49
  - 50 - 99
  - 100 -199
  - 200 - 999
  - 1,000 - over

- Select the correct dollar range for **Estimated Assets**.

  - Under $50,000
  - $50,001 - 100,000
  - $100,001 - 500,000
  - $500,001 - 1 million
  - $1,000,001 - 10 million
  - $10,000,001 - 50 million
  - $50,000,001 - 100 million
  - More than $100 million

- Select the correct dollar range for **Estimated Debts**.

  - Under $50,000
  - $50,001 - 100,000
  - $100,001 - 500,000
  - $500,001 - 1 million
  - $1,000,001 - 10 million
  - $10,000,001 - 50 million
  - $50,000,001 - 100 million
  - More than $100 million

- Click **[Next]** to continue.

STEP 11 When you selected **y** for **Deficiencies** on the **Case Data** screen, the Chapter 7 **DEFICIENCY LIST** screen appears. **(See Figure 11.)**

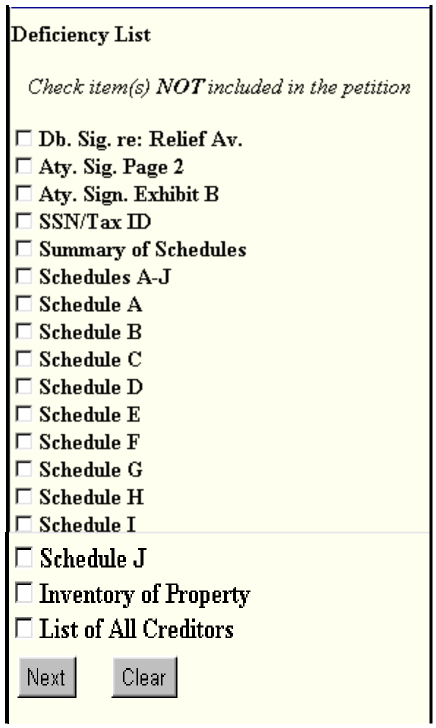


Figure 11

NOTE: This list will vary by chapter.

- Check the check box for each item that is not included with this petition. For this exercise, select **Schedules A-J**.
- Click **[Next]** to continue.

STEP 12 The **SELECT A PDF DOCUMENT** screen appears. **(See Figure 12.)**

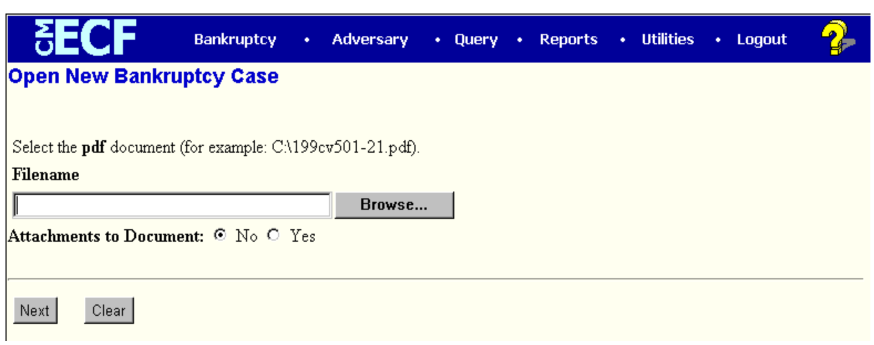


Figure 12

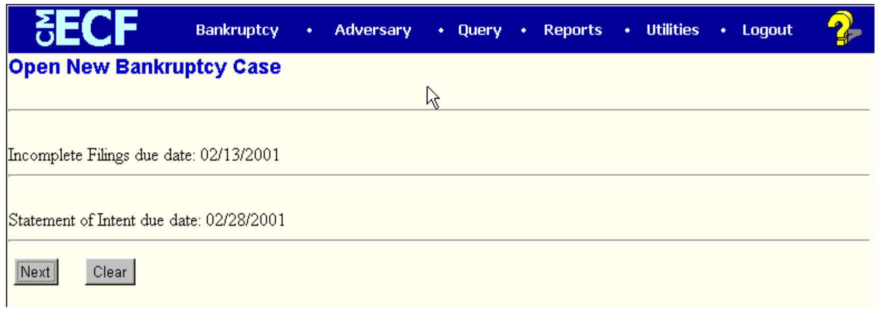


Figure 13

NOTE: This screen is used for associating the imaged document with this entry. Attorneys <u>must</u> enter the path and name of a pdf (portable document format) document here.

- Click **[Browse]**, then click on the down arrow ▼ for the **Files of type** field.
- In the drop-down box, click on **All Files (*.*)**.
- Navigate to the directory where the appropriate PDF file is located.
- Highlight the file. Then right click with your mouse and select **Open** to verify the contents of the document. If this is the correct file, double-click the PDF file or click Open to select it.
- Say **YES** the **Attachments to Document** radio buttons. See Tab Q. Select the type in the drop down box and add to the list.
- Click **[Next]**
- Browse for the Attorney Disclosure of Fees and attach.

STEP 13 The **INCOMPLETE FILINGS DEADLINE**S screen is presented, showing the due date for the missing schedules A-J. **(See Figure 13.)**

- The deadline for filing the missing documents is calculated and displayed. This will print on the final docket text and will exist as a schedule record for queries and reports.

- The Statement of Intent deadline will appear on this screen, as shown. The court will monitor these deadline for compliance and will verify deficiencies.

    - Click **[Next]** to continue.

STEP 14 The **MODIFY DOCKET TEXT** screen appears. **(See Figure 15.)**

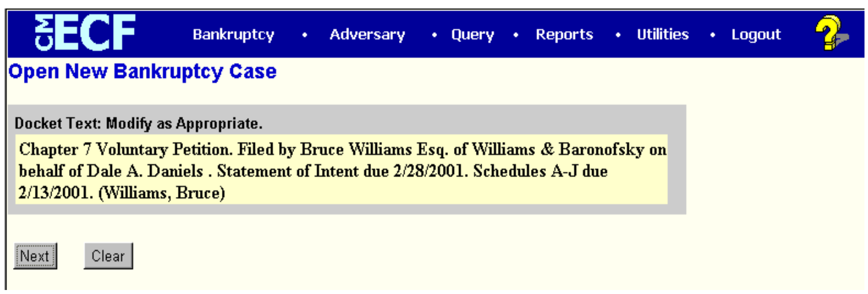


Figure 15

- Depending on your local court, you may or may not be able to add text to this entry. Your court will give instructions for annotating this docket text.

- Click **[Next]** to continue.

STEP 15 The **FINAL TEXT EDITING** screen displays. **(See Figure 16.)**

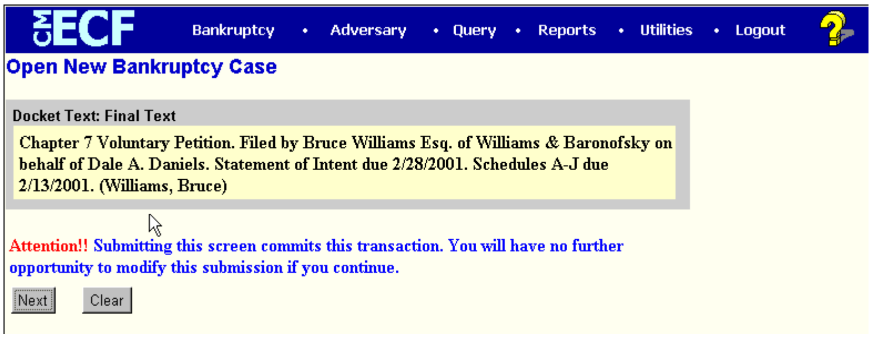


Figure 16

- Proof this screen carefully! This is what will print on the docket sheet.

    - If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the screen to be modified, make the correction, and continue through the event.

    - To abort or restart the transaction, click on the Bankruptcy hyperlink on the **CM/ECF Main Menu Bar.** Although this can be done at any time, this is your last opportunity to change the event.

    - The case number will now be assigned. Click **[Next]** to continue.

STEP 16 The **NOTICE OF ELECTRONIC FILING** screen displays. **(See Figure 17.)**

Figure 17

- This **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies the that petition is now an official court document.

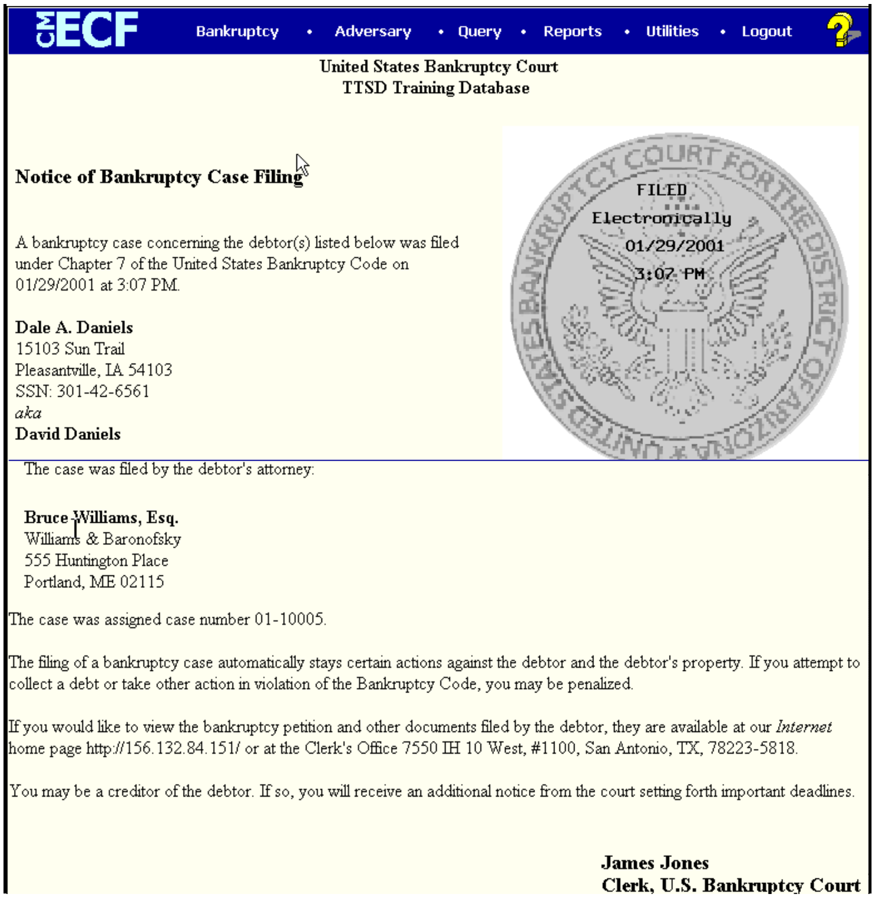
- Make a note of the case number, which appears in blue. Clicking on the case number hyperlink, 01-10005, will display the docket report for this case.

- Clicking on the document number hyperlink 1, will display the PDF image of the petition just filed.

- The Notice of Bankruptcy Case Filing hyperlink appears at the top of the Notice of Electronic Filing. Clicking on this hyperlink reveals a notice summarizing the pertinent details and participants of this case. **(See Figure 18.)**

NOTE: You <u>must</u> enter your PACER login and password to view any documents or reports or perform any queries.

STEP 17 If you click on the Notice of Bankruptcy Case Filing hyperlink at the top of the Notice of Electronic Filing, the Notice of Bankruptcy Case Filing will be displayed. This notice summarizes the pertinent details and participants of this case. (See Figure 18.)



CM ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

United States Bankruptcy Court
TTSD Training Database

Notice of Bankruptcy Case Filing

FILED
Electronically
01/29/2001
3:07 PM

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 7 of the United States Bankruptcy Code on 01/29/2001 at 3:07 PM.

Dale A. Daniels
15103 Sun Trail
Pleasantville, IA 54103
SSN: 301-42-6561
aka
David Daniels

The case was filed by the debtor's attorney:

Bruce Williams, Esq.
Williams & Baronofsky
555 Huntington Place
Portland, ME 02115

The case was assigned case number 01-10005.

The filing of a bankruptcy case automatically stays certain actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page http://156.132.84.151/ or at the Clerk's Office 7550 IH 10 West, #1100, San Antonio, TX, 78223-5818.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

James Jones
Clerk, U.S. Bankruptcy Court

Figure 18

- This certification was created in addition to the initial notice of filing. It also displays the debtor(s), attorney, trustee, case number, time, and filed date of the case opening information. It can be used to notice creditors as an official notice of stay besides the 341 Meeting Notice to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.

- The Notice of Bankruptcy Case Filing is also available for viewing or printing through the Query Main Menu Bar selection.

  - To print a copy of this notice, click the browser **[Print]** button or icon.

- To save a copy of this receipt, click **[File]** on the browser menu bar and select **Save Frame As**.

NOTE: If this case had been opened by the court, the time stamp would not appear on the seal. It appears only for cases opened electronically by non-court users.