

## Adversary Case Opening

Opening an Adversary proceeding involves entering the necessary information regarding the plaintiff, defendant, and basic statistical data. The complaint is incorporated into this process and will not need to be docketed separately. During the filing of this event (unlike the opening of a Bankruptcy Case), the attorney for the plaintiff must select himself/herself at the attorney selection screen. (Refer to Step 9, page 7)

- STEP 1** Click the Adversary hyperlink on the CM/ECF main menu bar. (See Figure 1.)

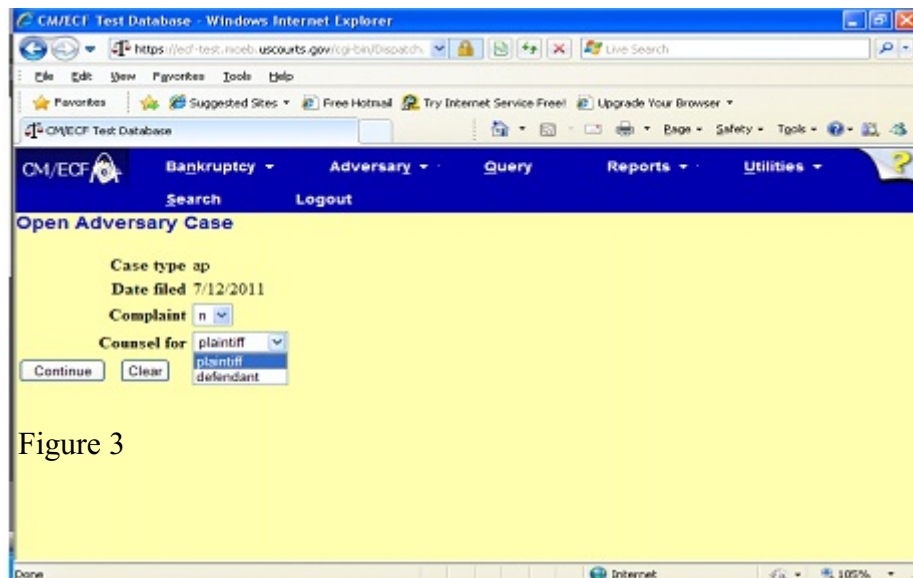


**Figure 1**

- STEP 2** Click on the Open an Adversary Proceeding hyperlink displayed on the **ADVERSARY EVENTS** screen. (See Figure 2.)



**Figure 2**

**STEP 3** The **CASE DATA** screen displays. (See Figure 3.)

CM/ECF Test Database - Windows Internet Explorer

https://ecf-test.uscourts.gov/cgi-bin/dispatch

CM/ECF Test Database

Bankruptcy Adversary Query Reports Utilities

Search Logout

Open Adversary Case

Case type ap

Date filed 7/12/2011

Complaint n

Counsel for plaintiff

Continue Clear

Figure 3

- ◆ Make sure you take note of it on the final screen.
- ◆ The current date is displayed next to **Date Filed**.
- ◆ The **Case Type** value **ap** for adversary proceeding is displayed.
- ◆ The Complaint field signifies the lead event for this proceeding. If you are filing a Complaint, choose “y” for yes and you are automatically added as the counsel for Plaintiff. If you are filing something other than a complaint such as a Notice of Removal, select (**n**) for no. You may then select who you are counsel for.
- ◆ Click [**Continue**].

**STEP 4** The **LEAD CASE/ASSOCIATION TYPE** screen appears. (See Figure 4.)

ECF Bankruptcy Adversary Query Reports Utilities Logout

Open Adversary Case

Lead case number 02-10069

Association type Adversary

Next Clear

Figure 4

- ◆ Enter the **Lead Bankruptcy Case Number** in YY-NNNNN format, including the hyphen.

**NOTE:** If the case number is invalid or if the lead case does not reside on this database, an error message, “**YY-NNNNN is not a valid case. Please enter a valid value.**” is generated. You will not be able to proceed with the case opening process. Research the reason for the error.

If you **do not** enter any number in the **Lead Case Number** field the system **will** allow you to proceed with case opening.

- ◆ The **Association type** defaults to Adversary. Other selections are Bankruptcy, Consolidated, Jointly Administered, Multi-District Litigation, and Related. Leave the default and click **[Continue]**.

**STEP 5** The **CASE ASSIGNMENT** screen displays. Case assignment is based on the lead Bankruptcy case. (See Figure 5.)



The screenshot shows the 'Open Adversary Case' screen. At the top, there is a navigation bar with 'Bankruptcy', 'Adversary', 'Query', 'Reports', 'Utilities', and 'Logout'. Below the navigation bar, the text reads: 'Case is assigned to Pleasantville Division, Judge Strasberg based on the lead Bankruptcy case 02-10069.' At the bottom of the screen, there are two buttons: 'Next' and 'Clear'.

**Figure 5**

- ◆ Click **[Continue]**.

**STEP 6** The **PLAINTIFF SEARCH** screen appears. (See Figure 6.)



The screenshot shows the 'Open Adversary Case' screen with the 'PLAINTIFF SEARCH' section. It includes input fields for 'SSN', 'Tax Id', 'Last/Business name', 'First Name', and 'Middle Name'. Below these fields are 'Search' and 'Clear' buttons. The navigation bar at the top is the same as in Figure 5.

**Figure 6**

- ◆ Before adding a party, it is recommended that one search the database for the filer. One can search by Social Security Number, Tax Identification Number, Last Name or Business Name, First Name or Middle Name.
- Enter the last name of the party to be searched. If this is a business filing, enter the first word of the name to search the database. The entire business name is stored in the **Last/Business name** field. The field size is 200 characters.

**Search Hints:**

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names (minimum of two characters) can be entered.
- Wild cards (\*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (\*son, Gr?y)
- Do not search only by the asterisk \* itself.

- ◆ Enter the plaintiff's last/business name and click **[Search]**.

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

**STEP 7** The **SEARCH RESULTS** screen appears. (See Figure 7a.)

CM/ECF Test Database - Windows Internet Explorer

https://ecf-test.moeb.circ8.don/cgi-bin/AddParty.pl?900781329756132

File Edit View Favorites Tools Help

CM/ECF Test Database

Bankruptcy Adversary Query Reports Utilities Search Logout

Search for a plaintiff

SSN / ITIN Tax ID / EIN

Last/Business name

First Name

Middle Name

Search Clear

Party search results

Household Finance, 555 Money Bags Ln, St. Louis, MO

Household Finance, PO Box 8633, Carol Stream, IL

Household Finance, PO Box 8633, Carol Stream, IL

Household Finance Co., P.O. Box 1880, Pomona, CA

Household Finance Co., P.O. Box 1880, Pomona, CA

Household Finance Corp

Select name from list Create new party

**Figure 7a**

**NOTE:** If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button. (See Figure 7b.)

- ◆ In Figure 7b the only party on the database matching the search criteria was Household Finance. Since our party, Household Financial Services is not on the list, click the **[Create New Party]** button.

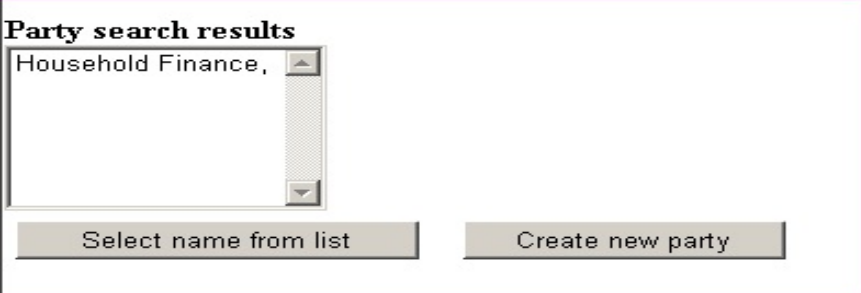


Figure 7b

**NOTE:** Your name search may find more than one record having the same name as shown in **Figure 7c**. Clicking on each of the names will display a window showing the party's complete address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

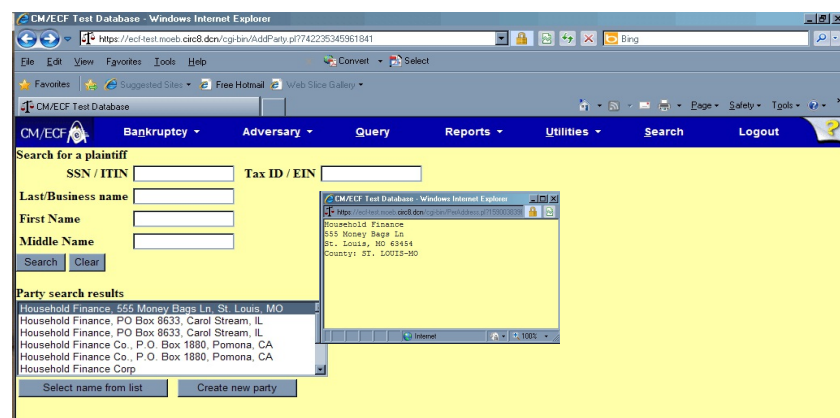


Figure 7c

**STEP 8** The **PLAINTIFF INFORMATION** screen appears. (See Figure 8.)

- ◆ Enter the plaintiff's **Name** and **Tax ID** or **SSN** information in the appropriate boxes.

CM/ECF Bankruptcy Adversary Query Reports Utilities ?

Search Logout

**Plaintiff Information**

Missouri Dept of Revenue SSN / ITIN: Unknown

Office

Address 1

Address 2

Address 3

City

State  Zip

County

Country

Phone

Fax

E-mail

Party text

Role in Bankruptcy Case

Add additional attorney... Alias... Corporate parent / affiliate... Review...

Submit Cancel Clear

Add all additional attorneys, aliases and corporate parents or affiliates before clicking the Submit button.

Figure 8

- ◆ Expand the **Role in Bankruptcy Case** selection pick list by clicking on the down arrow ▼ and select Creditor.
- ◆ The **Party Text** field is used for further party description, such as A California Corporation or Executor for the Estate of.... This information will appear on the caption of the docket report immediately after the party's name.
- ◆ If Complaint was set to "y" for yes in Figure 3, then you were automatically added as the counsel for Plaintiff. Attorney button has been changed to "Add additional attorney." (See Figure 8.)

- STEP 9** The **PLAINTIFF SEARCH** screen will appear again. You have added the plaintiff and if there are no more plaintiffs, choose End plaintiff selection. (See Figure 9.)

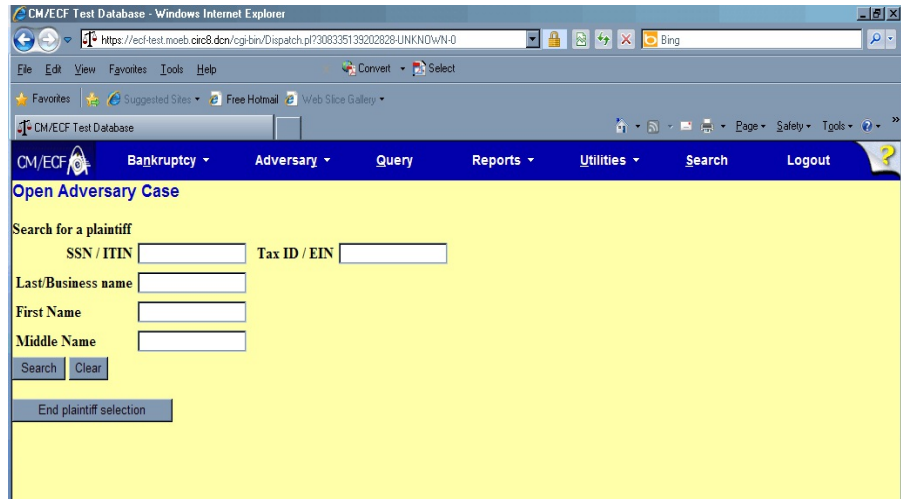
The screenshot shows a web browser window titled "CM/ECF Test Database - Windows Internet Explorer". The address bar shows a URL starting with "https://ecf-test.moeb.circ8.dcn/cgi-bin/Dispatch.pl?". The browser's menu bar includes File, Edit, View, Favorites, Tools, and Help. The browser's toolbar includes buttons for Back, Forward, Stop, Reload, Home, Print, and a search icon. The browser's status bar shows "CM/ECF Test Database". The web page has a blue header with the "CM/ECF" logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. The main content area is yellow and titled "Open Adversary Case". It contains a "Search for a plaintiff" section with input fields for "SSN / ITIN", "Tax ID / EIN", "Last/Business name", "First Name", and "Middle Name". There are "Search" and "Clear" buttons below the input fields. At the bottom of the search section is a button labeled "End plaintiff selection".

Figure 9

- STEP 10** The **DEFENDANT INFORMATION** screen appears. (See Figure 10.)

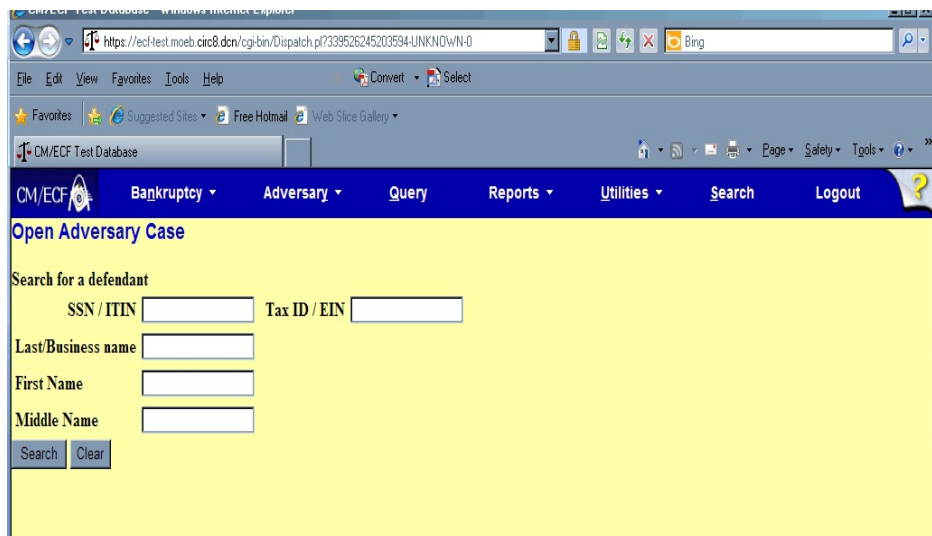
The screenshot shows a web browser window titled "CM/ECF Test Database - Windows Internet Explorer". The address bar shows a URL starting with "https://ecf-test.moeb.circ8.dcn/cgi-bin/Dispatch.pl?". The browser's menu bar includes File, Edit, View, Favorites, Tools, and Help. The browser's toolbar includes buttons for Back, Forward, Stop, Reload, Home, Print, and a search icon. The browser's status bar shows "CM/ECF Test Database". The web page has a blue header with the "CM/ECF" logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. The main content area is yellow and titled "Open Adversary Case". It contains a "Search for a defendant" section with input fields for "SSN / ITIN", "Tax ID / EIN", "Last/Business name", "First Name", and "Middle Name". There are "Search" and "Clear" buttons below the input fields.

Figure 10

- ◆ Enter party information for the defendant. Search by last name.
- ◆ When the **SEARCH RESULTS** screen appears, the party will be displayed because the defendant is already a debtor on the bankruptcy case. (See Figure 11.)

CM/ECF Test Database - Windows Internet Explorer

https://ecf-test.mohb.cio8.dcn/cgi-bin/AddParty.pl?419664180978116

File Edit View Favorites Tools Help

CM/ECF Test Database

CM/ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Search for a defendant

SSN / ITIN  Tax ID / EIN

Last/Business name

First Name

Middle Name

Search Clear

Party search results

Show, Mark Douglas

Show, Mark Snow, 1234 Street, St. Louis, MO

Show, Mark Snow, 1234 Street, St. Louis, MO

Select name from list Create new party

Figure 11

- ◆ Highlight the name and click on **[Select name from list]**.

**STEP 12** The **DEFENDANT INFORMATION** screen appears next with this party's data and address as it is recorded in the database from the bankruptcy case. (See Figure 12)

CM/ECF Bankruptcy Adversary Query Reports Utilities

Search Logout

Defendant Information

Mean Joe Green Sr. SSN / ITIN:xxx-xxx-0233

Office

Address 1 412 Green St

Address 2 PO Box 125

Address 3

City St. Charles

State MO Zip 63366

County WARREN-MO (29219)

Country

Phone (314) 244-5555

Fax

E-mail

Party text

Role in Bankruptcy Case

Alias... Corporate parent / affiliate... Review... Add all aliases and corporate parents or affiliates before clicking the Submit button.

Submit Cancel Clear

Figure 12



- ◆ You must select the Role in Bankruptcy Case by clicking on the ▼ down arrow for the **Role** field. Highlight **Debtor** and click on **[Submit]**.
- ◆ Note: The “Attorney” button has been removed from the Defendant Information screen.
- ◆ The Party Search screen will reappear. If the bankruptcy case is joint case, continuing adding parties. When all parties have been entered, click on **[End defendant selection]**.

**STEP 13** The **ADVERSARY STATISTICAL** screen appears.  
(See Figure 13a).

**Figure 13a**

- ◆ Unless the US is a plaintiff or defendant in your case, accept the default **US not a Party** as shown in Figure 13b.

**Figure 13b**

- ◆ Select Primary nature of suit of the complaint from the list (See Figure 13c.).

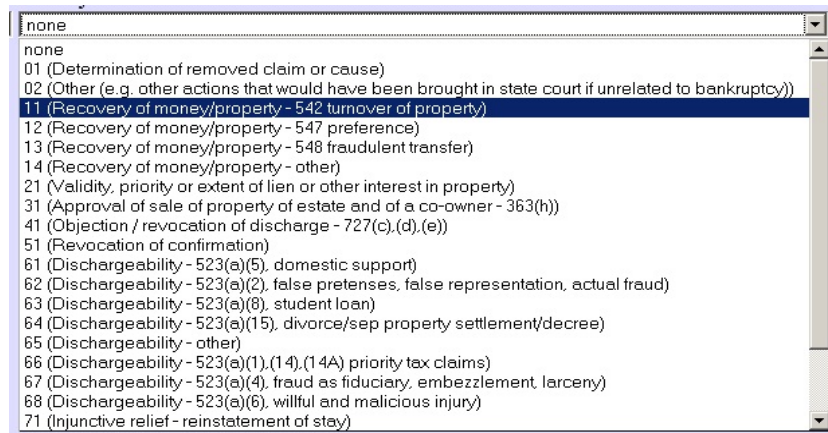


Figure 13c

- ◆ Then enter Second, Third, Fourth, and Fifth natures of suit, as necessary.
- ◆ The default in the **Rule 23 (Class Action)** box is *n*. Change the default to *y* only if this is a class action suit.
- ◆ The default in the **Jury Demand** box is *n* (None). (See Figure 13d.)



Figure 13d

- ◆ For our case we will leave the default of **None**.
- ◆ **Dollar Demand.** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, if the Dollar Demand is \$4550, \$5,000, or \$5499, you would enter 5 for \$5000, leaving off the 000. Since our Nature of Suit is Recover Money/Property we will enter **29** for \$29,000.00.
- ◆ **State law.** The default is *n* for no. If this case reflects a state law, then choose *y* for yes. If you are not sure, choose *u* for unsure.
- ◆ Verify the data on your screen and then click **[Continue]**.

**STEP 14** The **PLAINTIFF IDENTIFICATION** screen displays. (See Figure 14.)

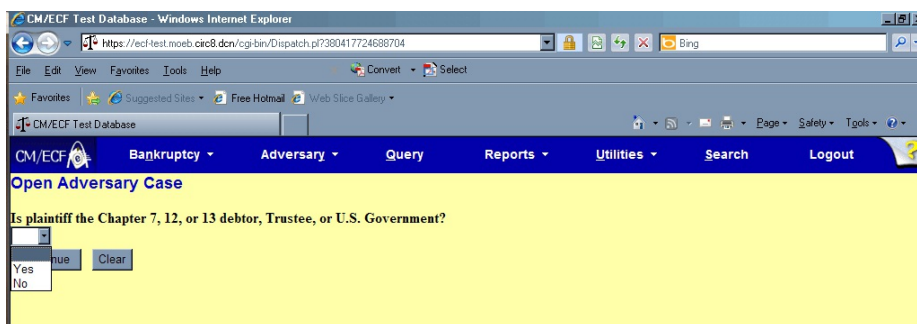


Figure 14

- ◆ Choose Yes or No in the drop down box.
- ◆ Click **[Continue]**.

**STEP 15** The **PDF DOCUMENT SELECTION** screen displays. (See Figure 15a.)

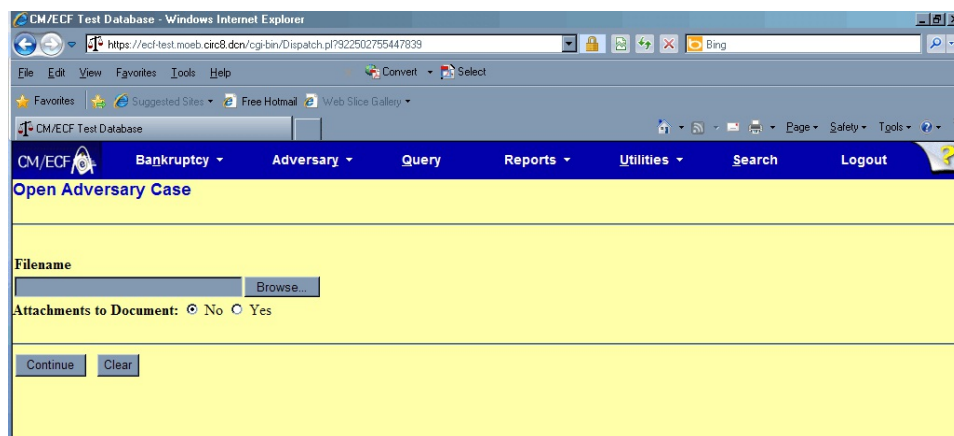


Figure 15a

- ◆ To associate the imaged document with this entry, select the PDF filename of the complaint you are filing.
  - Click **[Browse]**. In the **File Upload** screen change **Files of type:** to **All files(\*.\*)** then navigate to the directory where the appropriate PDF file is located and select it with your mouse.
  - To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. (See Figure 15b.)

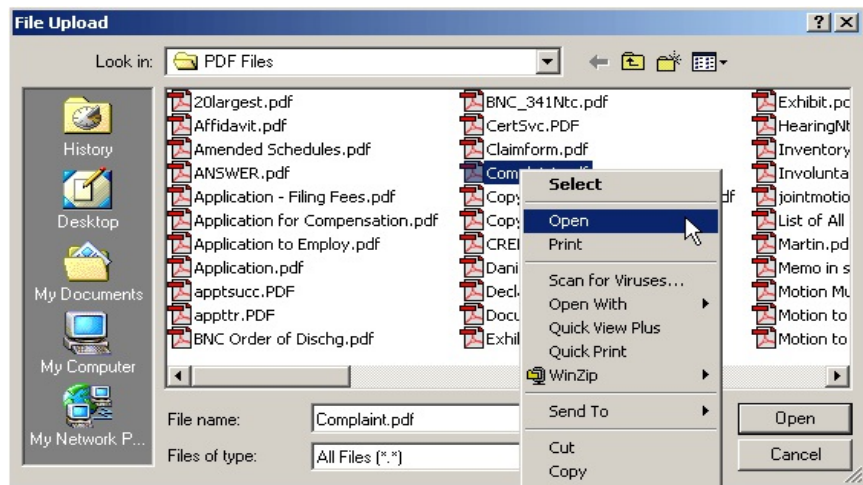


Figure 15b

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.
- Close or minimize the Adobe application and if that is the correct file, click **[Open]** on the File Upload dialogue box. (See Figure 15c.)

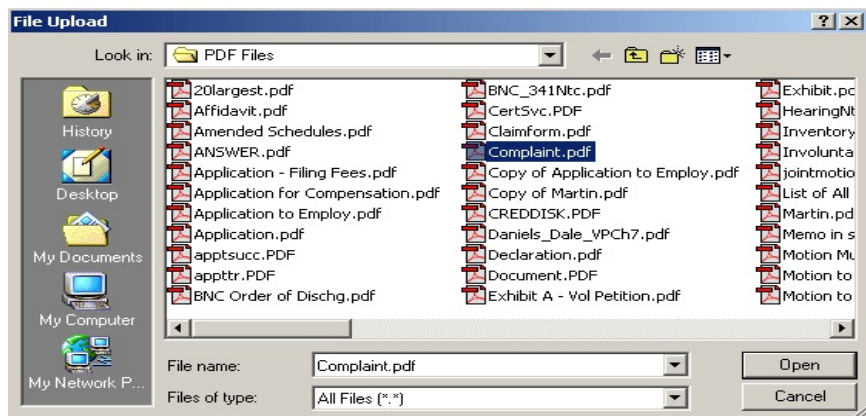
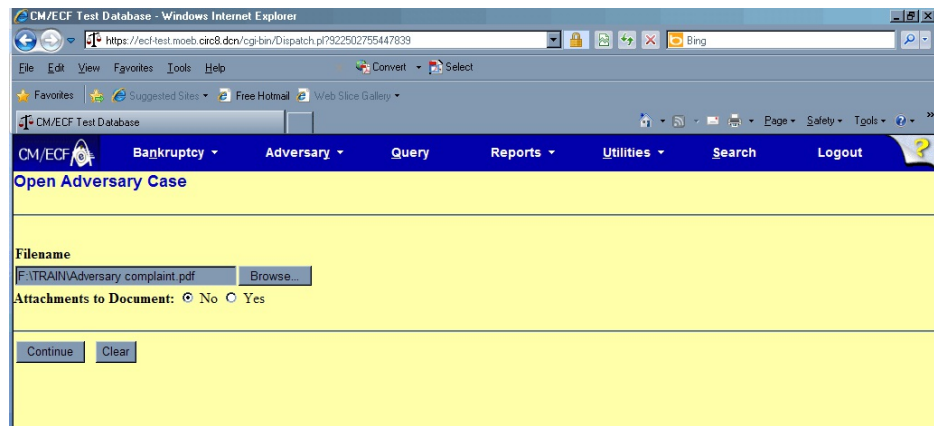


Figure 15c

- ◆ The **PDF DOCUMENT SELECTION** screen appears with the path and PDF document in the **Filename** box. (See Figure 15d.)



CM/ECF Test Database - Windows Internet Explorer

https://ecf-test.moeb.circ8.dcn/cgi-bin/Dispatch.pl?922502755447839

File Edit View Favorites Tools Help

CM/ECF Test Database

CM/ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary Case

Filename

F:\TRAIN\Adversary complaint.pdf Browse...

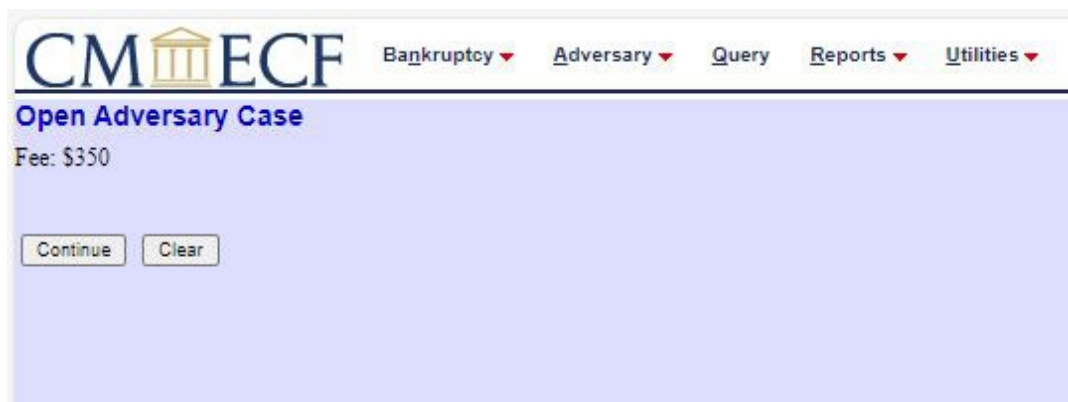
Attachments to Document: ☒ No ☐ Yes

Continue Clear

Figure 15d

- ◆ There will be no attachments in this exercise. Attachments will be covered in another lesson. Therefore, leave the radio button indicating No.
- ◆ Click **[Continue]**.

**STEP 16** The **FEE** screen appears. (See Figure 16)



CM/ECF Bankruptcy Adversary Query Reports Utilities

Open Adversary Case

Fee: \$350

Continue Clear

Figure 16

Click **[Continue]**.

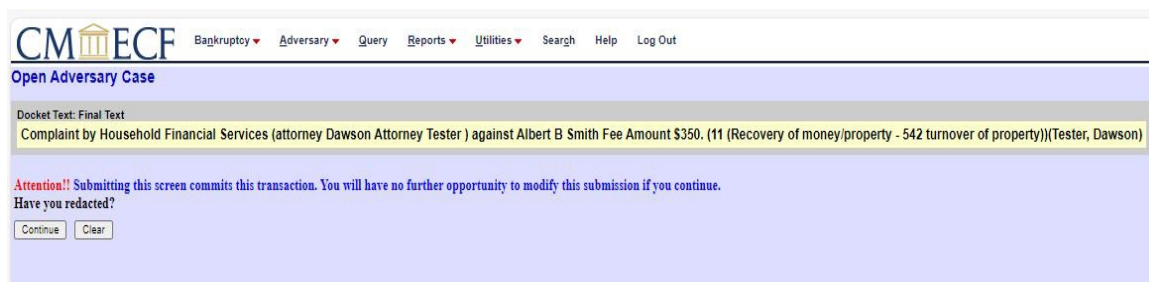
**STEP 17** The **FINAL DOCKET TEXT** SCREEN DISPLAYS (See Figure 17.)

Figure 17

- ◆ Proof this screen carefully! No further editing in the case opening process is allowed after this screen. If Docket Text is correct, click **[Continue]**.
- ◆ If any part of it is incorrect, click the browser **[Back]** button to return to the screen you need to correct. Then process the screens again with the respective **[Continue]** or **[Submit]** buttons.

**NOTE:** When an adversary case is opened, the complaint information is spread over to the main bankruptcy case. (The case number does not appear in the docket text.)

When the judgment is rendered, the ruling will also spread over to the main bankruptcy case.

**NOTE:** To abort or restart the transaction at any time up until the final docket text screen, click the **Adversary** hyperlink on the **Menu Bar**.

**STEP 18** The **NOTICE OF ELECTRONIC FILING** screen appears. (See Figure 18a.)

The screenshot displays the CM/ECF Adversary Case Opening page. At the top, there is a navigation bar with links for Bankruptcy, Adversary, Query, Reports, Utilities, Search, Help, and Log Out. The main heading is "Open Adversary Case". Below this, the court information is listed: "U.S. Bankruptcy Court, Eastern District of Missouri (Train)".

The "Notice of Electronic Filing" section states: "The following transaction was received from Dawson Attorney Tester entered on 4/3/2024 at 2:40 PM CDT and filed on 4/3/2024". It lists the case name as "Household Financial Services v. Smith" and the case number as [24-04001](#). The document number is 1.

Below this, the case name is listed as "Albert B Smith" and the case number as [23-40008](#). The document number is 10.

The "Docket Text" section provides a summary of the case: "Adversary case 24-04001. Complaint by Household Financial Services (attorney Dawson Attorney Tester) against Albert B Smith Fee Amount \$350. (11 (Recovery of money/property - 542 turnover of property))(Tester, Dawson)".

The "Document description" section lists the main document as "Adversary Coversheet.pdf" with the original filename "Adversary Coversheet.pdf". It also includes the electronic document stamp: "[STAMP bkecfStamp\_ID=1031339175 [Date=4/3/2024] [FileNumber=130173-0] [002f890828e41afddba9d0f8ed994fcf87413770f5ba90792d500d9c3f6a1a35dd844e9c0984bf63784991c60145f3a2359b4e7be37449e1ca42ebc3f9199cc2]]".

The "Notice will be electronically mailed to:" section lists the following recipients:

- Dawson Attorney Tester on behalf of Plaintiff Household Financial Services: [moebnxtgen-dawsonattorneytester@gmail.com](mailto:moebnxtgen-dawsonattorneytester@gmail.com)
- Albert B Smith: 1 First Street, Clayton, MO 63105
- Dawson Attorney Tester on behalf of Creditor Friendly Finance: [moebnxtgen-dawsonattorneytester@gmail.com](mailto:moebnxtgen-dawsonattorneytester@gmail.com)
- Dawson Attorney Tester on behalf of Debtor Albert B Smith: [moebnxtgen-dawsonattorneytester@gmail.com](mailto:moebnxtgen-dawsonattorneytester@gmail.com)
- Dawson Attorney Tester on behalf of Plaintiff Household Financial Services: [moebnxtgen-dawsonattorneytester@gmail.com](mailto:moebnxtgen-dawsonattorneytester@gmail.com)

Figure 18a

- ◆ The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
- ◆ The case number is a hyperlink to the docket sheet and the document number is a hyperlink to the PDF document image. Clicking on either of these links will bring up the PACER login screen. **The case number of both this adversary and the lead bankruptcy case appear.** This indicates that this complaint entry has spread to the bankruptcy case and will be available to anyone reviewing the Bankruptcy Docket report. The hyperlink to the imaged PDF complaint is also accessible from the bankruptcy case.

- ◆ To print a copy of this notice, click the browser **[Print]** icon.
- ◆ To save a copy of this notice, click **[File]** on the browser menu
- ◆ Trustee and Attorney users will have access to the **Notice of Electronic Filing** at the time of their filing. Subsequent access to any Query or Report programs must go through the PACER system.
- ◆ Further access to the **Notice of Electronic Filing** is available through the electronic docket report. When this option is selected, a bullet appears next to the document number of the event on the docket report. Clicking on this bullet will display a copy of this notice. Attorney users will be presented with a PACER login screen first.
- ◆ When a copy of the **Notice of Electronic Filing** is mailed to each subscriber on the case, the following message will display at the top:

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\***

**You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.**



## **Adversary Do's & Don't's**

### **Do's:**

- Open an adversary using the "Open AP Case" on the Adversary button on the blue Main Menu bar.
- Always use the proper Adversary Caption for pleadings filed in an adversary case.
- Always file a Civil Cover Sheet when opening an adversary case.
- Always enter the main bankruptcy case number when opening an adversary case.
- Always select the correct Role in Bankruptcy Case for the party.

### **Don't's:**

- Do not open an adversary using an event under the Bankruptcy button.
- Do not forget to file a return of service.